

BOARD OF EDUCATION AGENDA

REGULAR MEETING

March 26, 2024 - 6:00 PM

Alameda City Hall - Council Chambers

2263 Santa Clara Avenue
Alameda, CA 94501

Regular meetings held in Council Chambers will be recorded and broadcast live on Comcast, Channel 15

The Board of Education will meet for Closed Session and to discuss labor negotiations, student discipline, personnel matters, litigation, and other matters as provided under California State law and set forth on the agenda below. Following Closed Session, the Board reconvenes to Public Session. Adjournment of the Public Session will be no later than 10:30 PM for all regular and special meetings, unless extended by a majority vote of the Board.

Writings relating to a board meeting agenda item that are distributed to at least a majority of the Board members less than 72 hours before the noticed meeting, and that are public records not otherwise exempt from disclosure, will be available for inspection at the District administrative offices, 2060 Challenger Drive, Alameda, CA. Such writings may also be available on the District's website. (Govt Code 54957.5b).

Individuals who require special accommodations (American Sign Language interpreter, accessible seating, documentation in accessible format, etc.) should contact Kerri Lonergan, Assistant to the Superintendent, at 337-7187 no later than 48 hours preceding the meeting.

IF YOU WISH TO ADDRESS THE BOARD OF EDUCATION

Please submit a "Request to Address the Board" slip to Kerri Lonergan, Assistant to the Superintendent, prior to the introduction of the item. For meeting facilitation, please submit the slip at your earliest possible convenience. Upon recognition by the President of the Board, please come to the podium and identify yourself prior to speaking. The Board of Education reserves the right to limit speaking time to three (3) minutes or fewer per individual. Speakers are permitted to yield their time to one other speaker, however no one speaker shall have more than four (4) minutes.

Closed Session Items: may be addressed under Public Comment on Closed Session Topics.

Non Agenda and Consent Items: may be addressed under Public Comments.

Agenda Items: may be addressed after the conclusion of the staff presentation on the item.

A. CALL TO ORDER

1. Public Comment on Closed Session Topics: The Board of Education Reserves the Right to Limit Public Comment to 10 Minutes. For members of the public who are unable to log in or attend in person, please send public comments related to Closed Session agenda items to: publiccomments@alamedaunified.org. Public comments received prior to 5:00 PM on March 25, 2024, 2024 will be distributed to the Board of Education prior to the meeting.

To join the Zoom meeting in order to make a public comment on Closed Session Agenda Items only:

Remote Participation via Standard Telephone Call

Call **669-900-9128** and enter the Meeting ID listed at the top of the agenda. Dial *9 to raise your hand when you wish to speak on an item and dial *6 to unmute once you have been called to speak.

Zoom Registration Link: <https://alamedaca->

gov.zoom.us/webinar/register/WN_LxU07bNWRqa7BbaGnCXAsw

For Telephone Participants:

Zoom Phone Number: 669-900-9128

Zoom Meeting ID: 892 1582 9256

2. Adjourn to Closed Session - 6:00 PM - Board Members will meet privately in Room 391 at City Hall for Closed Session. Any action taken during Closed Session will be reported out under "Closed Session Action Report."

Conference with Labor Negotiators – (Govt. Code, §54957.6, subd. (a))

District designated representative: Timothy Erwin, Assistant Superintendent - Human Resources

Employee organizations: Alameda Education Association (AEA), California School Employees Association Chapter 27 (CSEA 27), California School Employees Association Chapter 860 (CSEA 860) and Executive Cabinet/Administrative and Supervisory/Confidential/Licensed/Unrepresented.

Public Employee Performance Evaluation - (Govt. Code, §54957, subd. (b)(1)):

1) Superintendent

3. *****

Reconvene to Public Session - 6:30 PM -City Council Chambers

Alameda Unified School District encourages public participation in person or remotely.

In Person Participation

Meeting locations are listed at the top of the agenda.

A speaker slip must be submitted to speak on any item in person.

Remote Participation via Zoom on a Computer/Smart Phone/Device

Ensure you are using the most current version of the Zoom app or an updated web browser. Certain functionality may be disabled if the app or browser are not updated.

Register using the link below. Click "raise hand" when you wish to speak on an item and click "unmute" once you have been called to speak.

Remote Participation via Standard Telephone Call

Call **669-900-9128** and enter the Meeting ID listed at the top of the agenda. Dial *9 to raise your hand when you wish to speak on an item and dial *6 to unmute once you have been called to speak.

Zoom Registration Link: https://alamedaca-gov.zoom.us/webinar/register/WN_LxU07bNWRqa7BbaGnCXAsw

For Telephone Participants:

Zoom Phone Number: 669-900-9128

Zoom Meeting ID: 892 1582 9256

**To view the live stream of the public meeting at 6:30pm,
please visit the City of Alameda's Live Video Broadcast page.**

4. Pledge of Allegiance - Board of Education President Jennifer Williams will lead the Pledge of Allegiance
5. Call to Order - 6:30pm - City Council Chambers - Introduction of Board Members and Staff
6. Closed Session Action Report

B. MODIFICATION(S) OF THE AGENDA - The Board may change the order of business including, but not limited to, an announcement that an agenda item will be considered out of order, that consideration of an item has been withdrawn, postponed, rescheduled or removed from the Consent Calendar for separate discussion and possible action

C. APPROVAL OF MINUTES

1. Minutes from the December 12th and January 9th Board Meetings will be considered (5 Mins/Action)

D. COMMUNICATIONS

1. Resolution 2023-2024.53 In Recognition of School Library Month - April (5 Mins/Action)
2. Public Comments - This public comment period is for items not listed on the agenda but that are under the Board's jurisdiction. Members of the public can join the meeting in person or from their computer, tablet or smartphone. Please submit a speaker slip (in person) or use the "raise your hand" feature (Zoom). Once public comments begin, additional speaker slips and raised hands will not be accepted. If we experience technical difficulties or if there is a disruption, the Board may discontinue Zoom public comments at any time. If a member of the public is unable to join the meeting, they may send their comments to: publiccomments@alamedaunified.org.
3. Written Correspondence - Written correspondence regarding an agenda item that is distributed to a majority of Board Members is shared.
4. Report from Employee Organizations - Representatives from the District's employee organizations may make announcements or provide information to the Board and Public in the form of a brief oral report. The Board will not take action on such items. Alameda Education Association (AEA); California School Employees Association Chapter 27 (CSEA 27); California School Employees Association Chapter 860 (CSEA 860) (5 Mins Each/Information).
5. PTA Council Report - Representatives from the District's PTA Council group may make announcements or provide information to the Board and Public in the form of a brief oral report. The Board will not take action on such items. (5 Mins/Information)
6. Board Members' Report - Board of Education Members may make announcements or provide information to the Public in the form of an oral report. The Board will not take action on such items. (5 Mins Each/Information)
7. Superintendent's Report - The Superintendent of Schools may make announcements or provide information to the Board and Public in the form of an oral report. The Board will not take action on such items.
8. Student Board Members' Report - Student Board Members may make announcements or provide information to the Board and the Public in the form of an oral report. The Board will not take action on such items.(5 Mins Each/Information)

E. ADOPTION OF THE CONSENT CALENDAR

1. Certificated Personnel Actions
2. Classified Personnel Actions
3. Approval and Acceptance of Donations
4. Approval of 2023-24 Consolidated Application Winter Reporting
5. Approval of 2024-2027 Triennial Plan for Providing Educational Services for Expelled Pupils
6. Approval of AUSD's Comprehensive School Safety Plans (CSSP)
7. Approval of Bid Award for Invitation to Bid (IBD) #024-077-03 Ruby Bridges Elementary School - Classroom Building Roof Replacements
8. Approval of Bid Award for Invitation to Bid (IBD) #024-077-04 Alameda High School - Roof Repairs
9. Approval of Bid Award per Request for Proposal (RFP) No. 024-049-02 After School Program for Select Alameda USD Elementary Schools
10. Approval of Bill Warrants and Payroll Registers
11. Approval of Facilities Bond Measure I and Measure B Contracts (Standing Item)
12. Approval of Individual Service Agreements (ISAs) with Non-Public Schools and Non-Public Agencies
13. Approval of Memorandum of Understanding between Alameda Unified School District and Contra Costa County Office of Education Teacher Induction Program
14. Proclamation: Adult Education Week - April 7-13, 2024
15. Proclamation: Cesar Chavez Day - March 31, 2024
16. Proclamation: Dolores Huerta Day - April 10, 2023
17. Ratification of Contracts Executed Pursuant to Board Policy 3300
18. Resolution No. 2023-2024.54 Approval of Budget Transfers, Increases, Decreases
19. Resolution No. 2023-2024.55 Authorization to Dispose of Surplus Property

F. GENERAL BUSINESS – Informational reports and action items are presented under General Business. The public may comment on each item listed under General Business as the item is taken up. The Board reserves the right to limit public comment on General Business items to ten (10) minutes per item. The Board may, with the consent of persons representing both sides of an issue, allocate a block of time to each side to present their issue.

1. Update on Special Education Goals and Projects as they Align with District Priorities (20 Mins/Information)
2. Update on Early Childhood Education Program, Transitional Kindergarten, Kindergarten, and Preschool to First Grade Alignment (10 Mins/Information)
3. Approval of Declaration of Need for Fully Qualified Educators (5 Mins/Action)

G. ADJOURNMENT

ALAMEDA UNIFIED SCHOOL DISTRICT
BOARD AGENDA ITEM

Item Title: Adjourn to Closed Session - 6:00 PM - Board Members will meet privately in Room 391 in City Hall for Closed Session. Any action taken during Closed Session will be reported out under "Closed Session Action Report."

Item Type:

Background: Adjourn to Closed Session - 6:00 PM - Board Members will meet privately in Room 391 at City Hall for Closed Session. Any action taken during Closed Session will be reported out under "Closed Session Action Report."

Conference with Labor Negotiators – (Govt. Code, §54957.6, subd. (a))
District designated representative: Timothy Erwin, Assistant Superintendent - Human Resources

Employee organizations: Alameda Education Association (AEA),
California School Employees Association Chapter 27 (CSEA 27),
California School Employees Association Chapter 860 (CSEA 860)
and Executive Cabinet/Administrative and
Supervisory/Confidential/Licensed/Unrepresented.

Public Employee Performance Evaluation - (Govt. Code, §54957, subd. (b) (1)):

1) Superintendent

AUSD LCAP Goals: 1. Eliminate barriers to student success and maximize learning time.

Fund Codes:

Fiscal Analysis

Amount (Savings) (Cost):

Recommendation:

AUSD Guiding Principle:

Submitted By:

ALAMEDA UNIFIED SCHOOL DISTRICT
BOARD AGENDA ITEM

Item Title: Minutes from the December 12th and January 9th Board Meetings will be considered (5 Mins/Action)

Item Type: Action

Background: Staff has prepared minutes following Board Bylaw 9324 – Minutes and Recordings:
In order to ensure that the minutes are focused on Board action, the minutes shall include only a brief summary of the Board's discussion, but shall not include a verbatim record of the Board's discussion on each agenda topic or the names of Board members who made specific points during the discussion.

Minutes coming to the Board for approval are:

- December 12, 2023 Board Meeting
- January 9, 2024 Board Meeting

AUSD LCAP Goals:

Fund Codes:

Fiscal Analysis

Amount (Savings) (Cost):

Recommendation: Approve as submitted.

AUSD Guiding Principle:

Submitted By: Kerri Lonergan, Senior Executive Assistant to the Superintendent and Board of Education

ATTACHMENTS:

	Description	Upload Date	Type
☐	Unadopted Minutes from December 12th Board Meeting	3/22/2024	Backup Material
☐	Unadopted minutes from January 9th Board Meeting	3/25/2024	Backup Material

BOARD OF EDUCATION MEETING
December 12, 2023
Regular Meeting of the Board of Education
2263 Santa Clara Avenue
Alameda, California 94501

UNADOPTED MINUTES

REGULAR MEETING: The regular meeting of the Board of Education was held at the date and location mentioned above.

A. CALL TO ORDER

1. Public Comment on Closed Session Topics:

The Board did not receive any public comments related to this agenda.

2. Adjourn to Closed Session - 5:30 PM

Board of Education Members present: Board President Heather Little, Board Vice President Jennifer Williams, Board Clerk Gary K. Lym, and Board Trustee Ryan LaLonde.

Staff present for Closed Session: Superintendent Pasquale Scuderi, Assistant Superintendent, Human Resources, Timothy Erwin; Assistant Superintendent, Business Services Shariq Khan

Items discussed in Closed Session:

Conference with Labor Negotiators – (Govt. Code, §54957.6, subd. (a))
Agency designated representative: Timothy Erwin, Assistant Superintendent, Human Resources:

- 1) Employee organizations: Alameda Education Association (AEA), California School Employees Association Chapter 27 (CSEA 27), California School Employees Association Chapter 860 (CSEA 860) and Executive Cabinet/Administrative and Supervisory/Confidential/Licensed/Unrepresented.

3. Reconvene to Public Session - 6:30PM

Board President Little reconvened the meeting at 6:30PM.

4. Call to Order - Pledge of Allegiance

Board of Education President Heather Little led the Pledge of Allegiance

5. Introduction of Board Members and Staff:

Board of Education Members present: Board President Heather Little, Board Vice President Jennifer Williams, Board Clerk Gary K. Lym, and Board Trustee Ryan LaLonde.

Student Board Members present: Talia Kotovsky (Alameda High), Lianna Lau (ASTI), and Student Board Member Mirabelle Krueger (Encinal High).

AUSD staff members present: Superintendent Pasquale Scuderi, Assistant Superintendent, Human Resources, Timothy Erwin; Assistant Superintendent, Business Services Shariq Khan; Assistant Superintendent, Educational Services, Kirsten Zazo; Senior Manager of Community Affairs, Susan Davis and Senior Executive Assistant to the Superintendent, Kerri Lonergan.

6. Closed Session Action Report:
The Board did not take action in Closed Session.

B. MODIFICATION(S) OF THE AGENDA:

Board President Little asked the Board to modify the agenda to have the Board Vacancy Appointment item go first under General Business, followed by the seating of the new Board President and then the remaining three items.

Motion to modify the agenda to move General Business Item #5 to come first, followed by General Business Item #3, and then the Remaining Items.

MOTION: Member Little

SECONDED: Member Williams

STUDENT BOARD MEMBER VOTES

AYES: Members Lau, Kruger, and Kotovsky

NOES:

ABSENT:

BOARD MEMBER VOTES

AYES: Members Little, Williams, Lym, and LaLonde

NOES:

ABSENT:

MOTION APPROVED

C. COMMUNICATIONS

1. Public Comments on Non-Agenda Items:
There were no public comments on non-agenda items.
2. Written Correspondence:
The Board received four emails regarding General Business item #5: *The Selection of a Provisional Appointee for the Vacant Board of Education Seat.*
3. Report from Employee Organizations:
Amy Keegan, President CSEA 27: Ms. Keegan announces Tara Shelton has been elected as the new VP of CSEA 27, there is a paraeducator conference in March, and applications for CSEA scholarships will open this winter.
4. Report from PTA Council:
Barbara Muramoto, President of Ruby Bridges Elementary PTA: Ms. Muramoto describes her school and some of its ongoing challenges, including vulnerable students, opportunity gaps among students, and funding challenges.

5. Board Members' Report:

Board President Heather Little: Board President Little wished everyone a safe and happy holiday season.

Board Clerk Gary K. Lym: Board Clerk Lym wished everyone a wonderful winter holiday.

Board Member Ryan LaLonde: Board Member LaLonde wished everyone a safe and healthy holiday season. Board Member LaLonde stated last week he and other Board members attended the Annual CSBA Education Conference. Board Member LaLonde enjoyed engaging with other Board members from around the state. Board Member LaLonde congratulated Tara Shelton at Edison Elementary School who was just elected Vice President of CSEA 27.

Board Vice President Jennifer Williams: Board Vice President Williams wished a very happy holiday break to families, staff, and students. Board Vice President Williams stated starting in January at all our Board meetings we will be taking a deep dive into our budget so we can look at things closely. Board Vice President Williams stated the Board and AUSD leadership must make tough decisions by June, and this will help us to be prepared and it will help our community know what is going on.

6. Superintendent's Report:

Superintendent Pasquale Scuderi: Superintendent Scuderi wished everyone a happy holiday season, and he stated the New Year will require "sustained and thoughtful focus" due to looming state budget cuts. Superintendent Scuderi also stated that he wanted to be very open and transparent about the fiscal challenges AUSD will be navigating in January.

7. Student Board Members' Report:

Lianna Lau (ASTI): Student Board Member Lau announced that ASTI has their last and final SSC meeting of the year. Student Board Member Lau stated college finals and ASTI finals are coming next week. Student Board Member Lau announced the application for ASTI is still available for incoming 9th grade students for the 2024-2025 school year. Student Board Member Lau congratulated Peralta Chancellor Dr. Jannet Jackson on her retirement.

Talia Kotovsky (Alameda High School): Student Board Member Kotovsky announced that Spirit Week is underway. There is a Diversity Club Trivia Day on Friday, this Thursday is the Annual Winter Dance Showcase.

Mirabelle Kruger (Encinal High School): Student Board Member Kruger announced finals are next week, the Health Center is doing a De-Stress Event at lunch tomorrow ahead of finals, this week is the last Spirit Week of 2023, and donation drives end this Friday.

D. ADOPTION OF THE CONSENT CALENDAR

1) Certificated Personnel Actions

- 2) Classified Personnel Actions
- 3) Approval and Acceptance of Donations
- 4) Approval of 2024 Schedule of Board of Education Meetings
- 5) Approval of Bill Warrants and Payroll Registers
- 6) Approval of Facilities Bond Measure I and Measure B Contracts (Standing Item)
- 7) Approval of New Course Description for AUSD High Schools: AP African American Studies
- 8) Approval of Revised Job Description: Coordinator- Early Childhood Education
- 9) Approval of Special Education Local Plan Area Master Contracts
- 10) Approval of Superintendent's Recommendation to Appoint Members to the Parcel Tax Oversight Committee
- 11) Ratification of Contracts Executed Pursuant to Board Policy 3300
- 12) Resolution No. 2023-2024.28 Approval of Budget Transfers, Increases, Decreases
- 13) Resolution No. 2023-2024.27 Appointment of Board Secretary
- 14) Resolution No. 2023-2024.33 Annual Signature Card for AUSD Board of Education Trustees

Motion to adopt the Consent Calendar.

MOTION: Member Williams

SECONDED: Member LaLonde

STUDENT BOARD MEMBER VOTES

AYES: Members Lau, Kruger, and Kotovsky

NOES:

ABSENT:

BOARD MEMBER VOTES

AYES: Members Little, Williams, Lym, and LaLonde

NOES:

ABSENT:

MOTION APPROVED

E. GENERAL BUSINESS

1. Deliberation and Selection of Provisional Appointee for Vacant Board of Education Seat

With the recent resignation former Board Vice President Megan Sweet on October 26th, there is currently a vacant seat on the Board of Education. Education Code gives the Board two options for filling the vacant seat: calling a special election, or appointing an applicant. At its Special meeting on November 3rd, the Board voted unanimously to use the appointment method to make a provisional appointment of a new Board member who will fill former

Board Vice President Sweet's vacancy on the Board until the end of her term, which is November 2024.

Applications for the vacant seat were made available to the public on November 6th. Applications were due back by 5pm on December 6th. Eleven people applied for the position. The eleven candidates are (in alphabetical order):

1. Joyce Boyd
2. Lee Conway
3. Marnie Curry
4. Dan Hurst
5. Shulin Lin
6. Barb McClung
7. David Nelsen
8. ~~Elena Rivkin~~ (*application withdrawn*)
9. Margie Sherratt
10. ~~Jeff Smith~~ (*eligibility not able to be determined*)
11. Alanna (Alex) Spehr

At a Special Board meeting held on December 8th:

- Candidates who attended the in-person meeting gave a three-minute opening statement.
- Each candidate answered a question posed by the Board.
- Board President Heather Little provided an opportunity for public comment.
- The Board discussed the candidates and deliberated with the hope of coming to a consensus on a candidate to be appointed as a provisional Board member.

The provisional Board member will be sworn in at the Board's January 9th meeting.

Public Comments:

Olivia Higgins, parent of AUSD students and Founding Member of the LGBTQ Round Table: Ms. Higgins asked the Board to select candidate Barb McClung to fill the vacant seat left by Dr. Megan Sweet when she resigned from the Board.

Krista Arrington, AUSD Psychologist: Ms. Arrington asked the Board to select candidate Barb McClung to fill the vacant seat left by Dr. Megan Sweet when she resigned from the Board.

Board members discussed the many attributes of the Board candidates, and they came to a consensus on this being the most experienced and knowledgeable group of candidates they have seen.

Board members let all candidates know they would love to see the candidates who were not selected at this time, be involved in other District committees.

Motion to nominate Margie Sherratt as the Provisional Board of Education member.

MOTION: Member LaLonde

SECONDED: Member Williams

STUDENT BOARD MEMBER VOTES

AYES: Members Lau, Kruger, and Kotovsky

NOES:

ABSENT:

BOARD MEMBER VOTES

AYES: Members Little, Williams, Lym, and LaLonde

NOES:

ABSENT:

MOTION APPROVED

2. Recognition of Outgoing Board President, Acknowledgement of Incoming Board President and Vice President, and Election of Board Clerk

The Board has designated today's meeting as the annual organizational meeting required by section 35143 of the Education Code. Section 35143 states that the Board shall elect officers at its annual organizational meeting. One such officer is the Board Clerk.

Board Bylaw 9123 states that the duties of the Clerk shall be to:

1. Certify or attest to actions taken by the Board when required.
2. Maintain such other records or reports as required by law.
3. Sign documents on behalf of the district as directed by the Board.
4. Serve as presiding officer in the absence of the President and Vice President.
5. Notify Board members and members-elect of the date and time for the annual organizational meeting.
6. Perform any other duties assigned by the Board.

Motion to elect Ryan LaLonde as the Board Clerk.

MOTION: Member Williams

SECONDED: Member Little

STUDENT BOARD MEMBER VOTES

AYES: Members Lau, Kruger, and Kotovsky

NOES:

ABSENT:

BOARD MEMBER VOTES

AYES: Members Little, Williams, Lym, and LaLonde

NOES:

ABSENT:

MOTION APPROVED

Board President Heather Little left the meeting at 7:23pm

3. Approval of First Interim Budget and Resolution No. 2023-2024.29
Designating Certain General Funds as Committed Fund Balance

Shariq Khan, Assistant Superintendent, Business Services, gave the Board information on the First Interim Budget. Twice during the fiscal year, school districts are required to submit a financial report certifying the district's ability to meet its financial obligations for the current and two subsequent years. The reports examine the district's attendance, spending patterns, fund balance, reserve for economic uncertainties, and multi-year projections. Staff will present the 2023-2024 First Interim which reports the district's financial position as of October 31, 2023.

Resolution No. 2022-2023.72 was approved with the 2023-2024 budget adoption at the June 27, 2023 Board of Education meeting to maintain a prudent level of financial resources and to comply with the requirements of the Government Standards Accounting Board (GASB) statement number 54. Resolution No. 2022-2023.72 authorized and directed the district Superintendent or designee to finalize the amounts to be committed for the purposes directed within based on the unaudited actual financial report for fiscal year 2022-2023 no later than September 15, 2023.

Therefore at the Board's September 12, 2023 meeting, Resolution No. 2023-2024.11 was presented and approved to adhere to that requirement.

The attached Resolution No. 2023-2024.29 presents updated committed fund balance amounts, purposes and justifications since September 12, 2023, and its adoption by the Board is required as a successor resolution in order to revise the fund commitments as indicated.

Public Comments:

Joyce Boyd, parent of AUSD student: Ms. Boyd shared that other districts in the Bay Area are struggling to maintain solvency. Ms. Boyd shared that SFUSD is facing huge budget cuts and they have many unstaffed positions they can't afford to fill. Ms. Boyd thanked Mr. Khan and the Fiscal team in AUSD for their hard work.

Motion to Approve of First Interim Budget and Resolution No. 2023-2024.29
Designating Certain General Funds as Committed Fund Balance

MOTION: Member Lym **SECONDED:** Student Board Member Kotovsky

STUDENT BOARD MEMBER VOTES

AYES: Members Lau, Kruger, and Kotovsky

NOES:

ABSENT:

BOARD MEMBER VOTES

AYES: Members Williams, Lym, and LaLonde

NOES:

ABSENT: Member Little

MOTION APPROVED

4. Resolution 2023-2024.30 Adoption of Wood Middle School Measure B Modernization and New Construction Phase 1: Initial Study and Mitigated Negative Declaration

The district is in the process of constructing a replacement building and modernizing the site at Wood Middle School located at 420 Grand Street. Due to its scope, this project requires a California Environmental Quality Act (CEQA) review.

The district contracted with consultants Brelje & Race Consulting Engineers (“Brelje & Race”) to conduct the CEQA process. At the November 14, 2023, Board of Education meeting, Brelje & Race presented the Initial Study (“IS”) as a platform for the Board to receive public comment on the project.

In accordance with State CEQA guidelines, on November 3, 2023, a Notice of Intent to Adopt a Mitigated Negative Declaration (“MND”) was published to inform agencies and interested parties that the district was releasing an IS and Proposed MND for the project. The Notice informed the public of the 30-day public review through December 3, 2023, and provided details on how to provide comments. The Notice was communicated through the following channels:

1. Mailed to all properties within 500 feet of Wood Middle School and the future Phase 2 athletic stadium site
2. Posted at the County Clerk’s office
3. Posted at Wood Middle School
4. Posted at the District Office
5. Published in the Alameda Times-Star,
6. Published on the District website
7. Mailed to concerned public agencies, such as the City of Alameda, tribal agencies, and EBMUD

Tonight, representatives from Brelje & Race will return to address the comments received and subsequent mitigation measures taken.

Based on recommendation from Brelje & Race, the district finds the impact of the project to be of No Impact, Less Than Significant Impact or Less than Significant Impact with the incorporation of mitigation, and therefore, staff recommends the Board adopt the proposed MND.

Public Hearing Opened: 7:47pm
No public comments
Public Hearing Closed: 7:48pm

Motion to Approve Resolution 2023-2024.30 Adoption of Wood Middle School Measure B Modernization and New Construction Phase 1: Initial Study and Mitigated Negative Declaration

MOTION: Member LaLonde

SECONDED: Member Lym

STUDENT BOARD MEMBER VOTES

AYES: Members Lau, Kruger, and Kotovsky

NOES:

ABSENT:

BOARD MEMBER VOTES

AYES: Members Williams, Lym, and LaLonde

NOES:

ABSENT: Member Little

MOTION APPROVED

5. Resolution No. 2023-2024.31 Annual Accounting for Developer Fees for Fiscal Year 2022-2023 Collected by the District in Account: Fund 25

Government Code sections 66001 and 66006 imposed detailed requirements on public agencies that levy development fees. These sections require school districts collecting statutory school facilities fees to make an annual accounting of those fees available to the public within 180 days of the end of the fiscal year which is on or before December 28, 2023. The annual accounting must then be reviewed by the governing board at its next regularly scheduled meeting, at least 15 days after the accounting was made available to the public.

Attached to the agenda item online are as follows:

- Resolution No. 2023-2024.31
- Exhibit A - 2022-2023 Developer Fee Annual Report
- Exhibit B - Capital Facilities Fund 25 posted on November 22, 2023

By disclosing the reports, the District will have met the requirements of Government Code sections 66001 and 66006.

Public Hearing Opened: 8:12pm

No public comments

Public Hearing Closed: 8:48pm

Motion to Approve Resolution 2023-2024.30 Adoption of Wood Middle School Measure B Modernization and New Construction Phase 1: Initial Study and Mitigated Negative Declaration

MOTION: Member LaLonde

SECONDED: Student Board Member Lau

STUDENT BOARD MEMBER VOTES

AYES: Members Lau, Kruger, and Kotovsky

NOES:

ABSENT:

BOARD MEMBER VOTES

AYES: Members Williams, Lym, and LaLonde

NOES:

ABSENT: Member Little

MOTION APPROVED

F. ADJOURNMENT – Board President Jennifer Williams adjourned the meeting at 8:16pm.

Respectively Submitted,

Kerri Lonergan
Senior Executive Assistant
Alameda Unified School District

BOARD OF EDUCATION MEETING
January 9, 2024
Regular Meeting of the Board of Education
2263 Santa Clara Avenue
Alameda, California 94501

UNADOPTED MINUTES

REGULAR MEETING: The regular meeting of the Board of Education was held at the date and location mentioned above.

A. CALL TO ORDER

1. Swearing in of Newly Appointed Board Member by Board President Jennfer Williams:
Board President Jennifer Williams performed the swearing in of newly appointed Board Member Margie Sherratt.

2. Public Comment on Closed Session Topics:
The Board did not receive any public comments related to this agenda.

3. Adjourn to Closed Session - 6:00 PM
Board of Education Members present: Board President Jennifer Williams, Board Vice President Gary K. Lym, Board Clerk Ryan LaLonde, Board Trustee Heather Little, and Board Trustee Margie Sherratt.

Staff present for Closed Session: Superintendent Pasquale Scuderi, Assistant Superintendent, Human Resources, Timothy Erwin; Assistant Superintendent, Business Services Shariq Khan

Items discussed in Closed Session:

Student Discipline, Student Suspension, Student Expulsion, or Student Expulsion Readmittance (Govt. Code § 35146, 48918) (one case):

1) Student ID #96757

4. Reconvene to Public Session - 6:30PM
Board President Williams reconvened the meeting at 6:30PM.
5. Call to Order - Pledge of Allegiance
Board of Education President Jennifer Williams led the Pledge of Allegiance
6. Introduction of Board Members and Staff:
B. Board of Education Members present: Board President Jennifer Williams, Board Vice President Gary K. Lym, Board Clerk Ryan LaLonde, Board Trustee Heather Little, and Board Trustee Margie Sherratt.

Student Board Members present: Talia Kotovsky (Alameda High), and Lianna Lau (ASTI).

Student Board Member Mirabelle Kruger (Encinal High) was absent.

AUSD staff members present: Superintendent Pasquale Scuderi, Assistant Superintendent, Human Resources, Timothy Erwin; Assistant Superintendent, Business Services Shariq Khan; Assistant Superintendent, Educational Services, Kirsten Zazo; Senior Manager of Community Affairs, Susan Davis and Senior Executive Assistant to the Superintendent, Kerri Lonergan.

1. Closed Session Action Report:

In Closed Session the Board voted 5-0 to approve staff's recommendation that student #96757 be expelled from the Alameda Unified School District through June 6, 2024, with conditions outlined in the rehabilitation plan. Student may apply for readmission after June 7, 2024.

C. MODIFICATION(S) OF THE AGENDA:

There were no modifications of the agenda.

D. COMMUNICATIONS

1. Swearing in of Newly Appointed Board Member by Board President Jennifer Williams:

Board President Williams performed the swearing in of newly appointed Board Member Margie Sherratt.

2. Public Comments on Non-Agenda Items:

Leland Tramain, parent of AUSD student: Mr. Tramain asked voters to vote no on the District's parcel tax renewal, which is on the ballot for the March 5th.

3. Written Correspondence:

The Board did not receive any email related to this agenda.

4. Report from Employee Organizations:

Martha Zenk, President Alameda Education Association (AEA): AEA Co-President Martha Zenk announced AEA is in negotiations with the District. Ms. Zenk also stated AEA is in support of Measure E, the parcel tax renewal that is on the ballot for the March 5th election.

5. Report from PTA Council:

The PTA Council did not make a report.

6. Board Members' Report:

Board President Jennifer Williams: Board President Williams welcomed newly appointed Board member Margie Sherratt, and she stated she was very excited to work with Board Member Sherratt. Board President Williams also stated there were people in the audience, including former Student Board Member Henry Mills, to welcome Board Member Sherratt back to the Board.

Board Vice President Gary K. Lym: Board Clerk Lym wished everyone a happy new year, and he welcomed newly appointed Board member Margie Sherratt.

Board Member Heather Little: Board Member Little welcomed Margie Sherratt and announced the Encinal vs. Alameda Soccer Game this Friday. Board Member Little wished the Encinal team, including her son, good luck.

Board Clerk Ryan LaLonde: Board Member LaLonde wished everyone a happy new year and he welcomed Board Member Sherratt back to the Board.

7. Superintendent's Report:

Superintendent Pasquale Scuderi: Superintendent Scuderi wished everyone a happy new year, and he welcomed newly appointed Board member, Margie Sherratt.

8. Student Board Members' Report:

Lianna Lau (ASTI): Student Board Member Lau announced applications for ASTI are still available for incoming 9th grade students for the 2024-2025 school year. The application period ends on January 19th. Student Board Member Lau welcomed the Adult Transition students to the ASTI/COA campus. Student Board Member Lau also welcomed Board Member Sherratt back to the Board.

Talia Kotovsky (Alameda High School): Student Board Member Kotovsky announced there is a Diversity Club event on Friday, and she welcomed Board Member Sherratt.

E. ADOPTION OF THE CONSENT CALENDAR

1. Approval and Acceptance of Donations
2. Approval of Bill Warrants and Payroll Registers
3. Approval of CSBA Recommended Updates to Board Policies
4. Approval of Facilities Bond Measure I and Measure B Contracts (Standing Item)
5. Approval of Quarterly Report on Williams Uniform Complaints
6. Approval of Special Education Local Plan Area Master Contracts
7. Ratification of Contracts Executed Pursuant to Board Policy 3300
8. Resolution No. 2023-2024.34 Approval of Budget Transfers, Increases, Decreases
9. Resolution No. 2023-2024.35 Delegation of Authority to Purchase and Contract
10. Resolution No. 2023-2024.36 Approval of Notice of Completion: Wood Middle School HVAC Modernization Project
11. Resolution No. 2023-2024.37 Approval of Notice of Completion: District-Wide Safe School Locks Project

12. Resolution No. 2023-2024.38 Approval of Notice of Completion: Bay Farm School New Classrooms

Motion to adopt the Consent Calendar.

MOTION: Member Little

SECONDED: Member Sherratt

STUDENT BOARD MEMBER VOTES

AYES: Members Lau and Kotovsky

NOES:

ABSENT: Member Kruger

BOARD MEMBER VOTES

AYES: Members Williams, Lym, LaLonde, Little, and Sherratt

NOES:

ABSENT:

MOTION APPROVED

F. GENERAL BUSINESS

1. District Audit Report for Fiscal Year Ended June 30, 2023

Each year, the law requires school districts to review the annual audit of the school district's financial records for the prior fiscal year at a public meeting.

The audit examines the District's compliance with state and federal standards and procedures for the District to implement sound fiscal management practices for the most effective and efficient use of public funds.

Aurthur Ngo from audit firm Moss Adams, LLP gave the Board the District Audit and Financial Statements for 2022-2023.

A Board member remarked on the excellent report received and he complimented Shariq Khan and his team on the tremendous amount of work this involved.

Motion to approve the District Audit Report for Fiscal Year Ended June 30, 2023.

MOTION: Member Lym

SECONDED: Member Little

STUDENT BOARD MEMBER VOTES

AYES: Members Lau and Kotovsky

NOES:

ABSENT: Member Kruger

BOARD MEMBER VOTES

AYES: Members Williams, Lym, LaLonde, Little, and Sherratt

NOES:

ABSENT:

MOTION APPROVED

2. Measures I and B Bond Audit Report for Fiscal Year Ended June 30, 2023

Each year, the law requires school districts to review the annual audit of the school district's financial records for the prior fiscal year at a public meeting.

The Measure I and Measure B Bond audit examines the District's compliance with state and federal standards and procedures for the Measures, facilities bonds, which the citizens of Alameda approved in November 2014 and November 2022. Measure I authorized the District to issue General Obligation Bonds (GO Bonds) up to \$179.5 million, and Measure B authorized the District to issue GO Bonds up to \$298 million.

Aurthur Ngo from audit firm Moss Adams, LLP gave the Board the Measure I and B Bond Performance Audit and Financial Statements for 2022-2023..

Motion to approve Measures I and B Bond Audit Report for Fiscal Year Ended June 30, 2023.

MOTION: Member Little

SECONDED: Student Member Kotovsky

STUDENT BOARD MEMBER VOTES

AYES: Members Lau and Kotovsky

NOES:

ABSENT: Member Kruger

BOARD MEMBER VOTES

AYES: Members Williams, Lym, LaLonde, Little, and Sherratt

NOES:

ABSENT:

MOTION APPROVED

3. Report on Budget Priorities, Challenges, and Constraints for 2024 and Beyond

Pasquale Scuderi, Superintendent, gave the Board information on AUSD's budget priorities. Back in September, AUSD published its first Budget Summary for community members. The summary provided basic information about the cycle and elements of a school district's budget, as well as specifics about the 2023-24 budget.

As we start the New Year, we want to provide an update to that budget, which we published just a few months after the Board adopted it. Our intention in providing this update is threefold:

- To raise community awareness of changing conditions in the budgetary landscape
- To be transparent about some of the decisions our staff, in partnership with school communities, may need to make over the coming months
- To help the community the process by which we will make those decisions

Changing Budget Conditions

When the Board of Education adopted the 2023-24 budget last June, the state was projecting fairly high revenues for last year (2022). Typically, a prior year's taxes don't affect the current year's budget very much. However, the extension of the deadline to submit 2022 taxes (from April 2023 to November 2023) created a unique challenge, and the complete revenue picture for 2022 is just now emerging.

To be specific, taxes collected for 2022 are significantly below the state's expectations and, per the Legislative Analyst's Report issued on December 7, 2023, the State of California is facing a \$68 billion deficit for next year starting on July 1, 2024. To put that in perspective, the state's entire budget is about \$300 billion.

Since K-12 education is approximately 40% of the state budget, this reduction means that school districts across the state will face a significant budget challenge in 2024-25.

Specifically, while the projected Cost of Living Adjustment (COLA) for this year remains at 8.22%, the COLA for next year has dropped from 3.94% to 1.00%. And while the state projected a 3.29% COLA for 2025-26, we now don't know what it will be.

How does that affect AUSD's bottom line? The reduction of COLA from 3.94% to 1% in 2024-25 wipes away approximately \$5 million from the school district's revenue over the next three years (2023-24 through 2025-26). That is significant.

Parcel Tax Uncertainty

In addition, a measure to combine and renew our parcel taxes – Measure B1 and Measure A – is now on the March 2024 ballot. If that measure fails, we will have one more year of Measure B1 parcel tax revenue, but will need to identify \$12.5 million in budget reductions by June 2024 for the 2025-2026 school year. While those cuts have not yet been specified, we do know that they would likely include a combination of reduced programs and services, lay-offs, salary rollbacks or freezes, and school consolidations or closures.

Moving Forward

School districts need to submit a three-year budget to the county by June 30 of each year. Given the condensed timeline between the March 5 election and the budget deadline, we are planning on initiating public dialogues about educational and financial priorities after Winter Break in order to identify what cuts could or should be made in the event the parcel tax does not pass. We understand that talking about cuts can be painful. But we think the best approach is to be transparent and proactive about some of the challenges we are currently facing.

As a first step, we presented the Board with the First Interim Budget Report publicly at the December 12 Board of Education meeting. To see this presentation or the video of the agenda item, please click on the following link for the December 12 Board Meeting agenda.

We'll have further details when the governor releases his proposed budget on January 10. Over the next several months, however, we are committed to providing public updates on AUSD's budget situation and projections on a regular basis, as well as providing opportunities for public engagement.

Public Comments:

Ryan Brazil, AUSD teacher: Ms. Brazil stated it is her 7th year teaching and 5th year teaching in Alameda. Ms. Brazil listed all the ways she works to supplement her income due to the low salaries in Alameda. Ms. Brazil stated that she is living paycheck to paycheck. Ms. Brazil stated it is hard to serve her students when she cannot even serve her family.

4. The Approval of 2024 Board Committee Assignments and Appointment of Board Representatives to Non-AUSD Committees

Each year during the Board's annual organization meeting and in accordance with Board Bylaw 9130: Board Committees and Board Bylaw 9140: Board Representatives, the Board assigns members to its standing committees and assigns representatives to other public agencies or organizations.

At its organizational meeting on December 12, 2023, the Board appointed Margie Sherratt to fill a vacancy caused when former Board Vice President, Megan Sweet, resigned in October. Due to the timing of the appointment, the Board decided to select Subcommittee and Committee assignments at the first meeting where Margie Sherratt would be in attendance. This meeting occurs on January 9, 2024.

Board Committee	Purpose	Board Member for 2024
<i>City/School Joint Subcommittee</i>	Informational discussions facilitated by the Mayor/City Manager and Board President/Superintendent on areas of mutual interest	Heather Little Margie Sherratt Talia Kotovsky* Lianna Lau*
<i>Wellness Advisory Council</i>	Responsible for implementation of Wellness Policy through outreach to sites and eventual development of Wellness site councils	Ryan LaLonde Heather Little Lianna Lau*
<i>Board Policy Subcommittee</i>	Reviews recommended changes to Board Policies	Gary K. Lym Ryan LaLonde Talia Kotovsky*
<i>AUSD/Peralta Joint Subcommittee</i>	Informational discussions facilitated by AUSD Superintendent and Board and Peralta Community College Trustee(s) on areas of mutual interest	Jennifer Williams Gary K. Lym Lianna Lau*
<i>Diversity, Equity, and Inclusion Workgroup</i>	Informal discussions on the topics of Diversity, Equity, and Inclusion.	Gary K. Lym Margie Sherratt

Non-AUSD Committee	Purpose	Board Member for 2024
<i>Alameda County School Boards Association</i>	Alameda County School Board members' networking and information sharing	Ryan LaLonde
<i>Alameda Collaborative for Children, Youth, and Families</i>	Joint committee of the City, County, and District focused on improving opportunities for Alameda youth	Jennifer Williams Talia Kotovsky* Mirabelle Kruger* Lianna Lau*
<i>Redevelopment Successor Agency Oversight Board</i>	The Redevelopment Oversight Board shall meet with the City of Alameda in its capacity as Successor Agency of the City.	Jennifer Williams

** Denotes Student Board Member*

Motion to Approve the Subcommittee and Committee Assignments as reflected on the chart shown above.

MOTION: Member Lym

SECONDED: Student Member Lau

STUDENT BOARD MEMBER VOTES

AYES: Members Lau and Kotovsky

NOES:

ABSENT: Member Kruger

BOARD MEMBER VOTES

AYES: Members Williams, Lym, LaLonde, Little, and Sherratt

NOES:

ABSENT:

MOTION APPROVED

G. ADJOURNMENT – Board President Jennifer Williams adjourned the meeting at 7:46pm.

Respectively Submitted,

Kerri Lonergan
Senior Executive Assistant
Alameda Unified School District

ALAMEDA UNIFIED SCHOOL DISTRICT
BOARD AGENDA ITEM

Item Title:	Resolution 2023-2024.53 In Recognition of School Library Month - April (5 Mins/Action)
Item Type:	Action
Background:	<p>School Library Month is a national observance sponsored by the American Association of School Librarians, a division of the American Library Association, and school libraries across the country.</p> <p>Alameda Unified School District's (AUSD) certificated teacher librarians provide the leadership and expertise necessary to ensure that the school library is an integral part of the instructional program and school community.</p> <p>AUSD's school libraries provide a safe, inclusive, and engaging learning environment that empowers students to be lifelong readers, critical thinkers, inquisitive learners, and respectful and responsible citizens.</p> <p>AUSD's teacher librarians promote safe, responsible, and ethical use of information and technology; and encourage creativity, communication, and collaboration within the learning community.</p> <p>Tonight, teacher librarians Erin Head (Paden Elementary), Marianne Dilworth (Maya Lin School), and Alex Velasquez (Ruby Bridges Elementary) will in attendance to read the resolution to the Board. Teacher librarian Paizley Spencer (Love Elementary) will be in the audience to support her colleagues.</p>
AUSD LCAP Goals:	3. Support parent/guardian development as knowledgeable partners and effective advocates for student success.
Fund Codes:	
Fiscal Analysis	
Amount (Savings) (Cost):	N/A
Recommendation:	Approve as submitted.
AUSD Guiding Principle:	#1 - All students have the ability to achieve academic and personal success. #2 - Teachers must challenge and support all students to reach their highest academic and personal potential. #3 - Administrators must have the knowledge, leadership skills and ability to ensure student success.
Submitted By:	Kerri Lonergan, Senior Executive Assistant to the Superintendent and Board of Education

ATTACHMENTS:

Description	Upload Date	Type
□ Resolution for School Library Month	3/20/2024	Resolution Letter

ALAMEDA UNIFIED SCHOOL DISTRICT
Alameda, California
Resolution

March 26, 2024

Resolution No. 2023-2024.53

Resolution in Recognition of School Library Month

WHEREAS, School Library Month is a national observance sponsored by the American Association of School Librarians, a division of the American Library Association, and school libraries across the country; and

WHEREAS, Alameda Unified School District's (AUSD) certificated teacher librarians provide the leadership and expertise necessary to ensure that the school library is an integral part of the instructional program and school community; and

WHEREAS, AUSD's school libraries provide a safe, inclusive, and engaging learning environment that empowers students to be lifelong readers, critical thinkers, inquisitive learners, and respectful and responsible citizens; and

WHEREAS, teacher librarians promote safe, responsible, and ethical use of information and technology; and encourage creativity, communication, and collaboration within the learning community; and

WHEREAS, school libraries provide materials which reflect the ideas and beliefs of different religious, social, political, historical, and ethnic groups and their contributions to the American and world heritage and culture; and

WHEREAS, across the nation, libraries, and librarians, are facing censorship and attacks for championing diversity, inclusion, and equity. It is more important than ever that we protect equitable access to school libraries and defend their essential role in defending intellectual freedom and providing inclusive spaces for learning and empowerment for all.

NOW, THEREFORE, BE IT RESOLVED, that the Alameda Unified School District's Board of Education does hereby recognize April as School Library Month.

PASSED AND ADOPTED by the following called vote this 26th day of March, 2024.

AYES: _____ MEMBERS: _____

NOES: _____ MEMBERS: _____

ABSENT: _____ MEMBERS: _____

Jennifer Williams, President
Board of Education
Alameda Unified School District
Alameda County, State of California

ATTEST:

By: _____

Pasquale Scuderi, Secretary
Board of Education
Alameda Unified School District
Alameda County, State of California

ALAMEDA UNIFIED SCHOOL DISTRICT
BOARD AGENDA ITEM

Item Title: Certificated Personnel Actions

Item Type: Consent

Background: *NOTE: If approved by the Board, personnel reports are uploaded the day after the meeting.*

AUSD LCAP Goals:

Fund Codes:

Fiscal Analysis

Amount (Savings) (Cost): All positions shown are authorized by the board and are included in the 2023-2024 budget.

Recommendation: Approve as submitted.

AUSD Guiding Principle: #6 - Allocation of funds must support our vision, mission, and guiding principles.

Submitted By: Timothy Erwin, Chief Human Resources Officer

ATTACHMENTS:

Description	Upload Date	Type
☐ Certificated Personnel Actions	3/27/2024	Backup Material

ALAMEDA UNIFIED SCHOOL DISTRICT
BOARD AGENDA ITEM

Item Title: Classified Personnel Actions

Item Type: Consent

Background: *NOTE: If approved by the Board, personnel reports are uploaded the day after the meeting.*

AUSD LCAP Goals:

Fund Codes:

Fiscal Analysis

Amount (Savings) (Cost): All positions shown are authorized by the board and are included in the 2023-2024 budget.

Recommendation: Approve as submitted.

AUSD Guiding Principle: #6 - Allocation of funds must support our vision, mission, and guiding principles.

Submitted By: Timothy Erwin, Chief Human Resources Officer

ATTACHMENTS:

Description	Upload Date	Type
☐ Classified Personnel Actions	3/27/2024	Backup Material

ALAMEDA UNIFIED SCHOOL DISTRICT
BOARD AGENDA ITEM

Item Title: Approval and Acceptance of Donations

Item Type: Consent

Background: Throughout the school year, donations are routinely accepted by the District. The donations are from various sources and are commonly designated for specific uses.

AUSD LCAP Goals: 4. Ensure that all students have access to basic services.

Fund Codes: 01 General Fund

Fiscal Analysis

Amount (Savings) (Cost): Will increase the revenues of the District in the amount of \$57,633.24.

Recommendation: Approve as submitted.

AUSD Guiding Principle: #5 - Accountability, transparency, and trust are necessary at all levels of the organization. | #6 - Allocation of funds must support our vision, mission, and guiding principles.

Submitted By: Shariq Khan, Assistant Superintendent of Business Services

ATTACHMENTS:

Description	Upload Date	Type
☐ Summary Site Donations	3/20/2024	Backup Material

2023-2024
Summary Site Donations
Mar 02, 2024 - Mar 18, 2024

Slip Date	Site	Donor	Amount	Site Total	Total Donations
2/12/2024	AHS	Matthew Schrager/Ruth Schrager	\$ 40.00		
2/12/2024	AHS	Chaohui Yu/Yanna Li	\$ 138.00		
2/12/2024	AHS	Genevieve Cox/Eric Macmichael	\$ 165.00		
2/12/2024	AHS	Ana Marinez	\$ 138.00		
2/14/2024	AHS	Jarred Fobian/Catrina Louise Fobian	\$ 8.00		
2/14/2024	AHS	Suzanne Owens/Daniel Owens	\$ 8.00		
2/14/2024	AHS	Keith Jaslow/Sonia Desai Family Trust	\$ 8.00		
2/15/2024	AHS	Huddle Tickets	\$ 2,041.00		
2/15/2024	AHS	Huddle Tickets	\$ 520.00		
2/15/2024	AHS	Huddle Tickets	\$ 656.00		
2/28/2024	AHS	Cash	\$ 1,581.00		
3/4/2024	AHS	Huddle Tickets	\$ 876.00		
3/4/2024	AHS	Huddle Tickets	\$ 462.00		
3/4/2024	AHS	Huddle Tickets	\$ 1,143.00		
				<u>\$ 7,784.00</u>	
2/9/2024	Earhart	American Online Giving Foundation	\$ 174.71		
2/26/2024	Earhart	Amelia Earhart PTA	\$ 35,000.00		
				<u>\$ 35,174.71</u>	
2/26/2024	Ed Services	Alameda County Office of Ed	\$ 93.97		
				<u>\$ 93.97</u>	
2/26/2024	EJSHS	Jessica Daly	\$ 100.00		
2/26/2024	EJSHS	Jenny Gong	\$ 11.00		
3/2/2024	EJSHS	Kim Balingit	\$ 200.00		
3/4/2024	EJSHS	Kessler & Kessler LLC	\$ 250.00		
3/4/2024	EJSHS	Deborah Struthers/Gary Struthers	\$ 100.00		
3/4/2024	EJSHS	Eric Antebi	\$ 100.00		
3/4/2024	EJSHS	Laria Phippen/Stephan Phippen	\$ 100.00		
3/4/2024	EJSHS	Sarah Olaes/Anthony Olaes	\$ 100.00		
3/4/2024	EJSHS	Christopher Kelly/Kathleen Kelly	\$ 100.00		
3/4/2024	EJSHS	Elizabeth Gloria Sebihi	\$ 100.00		
3/4/2024	EJSHS	Rafael Acevedo, Jr/Heather Acevedo	\$ 100.00		
3/4/2024	EJSHS	Dan Abrami/Jennifer Goodman Abrami	\$ 100.00		
3/4/2024	EJSHS	Caroline Yao	\$ 100.00		
				<u>\$ 1,461.00</u>	
2/28/2024	Island HS	Precious Kollock	\$ 60.00		
				<u>\$ 60.00</u>	
3/1/2024	Lincoln	American Online Giving Foundation	\$ 28.56		
				<u>\$ 28.56</u>	
3/6/2024	Maya Lin	Maya Lin PTA	\$ 8,040.00		
				<u>\$ 8,040.00</u>	
2/26/2024	MOF	Right at School	\$ 3,201.00		
				<u>\$ 3,201.00</u>	
2/28/2024	Paden	Linda Hua	\$ 385.00		
2/29/2024	Paden	Pennapa Suwanamalik	\$ 385.00		
2/29/2024	Paden	Daniel Tacci	\$ 200.00		
3/1/2024	Paden	Anne Jacobsen	\$ 100.00		
3/7/2024	Paden	Houcine Zarhouni	\$ 385.00		
3/7/2024	Paden	Blackbaud Giving Fund	\$ 200.00		
3/7/2024	Paden	Blackbaud Giving Fund	\$ 60.00		
3/7/2024	Paden	Blackbaud Giving Fund	\$ 75.00		
				<u>\$ 1,790.00</u>	
					<u><u>\$ 57,633.24</u></u>

ALAMEDA UNIFIED SCHOOL DISTRICT
BOARD AGENDA ITEM

Item Title: Approval of 2023-24 Consolidated Application Winter Reporting

Item Type: Consent

Background: The Consolidated Application and Reporting System (CARS) is the California Department of Education's (CDE) application and reporting mechanism for selected categorical funding. Each summer (June) Local Education Agencies (LEAs) apply for funding and each winter (February) LEAs provide a status update. The Alameda Unified School District programs funded through the Consolidated Application for 2023-24 are the following:

Federal Programs:

- Title I, Part A (Basic Grant)
- Title II, Part A (Teacher Quality)
- Title III, Part A (Immigrant)
- Title III, Part A (LEP Students) (LEP=Limited English Proficient Students/English Language Learners)

AUSD LCAP Goals: 1. Eliminate barriers to student success and maximize learning time.| 2a. Support all students in becoming college and career ready.| 2b. Support all English Learners (ELs) in becoming college and career ready.| 3. Support parent/guardian development as knowledgeable partners and effective advocates for student success.| 4. Ensure that all students have access to basic services.

Fund Codes:

Fiscal Analysis

Amount (Savings) (Cost): N/A

Recommendation: Approve as submitted.

AUSD Guiding Principle: #1 - All students have the ability to achieve academic and personal success.| #5 - Accountability, transparency, and trust are necessary at all levels of the organization.| #6 - Allocation of funds must support our vision, mission, and guiding principles.

Submitted By: Kirsten Zazo, Assistant Superintendent of Educational Services

ATTACHMENTS:

Description	Upload Date	Type
☐ 2023-24 ConApp Winter Reporting_3.26.24	3/18/2024	Backup Material

2023–24 Certification of Assurances

Submission of Certification of Assurances is required every fiscal year. A complete list of legal and program assurances for the fiscal year can be found at <https://www.cde.ca.gov/fg/aa/co/ca21assurance.toc.asp>.

CDE Program Contact:

Consolidated Application Support Desk, Education Data Office, ConAppSupport@cde.ca.gov, 916-319-0297

Consolidated Application Certification Statement

I hereby certify that all of the applicable state and federal rules and regulations will be observed by this applicant; that to the best of my knowledge the information contained in this application is correct and complete; and I agree to participate in the monitoring process regarding the use of these funds according to the standards and criteria set forth by the California Department of Education Federal Program Monitoring (FPM) Office. Legal assurances for all programs are accepted as the basic legal condition for the operation of selected projects and programs and copies of assurances are retained on site. I certify that we accept all assurances except for those for which a waiver has been obtained or requested. A copy of all waivers or requests is on file. I certify that actual ink signatures for this form are on file.

Authorized Representative's Full Name	Kirsten D Zazo
Authorized Representative's Signature	
Authorized Representative's Title	Assistant Superintendent
Authorized Representative's Signature Date	08/28/2023

*****Warning*****

The data in this report may be protected by the Family Educational Rights and Privacy Act (FERPA) and other applicable data privacy laws. Unauthorized access or sharing of this data may constitute a violation of both state and federal law.

2023–24 Protected Prayer Certification

Every Student Succeeds Act (ESSA) Section 8524 specifies federal requirements regarding constitutionally protected prayer in public elementary and secondary schools. This form meets the annual requirement and provides written certification.

CDE Program Contact:
Miguel Cordova, Title I Policy, Program, and Support Office, MCordova@cde.ca.gov, 916-319-0381

Protected Prayer Certification Statement

The local educational agency (LEA) hereby assures and certifies to the California State Board of Education that the LEA has no policy that prevents, or otherwise denies participation in, constitutionally protected prayer in public schools as set forth in the "Guidance on Constitutionally Protected Prayer in Public Elementary and Secondary Schools."

The LEA hereby assures that this page has been printed and contains an ink signature. The ink signature copy shall be made available to the California Department of Education upon request or as part of an audit, a compliance review, or a complaint investigation.

The authorized representative agrees to the above statement	Yes
Authorized Representative's Full Name	Kirsten Zazo
Authorized Representative's Title	Assistance Superintendent
Authorized Representative's Signature Date	08/16/2023
Comment	
If the LEA is not able to certify at this time, then an explanation must be provided in the comment field. (Maximum 500 characters)	

2023–24 LCAP Federal Addendum Certification**CDE Program Contact:**Local Agency Systems Support Office, LCAPAddendum@cde.ca.gov, 916-323-5233**Initial Application**

To receive initial funding under the Every Student Succeeds Act (ESSA), a local educational agency (LEA) must have a plan approved by the State Educational Agency on file with the State. Within California, LEAs that apply for ESSA funds for the first time are required to complete the Local Control and Accountability Plan (LCAP), the LCAP Federal Addendum Template (Addendum), and the Consolidated Application (ConApp). The LCAP, in conjunction with the Addendum and the ConApp, serve to meet the requirements of the ESSA LEA Plan.

In order to initially apply for funds, the LEA must certify that the current LCAP has been approved by the local governing board or governing body of the LEA. As part of this certification, the LEA agrees to submit the LCAP Federal Addendum, that has been approved by the local governing board or governing body of the LEA, to the California Department of Education (CDE) and acknowledges that the LEA agrees to work with the CDE to ensure that the Addendum addresses all required provisions of the ESSA programs for which they are applying for federal education funds.

Returning Application

If the LEA certified a prior year LCAP Federal Addendum Certification data collection form in the Consolidated Application and Reporting System, then the LEA may use in this form the same original approval or adoption date used in the prior year form.

County Office of Education (COE) or District For a COE, enter the original approval date as the day the CDE approved the current LCAP. For a district, enter the original approval date as the day the COE approved the current LCAP	06/27/2023
Direct Funded Charter Enter the adoption date of the current LCAP	
Authorized Representative's Full Name	Kirsten D Zazo
Authorized Representative's Title	Assistant Superintendent

*****Warning*****

The data in this report may be protected by the Family Educational Rights and Privacy Act (FERPA) and other applicable data privacy laws. Unauthorized access or sharing of this data may constitute a violation of both state and federal law.

2023–24 Application for Funding**CDE Program Contact:**Consolidated Application Support Desk, Education Data Office, ConAppSupport@cde.ca.gov, 916-319-0297**Local Governing Board Approval**

The local educational agency (LEA) is required to review and receive approval of their Application for Funding selections with their local governing board.

By checking this box the LEA certifies that the Local Board has approved the Application for Funding for the listed fiscal year	Yes
---	-----

District English Learner Advisory Committee Review

Per Title 5 of the California Code of Regulations Section 11308, if your LEA has more than 50 English learners, then the LEA must establish a District English Learner Advisory Committee (DELAC) which shall review and advise on the development of the application for funding programs that serve English learners.

By checking this box the LEA certifies that parent input has been received from the District English Learner Committee (if applicable) regarding the spending of Title III funds for the listed fiscal year	Yes
---	-----

Application for Categorical Programs

To receive specific categorical funds for a school year, the LEA must apply for the funds by selecting Yes below. Only the categorical funds that the LEA is eligible to receive are displayed.

Title I, Part A (Basic Grant) ESSA Sec. 1111 et seq. SACS 3010	Yes
Title II, Part A (Supporting Effective Instruction) ESEA Sec. 2104 SACS 4035	Yes
Title III English Learner ESEA Sec. 3102 SACS 4203	Yes
Title III Immigrant ESEA Sec. 3102 SACS 4201	Yes
Title IV, Part A (Student and School Support) ESSA Sec. 4101 SACS 4127	Yes

*****Warning*****

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2023–24 Federal Transferability

Federal transferability of funds is governed by Title V in ESSA Section 5102. An LEA may transfer Title II, Part A and/or Title IV, Part A program funds to other allowable programs. This transferability is not the same as Title V, Part B Alternative Fund Use Authority (AFUA) governed by ESEA Section 5211.

Note: Funds utilized under Title V, Part B AFUA are not to be included on this form.

CDE Program Contact:

Lisa Fassett, Professional Learning Support & Monitoring Office, LFassett@cde.ca.gov, 916-323-4963
Kevin Donnelly, Rural Education and Student Support Office, TitleIV@cde.ca.gov, 916-319-0942

Title II, Part A Transfers

2023–24 Title II, Part A allocation	\$222,506
Transferred to Title I, Part A	\$0
Transferred to Title I, Part C	\$0
Transferred to Title I, Part D	\$0
Transferred to Title III English Learner	\$0
Transferred to Title III Immigrant	\$0
Transferred to Title IV, Part A	\$0
Transferred to Title V, Part B, Subpart 1 Small, Rural School Achievement Grant	\$0
Transferred to Title V, Part B, Subpart 2 Rural and Low-Income Grant	\$0
Total amount of Title II, Part A funds transferred out	\$0
2023–24 Title II, Part A allocation after transfers out	\$222,506

Title IV, Part A Transfers

2023–24 Title IV, Part A allocation	\$78,469
Transferred to Title I, Part A	\$0
Transferred to Title I, Part C	\$0
Transferred to Title I, Part D	\$0
Transferred to Title II, Part A	\$0
Transferred to Title III English Learner	\$0
Transferred to Title III Immigrant	\$0
Transferred to Title V, Part B Subpart 1 Small, Rural School Achievement Grant	\$0
Transferred to Title V, Part B Subpart 2 Rural and Low-Income Grant	\$0
Total amount of Title IV, Part A funds transferred out	\$0
2023–24 Title IV, Part A allocation after transfers out	\$78,469

*****Warning*****

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2023–24 Title I, Part A LEA Allocation and Reservations

To report LEA required and authorized reservations before distributing funds to schools.

CDE Program Contact:

Sylvia Hanna, Title I Policy, Program, and Support Office, SHanna@cde.ca.gov, 916-319-0948

Rina DeRose, Title I Policy, Program, and Support Office, RDeRose@cde.ca.gov, 916-323-0472

2023–24 Title I, Part A LEA allocation (+)	\$1,099,301
Transferred-in amount (+)	\$0
Nonprofit private school equitable services proportional share amount (-)	\$0
2023–24 Title I, Part A LEA available allocation	\$1,099,301

Required Reservations

Parent and family engagement (If the allocation is greater than \$500,000, then parent and family engagement equals 1% of the allocation minus the nonprofit private school equitable services proportional share amount.)	\$10,994
School parent and family engagement	\$9,895
LEA parent and family engagement	\$1,100
Local neglected institutions	No
Does the LEA have local institutions for neglected children?	
Local neglected institutions reservation	\$0
Local delinquent institutions	No
Does the LEA have local institutions for delinquent children?	
Local delinquent institutions reservation	\$0
Direct or indirect services to homeless children, regardless of their school of attendance	\$2,129

Authorized Reservations

Public school Choice transportation	\$0
Other authorized activities	\$464,324
2023–24 Approved indirect cost rate	6.83%
Indirect cost reservation	\$70,282
Administrative reservation	\$94,613

Reservation Summary

Total LEA required and authorized reservations	\$632,448
School parent and family engagement reservation	\$9,895
Amount available for Title I, Part A school allocations	\$456,958

*****Warning*****

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2023–24 Title II, Part A LEA Allocations

The purpose of this data collection is to calculate the total allocation amount available to the local educational agency (LEA) for Title II, Part A Supporting Effective Instruction.

CDE Program Contact:

Alice Ng (Fiscal), Division Support Office, ANg@cde.ca.gov, 916-323-4636
Lisa Fassett (Program), Professional Learning Support & Monitoring Office, LFassett@cde.ca.gov, 916-323-4963

2023–24 Title II, Part A allocation	\$222,506
Transferred-in amount	\$0
Total funds transferred out of Title II, Part A	\$0
2023–24 Total allocation	\$222,506
Administrative and indirect costs	\$14,225
Reservation for equitable services for nonprofit private schools	\$24,000
2023–24 Title II, Part A adjusted allocation	\$184,281

Warning

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2023–24 Title III English Learner LEA Allocations and Reservations

The purpose of this data collection is to show the total allocation amount available to the local educational agency (LEA) for the Title III English Learner (EL) student program and to report required reservations.

CDE Program Contact:

Annie Abreu Park, Language Policy and Leadership Office, AAbreuPark@cde.ca.gov, 916-319-9620
Geoffrey Ndirangu, Language Policy and Leadership Office, GNdirang@cde.ca.gov, 916-323-5831

Total Allocation

2023–24 Title III EL student program allocation	\$103,415
Transferred-in amount	\$0
Repayment of funds	\$0
2023–24 Total allocation	\$103,415

Allocation Reservations

Professional development activities	\$94,297
Program and other authorized activities	\$0
English proficiency and academic achievement	\$2,506
Parent, family, and community engagement	\$0
Direct administrative costs (amount cannot exceed 2% of the student program allocation plus transferred-in amount)	\$0
Indirect costs (LEA can apply its approved indirect rate to the portion of the subgrant that is not reserved for direct administrative costs)	\$6,612
Total allocation reservations	\$103,415

*****Warning*****

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2023–24 Title III English Learner YTD Expenditure Report, 6 Months

A report of year-to-date (YTD) expenditures by activity. Activity period covered is July 1, 2023 through December 31, 2023.

CDE Program Contact:

Annie Abreu Park, Language Policy and Leadership Office, AAbreuPark@cde.ca.gov, 916-319-9620
Geoffrey Ndirangu, Language Policy and Leadership Office, GNdirang@cde.ca.gov, 916-323-5831

Required and authorized Title III English Learner (EL) student program activities

An eligible entity receiving funds under the Every Student Succeeds Act section 3115 (c)-(d) shall use the funds for the supplementary services as part of the language instruction program for EL students.

Refer to the Program Information link above for required and authorized EL student program activities.

Refer to the Data Entry Instructions link above for Expenditure Report Instructions.

2023–24 Title III EL student program allocation	\$103,415
Transferred-in amount	\$0
2023–24 Total allocation	\$103,415
Object Code - Activity	
1000–1999 Certificated personnel salaries	\$0
2000–2999 Classified personnel salaries	\$0
3000–3999 Employee benefits	\$0
4000–4999 Books and supplies	\$0
5000–5999 Services and other operating expenditures	\$12,537
Direct administrative costs (amount cannot exceed 2% of the student program allocation plus transferred-in amount)	\$0
Indirect costs (LEA can apply its approved indirect rate to the portion of the subgrant that is not reserved for direct administrative costs)	\$856
Total year-to-date expenditures	\$13,393
2023–24 Unspent funds	\$90,022

*****Warning*****

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2023–24 Title III Immigrant LEA Allocations and Reservations

The purpose of this data collection is to show the total allocation amount available to the local educational agency (LEA) for the Title III Immigrant student program and to report required reservations.

CDE Program Contact:

Annie Abreu Park, Language Policy and Leadership Office, AAbreuPark@cde.ca.gov, 916-319-9620
Geoffrey Ndirangu, Language Policy and Leadership Office, GNdirang@cde.ca.gov, 916-323-5831

Total Allocation

2023–24 Title III Immigrant student program allocation	\$44,178
Transferred-in amount	\$0
Repayment of funds	\$0
2023–24 Total allocation	\$44,178

Allocation Reservations

Authorized activities	\$41,354
Direct administrative costs (amount should not exceed 2% of the student program allocation plus transferred-in amount)	\$0
Indirect costs (LEA can apply its approved indirect rate to the portion of the subgrant that is not reserved for direct administrative costs)	\$2,824
Total allocation reservations	\$44,178

2023–24 Title III Immigrant YTD Expenditure Report, 6 Months

A report of year-to-date (YTD) expenditures by activity. Activity period covered is July 1, 2023 through December 31, 2023.

CDE Program Contact:

Annie Abreu Park, Language Policy and Leadership Office, AAbreuPark@cde.ca.gov, 916-319-9620
Geoffrey Ndirangu, Language Policy and Leadership Office, GNdirang@cde.ca.gov, 916-323-5831

Authorized Title III Immigrant student program activities

An eligible entity receiving funds under the Every Student Succeeds Act section 3114(d)(1) shall use the funds to pay for supplemental activities that provide enhanced instructional opportunities for immigrant children and youth.

Refer to the Program Information link above for authorized Immigrant student program activities.

Refer to the Data Entry Instructions link above for Expenditure Report Instructions.

2023–24 Title III immigrant student program allocation	\$44,178
Transferred-in amount	\$0
2023–24 Total allocation	\$44,178
Object Code - Activity	
1000–1999 Certificated personnel salaries	\$19,316
2000–2999 Classified personnel salaries	\$0
3000–3999 Employee benefits	\$4,669
4000–4999 Books and supplies	\$0
5000–5999 Services and other operating expenditures	\$0
Direct administrative costs (amount should not exceed 2% of the student program allocation plus transferred-in amount)	\$0
Indirect costs (LEA can apply its approved indirect rate to the portion of the subgrant that is not reserved for direct administrative costs)	\$1,638
Total year-to-date expenditures	\$25,623
2023–24 Unspent funds	\$18,555

*****Warning*****

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2023–24 Title IV, Part A LEA Allocations

The purpose of this data collection is to calculate the allocation available to the local educational agency (LEA) and report reservations of Title IV, Part funds.

CDE Program Contact:

Kevin Donnelly, Rural Education and Student Support Office , TitleIV@cde.ca.gov, 916-319-0942

2023–24 Title IV, Part A LEA allocation	\$78,469
Funds transferred-in amount	\$0
Funds transferred-out amount	\$0
2023–24 Title IV, Part A LEA available allocation	\$78,469

Reservations

Indirect cost reservation	\$5,017
Administrative reservation	\$0
Equitable services for nonprofit private schools	\$0
2023–24 Title IV, Part A LEA adjusted allocation	\$73,452

Warning

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2023–24 Substitute System for Time Accounting

This certification may be used by auditors and by California Department of Education oversight personnel when conducting audits and sub-recipient monitoring of the substitute time-and-effort system. Approval is automatically granted when the local educational agency (LEA) submits and certifies this data collection.

CDE Program Contact:
Hilary Thomson, Fiscal Oversight and Support Office, HThomson@cde.ca.gov, 916-323-0765

The LEA certifies that only eligible employees will participate in the substitute system and that the system used to document employee work schedules includes sufficient controls to ensure that the schedules are accurate.

Detailed information on documenting salaries and wages, including both substitute systems of time accounting, are described in Procedure 905 of the California School Accounting Manual posted on the web at <https://www.cde.ca.gov/fg/ac/sa/>.

2022–23 Request for authorization	Yes
LEA certifies that the following is a full disclosure of any known deficiencies with the substitute system or known challenges with implementing the system (Maximum 500 characters)	Substitute System Based on Sampling Method:

ALAMEDA UNIFIED SCHOOL DISTRICT
BOARD AGENDA ITEM

Item Title: Approval of 2024-2027 Triennial Plan for Providing Educational Services for Expelled Pupils

Item Type: Consent

Background: With the enactment of AB 922, Statutes of 1995, Chapter 974, California Education Code Section 48926 requires each County Superintendent who operates community schools pursuant to Education Code Sections 1980 and 1986, in conjunction with the Superintendents of the school districts within the county, develop a countywide plan for providing education services for all expelled pupils in the county. The plan is to be adopted by the Governing Board of each school district within the county and by the County Board of Education. The plan is to be submitted to the State Superintendent of Public Instruction and updated and re-approved by the aforementioned parties triennially. This plan covers the 2024-2027 school years.

AUSD LCAP Goals: 1. Eliminate barriers to student success and maximize learning time.| 2a. Support all students in becoming college and career ready.| 2b. Support all English Learners (ELs) in becoming college and career ready.| 4. Ensure that all students have access to basic services.

Fund Codes:

Fiscal Analysis

Amount (Savings) (Cost): N/A

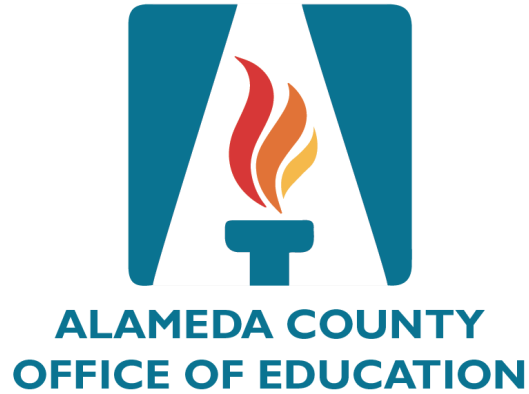
Recommendation: Approve as submitted.

AUSD Guiding Principle: #1 - All students have the ability to achieve academic and personal success.| #2 - Teachers must challenge and support all students to reach their highest academic and personal potential.| #3 - Administrators must have the knowledge, leadership skills and ability to ensure student success.| #5 - Accountability, transparency, and trust are necessary at all levels of the organization.

Submitted By: Kirsten Zazo, Assistant Superintendent of Educational Services

ATTACHMENTS:

Description	Upload Date	Type
☐ 2024-2027 Triennial Plan	3/15/2024	Backup Material
☐ ACOE Community Schools Special Education MOU_signed	3/15/2024	Backup Material
☐ Triennial Plan_Signature Page_Superintendent	3/15/2024	Backup Material



Countywide Educational Services Plan For Serving Expelled And High-Risk Students

July 1, 2024 to June 30, 2027

Approved by the
School District Superintendents of Alameda County
Alameda County Superintendent of Schools
&
Alameda County Board of Education

XXXXXX, 2024

Table of Contents

Table of Contents.....	2
Introduction.....	3
Alameda County School Districts.....	4
Alameda County School District Superintendents.....	5
2023-24 Student Services Council Membership.....	5
Existing Educational Alternatives for Expelled Students.....	6
Behavioral Intervention Strategies to Minimize Expulsions.....	11
Educational Service Gaps & Strategies.....	15
Alternative placements for pupils who are expelled and placed in district community day school programs, but fail to meet the terms and conditions of their rehabilitation plan or pose a danger to other district pupils, as determined by the governing board.....	19
Existing Educational Alternatives for Expelled Students Offered by Districts.....	20
Alameda Unified School District.....	20
Albany Unified School District.....	26
Berkeley Unified School District.....	29
Castro Valley Unified School District.....	32
Dublin Unified School District.....	36
Emery Unified School District.....	41
Fremont Unified School District.....	44
Hayward Unified School District.....	47
Livermore Valley Joint Unified School District.....	52
New Haven Unified School District.....	56
Newark Unified School District.....	59
Oakland Unified School District.....	61
Piedmont Unified School District.....	63
Pleasanton Unified School District.....	66
San Leandro Unified School District.....	72
San Lorenzo Unified School District.....	80
Sunol Glen Unified School District.....	85

Introduction

Background

With the enactment of AB 922, Statutes of 1995, Chapter 974, California Education Code Section 48926 requires each county superintendent who operates community schools pursuant to Education Code Sections 1980 and 1986, in conjunction with the superintendents of the school districts within the county, develop a countywide plan for providing education services for all expelled pupils in the county. The plan is to be adopted by the governing board of each school district within the county and by the county board of education. The plan is to be submitted to the State Superintendent of Public Instruction and updated and re-approved by the aforementioned parties triennially.

Education Code Section 48926 provides specifically that:

1. The countywide plan shall enumerate existing educational alternatives for expelled pupils; identify gaps in educational services to expelled pupils; and strategies for filling those service gaps.
2. The countywide plan shall identify alternative placements for pupils who are expelled and placed in district community day school programs but who fail to meet the terms and conditions of their rehabilitation plan or who pose a danger to other district pupils, as determined by the district governing board.

In 2012, the recommended content of the countywide plan was amended to address additional, more detailed questions that were raised and supported by the State School Attendance Review Board and the Student Programs and Services Steering Committee of the California County Superintendents Educational Services Association. These recommendations include:

- Strategies for improvement during the next three years, including any behavioral intervention practices, at the site and district levels, and options used to:
 - Minimize the number of suspensions leading to expulsions
 - Minimize the number of expulsions being ordered
 - Support students returning from expulsions
 - Specific explanation for how those practices relate to any disproportionate representation of minority students in such interventions.
- Analysis of the existing plan's strategies for filling gaps in educational services.
 - Whether the strategies were successful or not; and why and how they were or were not successful.
 - Whether any additional strategies were implemented, and if so, why and how they were or were not successful.
 - For strategies that were not successful, any additional measure(s) or approach(es) taken, and the outcome(s).

Alameda County's original countywide plan was adopted by the local governing boards of education and the Alameda County Board of Education in 1997. This current countywide plan is the triennial update to the existing plan.

Educational programs within Alameda County provide numerous alternatives and opportunities for students who are in need of traditional and/or alternative education programs. Individual school districts offer a broad spectrum of services and the County Office of Education (COE) offers additional options. In combination, these two sources provide a continuum of education alternatives to expelled and high-risk students.

Under Education Code Sections 48916 and 48916.1, school districts throughout California are mandated to provide educational services for students expelled from their district. The law also states that "At the time an expulsion of a pupil is ordered, the governing board of the school district shall ensure that an education program is provided to the pupil who is subject to the expulsion order for the period of the expulsion."

In Alameda County, this mandate impacts 18 school districts spread over a region comprising urban, suburban, and semi-rural or isolated communities. The educational placement of a student is determined on an individual basis by the district's governing board based on: 1) seriousness of the offense, 2) available educational alternatives, and 3) other related factors.

Students expelled from charter schools that operate within Alameda County pursuant to procedures outlined in the charter are returned to the jurisdiction of their school district of residence for the same individualized placement determination by that district's governing board.

Alameda County School Districts

Alameda Unified School District	Albany Unified School District
Berkeley Unified School District	Castro Valley Unified School District
Dublin Unified School District	Emery Unified School District
Fremont Unified School District	Hayward Unified School District
Livermore Unified School District	Mountain House Elementary School District
New Haven Unified School District	Newark Unified School District
Oakland Unified School District	Piedmont Unified School District
Pleasanton Unified School District	San Leandro Unified School District
San Lorenzo Unified School District	Sunol Glen Unified School District

Alameda County School District Superintendents

Alameda USD: Pasquale Scuderi
Albany USD: Frank Wells
Berkeley USD: Enikia Ford Morthel
Castro Valley USD: Parvin Ahmadi
Dublin USD: Chris Funk
Emery USD: Quiauna Scott
Fremont USD: Christopher Cammack
Hayward USD: Dr. Jason Reimann

Livermore Valley Joint USD:
Chris Van Schaack
New Haven USD: John Thompson
Newark USD: Dr. Penelope Deleon
Oakland USD: Kyla Johnson Trammell
Piedmont USD: Jennifer Hawn
Pleasanton USD: David Haglund
San Leandro USD: Mike McLaughlin
San Lorenzo USD: Daryl Camp
Sunol Glen USD: Molleen Barnes

2023-2024 Student Services Council Membership

The Student Services Council for Alameda County consists of student services representatives from each district as well as county office personnel. The purpose of the council is to share updates and practices for best serving the county's students through district student services departments and ACOE's Student Programs and Student Services divisions. The Council provides input on the triennial updates to the Educational Services Plan for Expelled and High-Risk Students in Alameda County.

Alameda USD: Jodi McCarthy
Albany USD: Deb Brill
Berkeley USD: Phillip Shelley
Castro Valley USD: Nicholas McMaster
Dublin USD: Soraya Villasenor
Emery USD: Megan O'Malley
Fremont USD: Greg Bailey
Hayward USD: Chien Wu-Fernandez
Livermore USD: Tracie Christmas

Alameda COE: Dan Bellino
Alameda COE: Monica Vaughan

Mountain House ESD: Kimberly Jokela
New Haven USD: Marcus Lam
Newark USD: Ana Scoville
Oakland USD: Andrea Bustamante
Piedmont USD: Sylvia Eggert
Pleasanton USD: Leslie Heller
San Leandro USD: James Parrish III, Joanne Clark & Rachel Vatannia
San Lorenzo USD: Ammar Saheli
Sunol Glen USD: Molleen Barnes
Alameda COE: Chaun Powell

Existing Educational Alternatives for Expelled Students

ACOE is committed to providing the highest possible education for our most vulnerable students through our County-Operated Community Schools. Across the County, fewer and fewer students are being expelled as schools and districts have more programs to support the diverse needs of our most vulnerable youth. Programs such as Response to Instruction and Intervention (RtI²), Positive Behavioral Intervention and Supports (PBIS), Multi-Tier System of Supports (MTSS) and Restorative Justice are now included in almost all of the 18 districts in Alameda County. In addition, more districts have programs that provide counseling and mental health services that support children, youth and their families, which has substantially reduced 9-12 expulsions, and in many districts, eliminated K-6 expulsions over the past 9 years.

In addition to educational alternatives for expelled students offered by ACOE specifically, some of the school districts in the County offer educational alternatives for expelled or high-risk students. The descriptions of services offered by each district in Alameda County are provided in the final section of this document.

ACOE's Quest Academy

ACOE's Quest Academy provides educational opportunities for students in grades 7-12 who are referred by districts due to expulsion or by the Alameda County Probation Department. Quest Academy aims to provide positive learning environments that are safe, promote positive self-esteem and self-concept, and are respectful of student diversity so that students can set and attain goals in learning, work, and life, while meeting certain goals to complete their expulsion and/or probation plans.

Our Schoolwide Learner Outcomes make clear what students should know, understand, and be able to demonstrate by the time they graduate or exit ACOE's school program.

- Students will be active learners:
 - Take responsibility for their own learning.
 - Create and assess short and long-term academic and career goals.
- Students will be effective & skilled communicators
 - Utilize multiple modalities of communication including print and digital, literature, and technological tools.
 - Express personal opinions and emotions appropriately.
- Students will be critical thinkers
 - Work independently and collaboratively.
 - Create environments of safety and respect for themselves and others.
- Students will be citizens of their communities and the world
 - Identify data-informed problems and solutions.
 - Apply knowledge to changing conditions.
 - Access and manage information and tools effectively

ACOE's Parenting Teen Program

ACOE's Parenting Teen Program community school sites in Hayward and San Leandro provide academic instruction, support services, and child care for pregnant and parenting students. Teachers and staff offer a nurturing learning environment for young moms and dads as they complete their high school education. Students have access to curriculum and support services to develop the skills and experiences needed to provide a safe and caring environment for themselves and their children. The Parenting Teen Program is available to serve pregnant or parenting teens who are expelled from their home district and follows a similar enrollment process as Quest Academy (see Transition sections below).

ACOE Opportunity Academy

ACOE's Opportunity Academy is an Alameda County Board of Education authorized charter school. It serves students ages 16 and over who have previously separated from school or have been unsuccessful in school, desire a high school diploma, and will benefit from support with employment readiness and obtaining employment. Opportunity Academy utilizes independent studies with blended learning models; incorporating computer-based curriculum, small group instruction, independent and classroom-based study options. Opportunity Academy offers: individual learning and support for all; flexible hours to accommodate work and child care; referrals to support services; job readiness and training; and opportunities for internships, apprenticeships, and career placement internships.

Opportunity Academy partners with Youth Employment Partnership (YEP) in Oakland, La Familia in Hayward, organizations providing Workforce Innovation & Opportunity Act-funded services to similar populations, and Next Step Learning Center, which provides an environment that encourages student growth and success in and out of the classroom. Opportunity Academy also partners with REACH Ashland Youth Center, which serves young people throughout Alameda County to honor youth power and build the community's resilience. Finally, Opportunity Academy partners with Civicorps, which provides simultaneous paid job training through their Conservation Program.

Opportunity Academy is an option for expelled students, however, due to its charter school status, it is not an option for district referrals. Thus, families will need to initiate the enrollment process directly with ACOE. Enrollment forms can be found at acoe.org/opportunity.

Transition To ACOE

ACOE programs are open-entry throughout the school year. The transition from the school of residence to the Alameda County Community Schools begins with receipt of complete student records from the district of residence. Note, the below process is for ACOE's Quest Academy and Parenting Teen Program. Opportunity Academy enrollments do not follow the same process. Parents/Students will need to apply directly to Opportunity Academy without a district referral because Opportunity Academy operates as a charter school.

Referring District Responsibilities:

1. As far in advance as possible, notify Quest principal or spasenrollment@acoe.org of pending expulsion hearing(s), student's special education status, and estimated timeline(s).
2. For special education students, refer to transition processes detailed in [Special Education Memorandum of Understanding \(MOU\)](#).
3. Upon expulsion determination, send the following documents to ACOE Centralized Enrollment (SPaSEnrollment@acoe.org) in PDF format: 1) [ACOE County Community School Referral Form](#), 2) transcript, 3) expulsion order (including rehabilitation plan or disciplinary hearing requirements, 4) immunization record, 5) state assessment information (including ELPAC if applicable), 6) 504 plan if applicable, and 7) IEP with related assessments per Special Education MOU if applicable.
4. Follow up with parents/guardians when notified by ACOE that a student failed to report to the assigned County Community School Program within five (5) school days of district's referral. Referring district sends a copy of the parent/guardian follow-up correspondence to spasenrollment@acoe.org.

ACOE Responsibilities:

1. Conduct an intake meeting which will include the student, parents, referring district representative, county community school site principal or other administrator, special education, and probation officer (if applicable).
2. Contact the parent and the referring school district by email, mail, and/or phone if a student is not registered within five(5) school days of district referral to ACOE.

Transition From ACOE

Exit referrals from ACOE back to districts normally occur at the end of a semester based on the expelling school districts readmission eligibility timeline. Moving from an ACOE small classroom environment, with its personalized care and intense supervision, to a traditional larger school mainstream education settings presents challenges for both the student and the teachers. In order to support this process, the following steps will occur:

1. ACOE will send to the referring district a draft [Readmission Report](#) twenty-five (25) school days prior to the student's scheduled readmission to the home district.
2. School Student Review Team (including teachers, ACOE principal/designee or transition coordinator, home district representative, and probation officer, if applicable) will conduct a re-entry assessment of satisfactory completion of rehabilitation plan requirements twenty (20) school days prior to the student's scheduled readmission to the home district. The Student Review Team will finalize the [Readmission Report](#).
3. ACOE & Home District representatives will meet with the student and family to discuss the Student Review Team's readmission decision.
4. If readmission is recommended, home district will prepare materials for board approval.
5. Community School Site Administrator will prepare an overview supporting the student's readmission, including the [teacher's student evaluation form](#).
6. District will confirm student's re-enrollment with ACOE by sending a completed [Readmission Notification Form](#) to spasenrollment@acoe.org upon student's re-enrollment.
7. An ACOE designee will support the student's transition, including a 30 day check-in after re-enrollment.

Re-Entry Recommendations to Home District

Districts can ensure a more successful transition by implementing the following recommendations for students returning from a minimum of 30 days in a County Community School program:

Readmission Steps

1. Conduct a meeting to determine student placement in district.
2. Review educational and juvenile records.
3. Clearly communicate expectations to all parties.
4. Review IEP or Section 504 plan & related assessments. Schedule a meeting as needed.

Welcoming Procedures

1. Review student/parent handbook.
2. Develop and discuss individual behavior plan.
3. Create a behavior contract that is signed by the student and parent.
4. Conduct re-entry IEP or 504 plan meeting (if applicable).

Staff Preparation

1. Share relevant information with teacher and staff members

Behavioral Intervention Strategies to Minimize Expulsions

Comprehensive behavioral intervention strategies have become mainstream programs in all districts. Programs such as Response to Instruction and Intervention (RtI²), Positive Behavioral Intervention and Supports (PBIS), Multi-Tier System of Supports (MTSS) and Restorative Practices are part of the culture at all schools in Alameda County. Additional strategies and initiatives have included anti-bias and cultural responsiveness training, trauma-informed practices, and a renewed focus on civic engagement. The Local Control Accountability Plans (LCAP) and the CA Dashboard are part of the reasons for the change.

LCAP

The LCAP requires the districts to clearly describe the behavioral intervention strategies and identify the amount of funds supporting these activities. State and local performance indicators are often signs of at-risk student/students with a high potential for expulsion. The state performance indicators include Chronic Absenteeism and Suspension. The local indicators include School Climate. All districts describe their strategies for improving school climate and reducing absenteeism and suspensions in their LCAPs.

CA Dashboard

The CA Dashboard provides a variety of data that is disaggregated by student groups and clearly describes performance gaps. The intensity of the need for behavioral interventions is indicated and districts are required to identify strategies to reduce the performance gaps. Districts with the greatest gaps are required to work with the County Office of Education in the Differentiated Assistance process.

RTI, PBIS, MTSS, & COST

RtI² focuses on the needs of individual students and includes a process of bringing teachers, counselors, mental health professionals and families together at the first sign of problems. Additional services are recommended by the team. This data-driven approach supports high-quality, culturally responsive differentiated instruction, positive behavior systems, universal screening and data analysis of all student's classroom learning.

PBIS and MTSS are evidence-based multi-tiered behavioral frameworks for improving learning conditions that consists of three tiers of support: Tier 1 Universal Supports: School and classroom-wide systems for all students, staff, and settings; Tier 2 Supplemental Supports: Mentoring and small group interventions for some students who need additional support; Tier 3 Intensified Supports: Specialized, individualized interventions from specialized service providers for high-risk students, such as behavioral assessments, behavioral support plans, counseling,

and referrals for support services for students and their families. Tier 2 and 3 supports are for students who do not respond to the "universal" supports in Tier 1.

RtI², PBIS and MTSS promote students' social-emotional learning and well-being which help reduce suspensions and expulsions and support students returning from expulsions. These approaches are also meant to help address the disproportionately high number of minority students being suspended and expelled by providing a more in-depth understanding of all factors that have led to a student's misbehavior or continued misconduct, and a variety of evidence-based responses.

Many districts in Alameda County have implemented Coordination of Services Teams (**COST**), many with guidance from the Alameda County Center for Healthy Schools. COST plays a critical role for schools and districts striving to build a strong continuum of supports for students under models such as the Response to Intervention (RTI) Framework. A COST identifies and addresses student needs holistically and ensures that the overall system of supports for a student works together effectively. A COST is a multidisciplinary team of school staff and providers who: 1) Create a regular forum for reviewing the needs of individual students and the school overall; 2) Collaborate on linking referred students to resources and interventions; and 3) Support students' academic and behavioral success and healthy development.

Restorative Practices

Restorative Practices build community and utilize the conflict mediation approach to respond to student misconduct with the goal of repairing harm and restoring relationships between those affected. It is best accomplished through cooperative processes that include all school community members. It transforms the traditional relationship between schools, teachers, and student communities in responding to suspension or expulsion situations and allows for a smooth transition for the student back into a school setting. This approach incorporates four key values or components:

1. Encounter: Create opportunities for persons harmed, persons who caused harm, and community members with a stake in the incident or who serve as support to those harmed or who have engaged in harm, to meet (in a "restorative justice circle") to meaningfully discuss the incident and its aftermath, affording everyone the opportunity to be heard.
2. Amends: Expect persons who caused harm to take steps to repair the harm they have caused.
3. Reintegration: Seek to restore persons harmed and persons who caused harm, to the whole, contributing members of society that they are.
4. Inclusion: Provide opportunities for parties with a stake in a specific incident to participate in its resolution.

Social-Emotional Learning

Districts continue to ramp up their Social-Emotional Learning (SEL) strategies through the training of staff and implementation of designated and integrated SEL curricula and practices. SEL competencies that can support the reduction of suspensions and expulsions include teaching students about and incorporating a schoolwide culture focused on: self-awareness, self-management, social awareness, relationship skills, and responsible decision-making.

Several districts have implemented initiatives aimed at helping improve behavioral and academic outcomes for African American students, who have historically been disproportionately represented in chronic absenteeism, suspensions, expulsions, subpar academic achievement, and dropouts. OUSD African American Male Achievement Initiative includes a Manhood Development program. This unique academic mentoring model focuses on social-emotional learning and life skills development designed and implemented by African American males for African American males and offered at 15 middle and high schools. A parent leadership development program is also included. African American Female Excellence is a comparable program that supports African American girls attending OUSD. HUSD's African American Student Achievement Initiative incorporates targeted intervention for African American students, culturally relevant practices, improved discipline and school climate policies and practices, and parent and community partnerships to help improve outcomes for these students.

School-Based Behavioral Health Services

Several districts provide school-based mental health services to students and their families at some or all schools and plan to continue to do so in the coming years. These counseling, case management, and crisis intervention programs, which increasingly incorporate trauma-informed or healing-centered services and wraparound supports, can help improve students' engagement, behavior, and success in school.

Eleven districts in Alameda County are participating in the **Student Behavioral Health Incentive Program (SBHIP)**, leveraging state funding to increase the capacity and sustainability of behavioral health services at school sites. Some of the SBHIP strategies include, but are not limited to: the creation of wellness centers at school sites; implementation of peer-to-peer mentoring programs; partnerships to expand the behavioral health workforce in schools, including MSW internship programs; and trainings for staff on a range of behavioral intervention strategies.

Alameda County is aiming to increase access to and sustainability of behavioral health services for students through its countywide participation in the Children and Youth Behavioral Health Initiative (CYBHI) **Multi-Payer Fee Schedule**. This will provide sustainable revenue streams for additional behavioral health services provided by school districts.

Expanded Learning Time

In recent years school districts countywide have expanded school-based after-school programming. These programs incorporate a range of enriching activities - including academic assistance, arts, sports, service learning and other vehicles to engage students' meaningfully in their schools and promote positive relationships with their peers and caring adults, while building students' academic, pro-social, and 21st century skills. These assets are crucial in helping reduce behavioral problems in school leading to suspension or expulsion.

Career Pathways

Increased attention has been given to Career Pathway over the past decade. Districts are required to describe the services offered as evidence of the College and Career State Indicator in the LCAP. Pathway programs are designed to make students' education more engaging and equip students to graduate from high school prepared for college, career, and productive life in the community. Pathway programs help the highest-need students, including those who have been expelled, to better understand the relationship between their education and their future; provide opportunities to be exposed to and become motivated regarding particular career paths; and build skills that will better equip them to function smoothly in school and in life.

Re-Entry Programs

Re-entry programs have expanded over several districts throughout the county. Oakland Unite sponsors Welcome Circles to accept youth back into the school community after being expelled. Some districts provide a case manager, life coach or mentor who provides individual support and encouragement for each student.

Incarcerated Students Transitions

Expelled students who are enrolled in County Community Schools sometimes find themselves in Alameda County's Juvenile Justice Center (JJC), where they become court school students (Butler Academic Center). When a student is released from the JJC, they are supported by ACOE staff in transitioning back to either their last school of attendance and/or their school of origin. Expelled students who had been enrolled in an ACOE community school prior to incarceration, are expected to return to the County Community School to complete their rehabilitation plans established by the referring district.

In ACOE's JJC Transition Center, student enrollment and expulsion status is confirmed in our student information system (AERIES) as well as CALPADS. ACOE Transition Center staff contact the Community School principal to make sure any concerns are addressed while the student re-enters immediately into the school without delay. The Transition Center education liaison follows up on the student after release and provides case management support, if needed.

Educational Service Gaps & Strategies

Assessment of 2021-2024 Countywide Plan Strategies

Service Gap #1

Transportation for Students to County Community Schools

2021 Strategy

Travel to County Community School sites for expelled or at-risk students is a barrier for some students, especially those living in the eastern and southern regions of Alameda County. To address this problem, bus passes are provided on a case-by-case basis and in collaboration with the district.

Was the strategy successful or not? Why and how?

This strategy has helped some students overcome transportation barriers, however, transportation remains a consistent barrier for student attendance.

Were any additional strategies implemented? If so, why and how were they successful or not successful? If they were not successful, what additional measure(s) or approach(es) were taken and what were the outcomes?

ACOE schools sites began participation in the BART reduced-fee Clipper Card program. That has been helpful to some students, though the program only reduces fees by 50%, so there is still a financial barrier that some students face.

ACOE also implemented a contract in 2023 with HopSkipDrive. Due to the significant cost of HopSkipDrive rides for students, access has been limited to students experiencing homelessness and middle school students.

Service Gap #2:

K-6 Alternative Programming

2021 Strategy

Expelled students who are in grades K-6 do not have the same educational options available as do their 7-12 counterparts. The K-6 expelled students cannot be merged or combined with 7-12 expelled students. Currently, the districts are responsible for providing educational services for K-6 expelled students.

Was the strategy successful or not? Why and how?:

This concern has been diminishing since the 2015 Plan as fewer K-6 students are being expelled. Since the 2018 Triennial Plan, the previously identified gap has become a relative non-issue as districts have built strong prevention and intervention strategies to avoid expulsion of younger students. County and district efforts are focused on prevention and intervention strategies including behavioral Response to Intervention programs, restorative justice approaches, mental health services, and after-school programs in elementary and middle schools.

Were any additional strategies implemented? If so, why and how were they successful or not successful? If they were not successful, what additional measure(s) or approach(es) were taken and what were the outcomes?

No additional strategies were implemented.

Service Gap #3

Continued Funding to support Alternative Education

2021 Strategy

The number of students in need of County Office Alternative Education declined significantly from 2015-2022, creating a funding gap and a revenue loss.

Was the strategy successful or not? Why and how?

Opportunity Academy is a Charter school that opened in September 2017 and was readily embraced by the districts, students and their families. The flexible hours, 130 credit diploma and the emphasis on career readiness make it an attractive option. Unlike the other ACOE Community School offerings, districts cannot “refer” students to the Opportunity Academy. Students can elect to leave their home district and attend Opportunity Charter. For some youth, this may be the best option. This additional ACOE program offering has strengthened the overall foundation for the ACOE Division of Student Programs and Services as well as filling a gap in terms of programming.

Were any additional strategies implemented? If so, why and how were they successful or not successful? If they were not successful, what additional measure(s) or approach(es) were taken and what were the outcomes?

Additionally, a statewide coalition, with significant leadership and participation from ACOE staff, led a successful effort for the State of California to increase funding for county-operated student programs starting in the 2023-24 school.

Service Gap #1

Expelled Students are Struggling to Access Counseling Resources Necessary to Meet District Readmission Requirements

In recent years, ACOE was able to provide only limited on-site counseling services for enrolled students. This resulted in students and families needing to seek counseling services from external agencies referred by ACOE or secured independently by families. The lack of on-site access created an additional burden on families for students to access counseling elsewhere and outside of the school day (or students would miss significant school time if counseling occurred off-site during the school day).

Over the past year, ACOE has made significant strides to address this gap, primarily through the addition of contracted on-site counselors. However, funding for the additional counselors is from one-time funding sources, so sustainability of funding and services will need to be addressed in the coming years. Additionally, there continues to be a need for specific drug counseling and anger management counseling specialists.

Strategies

1. ACOE will increase its utilization of the LEA BOP and begin participation in the Multi-Payer Fee Schedule in order to draw down reimbursements for behavioral health services provided by ACOE providers. This will provide additional revenue to sustain more on-site counseling services for students.
2. ACOE will contract with providers to provide on-site counseling services and will contract or hire staff that can help students meet drug counseling and anger management counseling needed for students and sometimes required for district readmission.
3. Districts will consider broadening their definition of what will qualify as counseling for readmission requirements. For example, Union City Youth and Family Services operates a mentorship program that now counts as counseling based on New Haven USD's board approval of the mentorship program as a qualifying counseling program.
4. Districts will help families understand what resources are within the district area, especially drug counseling.
5. ACOE and districts will collaborate to support students who are monolingual speakers to receive counseling in their home language, including possible use of

district's counseling services or resources for students who need counseling in a language not available from ACOE's counseling services.

Service Gap #2

Capacity for County Community Schools to Comprehensively Serve Referred IEPs

Strategies

1. By December 31, 2024, ACOE will conduct a review of IEPs served over the past 5 school years. ACOE will analyze which special education services were provided by ACOE and which were provided by districts to help determine if/how ACOE can increase its special education services to meet the needs of all special education students referred to ACOE.
2. District special education staff and ACOE special education staff will meet after a student's manifestation determination review and disciplinary hearing panels but prior to the district taking an expulsion to the district board (Pre-Referral IEP Review Meeting).
3. Student Services Council members, district special education directors, and Alameda County SELPA directors will convene periodically to review and consider updates to the Countywide Plan for Expelled Students in order to identify strategies to meet the needs of all expelled students with IEPs.

Service Gap #3

Transportation Continues to Be a Barrier to Attendance at County Community Schools

Strategy(ies)

1. By December 31, 2024, ACOE will complete a transportation assessment that reviews 5-year historical trends of student live-go data, school site locations, public transportation routes, and the feasibility of other transportation options, such as funding sources for HopSkipDrive, or ACOE-provided transportation. Based on this assessment, ACOE will implement a comprehensive transportation plan that ensures transportation access to County Community Schools for all students by June 30, 2025.

Alternative Placements For Pupils Who Are Expelled And Placed In District Community Day School Programs, But Fail To Meet The Terms And Conditions Of Their Rehabilitation Plan Or Pose A Danger To Other District Pupils, As Determined By The Governing Board

If an initial placement is made to a district-operated educational program and the student commits an expulsion offense or fails that program, the school district board of education shall review the rehabilitation plan that is established at the time of the expulsion and make the necessary adjustments. If there is no appropriate educational alternative within the district, the student may be referred to the County Community Schools Program.

Some school districts use the Alameda County Community Schools Program as an educational option for those students mandatorily expelled under provisions of the Education Code and/or district policy. The Community Schools Program is a permissive educational option, which provides the local school districts with another educational alternative for its expelled students.

Students expelled pursuant to Education Code Sections 48900-48900.8 and 48915 who are enrolled in the County Community Schools and who fail a County Community School placement will be referred to another County School educational program, if appropriate. When the students exhaust the County Community Schools resources, these students will be referred back to the school district of residence for a review of the rehabilitation plan and possible placement into another alternative educational setting (per Education Code Section 48915(f)).

Existing Educational Alternatives for Expelled Students Offered by Districts

Educational alternatives provided by the California school districts vary and some are not available to all expelled students. Proper placements must be based upon the seriousness of the offense, location of the offense, and grade level of the student. These factors have the potential to restrict the educational alternatives offered for these students during their expulsion period. The existing educational alternatives for expelled and high risk students offered by each of the school districts in Alameda County are identified on the following pages.

Alameda Unified School District

Alameda Unified School District has a clearly delineated process for the expulsions of students. Our process provides full due process for each student and their families in this challenging situation. The focus is on making decisions that will provide the student with opportunities to continue to make progress toward positive academic and behavior outcomes. Whenever possible, caregivers and family members are included in the process.

The Alameda Unified School District believes it is essential that students enjoy a secure learning environment, with a sense of order and high expectations. During the 22-23 school year, Alameda Unified School District revamped their discipline matrix. The resulting [AUSD Positive Behavior Expectations and Discipline Matrix](#) outline the district's values around positive behavior and discipline strategies.

We believe that schools can support families in helping students develop a sense of personal responsibility. Discipline guidelines are created to promote consistency in dealing with unacceptable behavior, with an understanding that students are likely to make good choices when they clearly understand the rules and the consequences for engaging in behavior that is not appropriate for a school setting.

School discipline should be consistent, reasonable, fair, age appropriate, and matched to the severity of the student's misbehavior. Consequences that are paired with meaningful interventions, instruction and guidance (corrective feedback and re-teaching) offer students an opportunity to connect their misconduct with new learning, participate in contributing back to the school community, and are more likely to result in re-engaging the student in learning. Any use of consequences should be carefully implemented with well-defined outcomes in order to provide the greatest benefit

Alameda Unified Positive Multi-Tiered Systems of Support

Per [Board Policy 5144](#): The Board desires the adoption of a Multi Tiered System of Support to facilitate a consistent approach for positive, prosocial behavior management. The District expects teachers to attempt interventions prior to making a referral out of the classroom except where suspension for a first offense is permitted or mandated by law.

Each school is responsible for incorporating a Multi Tiered System of Support (MTSS) wherein schools provide a tiered system of academic and behavioral supports to enable all students to equitably access the core curriculum. Each school site will incorporate these practices... to reduce referrals and suspensions through proactive intervention, positive behavioral support, restorative practices, and other non-punitive approaches to discipline.

AUSD subscribes to the principle that discipline should be viewed as a positive concept. In exercising discipline, the ultimate goal should be to help each student develop self-control and self-discipline. AUSD believes in the principle that a student grows from dependence to independence. As students grow toward independence, acceptable behavior includes respect for constituted authority, respect for the rights of others, and development of high personal standards. It is therefore an obligation of the schools to provide experiences which lead toward a student's self-discipline and independence.

AUSD recognizes its responsibility to provide an orderly environment that is conducive to the development of self-discipline and academic achievement. An individual who fails to develop sufficient self-discipline to function properly in a classroom constitutes an impediment to the progress of their classmates. In that event, it is the responsibility of the educators to protect the rights of all students to an education.

The best alternative to suspension is prevention. Alternatives to suspension are utilized with all students in a consistent and age-appropriate manner with an emphasis on teaching and learning the skills necessary to enhance a positive school climate. No student shall be suspended or expelled for willful defiance.

AUSD does not encourage exclusionary discipline, especially if a lesser intervention, consequence, or other means of correction will adequately address the violation. The best alternative to suspension is prevention. Other means of correction or alternatives to suspension are utilized with all students in a consistent and age-appropriate manner with an emphasis on teaching and learning the skills necessary to enhance a positive school climate.

Expulsion Process

Alameda Unified School District has a clearly delineated process for the expulsions of students. Our process provides full due process for each student and their families in this challenging situation, which includes a manifestation determination for students with a 504 or an IEP. The focus is on making decisions that will provide the student with opportunities to continue to make

progress toward positive academic and behavior outcomes. Whenever possible, caregivers and family members are included in the process.

When a student has been recommended for expulsion an Extension of Suspension meeting is scheduled with the Coordinator of Student Services, the student, caregivers and/or family members. The agenda of the meeting include the following:

- Purpose of the meeting
- Timeline of the process
- Describe the process and the role each person plays in the process.
- Review the options that the student and family have (Administrative Hearing Panel or Stipulated Expulsion)
- Review with them the incident and Notice of Charges.
- Inform and give the Board Policy and Ed Code on suspension and expulsion to the guardian.
- Provide an opportunity for a student to give his/her statement, receive input from the guardian and review the expulsion file.
- Extend the suspension
- Set up student to continue receiving classwork and receiving credit while on suspension
- Answer any questions they may have throughout the process

A follow up meeting is scheduled with the parent/guardian and student for the following week, allowing them time to review the expulsion packet. At the follow-up meeting the parent/guardian and student are encouraged to ask any questions they may have after reviewing the packet. The Coordinator of Student Services will then review the options that the student and family have (Administrative Hearing Panel or Stipulated Expulsion).

Throughout the entire process parents/guardians are encouraged to ask questions to ensure understanding.

District school site teams are expected to look at other means of correction prior to moving towards expulsion. The district will rarely look at recommending an expulsion if it is not listed as a mandatory expulsion.

The following are the descriptions of the district's educational alternatives and other services for expelled students:

Expelled Students (Grades 7 to 12)

Students in grades 7 to 12 who are expelled for serious incidents where expulsion is mandatory are referred to Alameda County Community Schools. These schools and programs are especially designed to educate expelled students and offer a variety of classroom-based and independent

student options to meet the student's needs. Participation in mental health services may be recommended or required.

Expelled Students (Grades K to 6)

Students in grades K to 6 who are expelled are placed on suspended expulsion and transferred to another school within the district. Students and their families are required to participate in school-based counseling and/or referred to off-site mental health services.

Suspended Expulsions (Grades K to 12)

In certain cases, suspending the expulsion order and allowing the student to attend school at a comprehensive school site in the district is more appropriate than expelling the student to an out-of-district school. Placement in every expulsion matter is determined on a case-by-case basis, and placement recommendations are made based on the incident, the student's background and history, the safety of the student and others, as well as all applicable Board Policies, Administrative Regulations and California Education Codes. During the term of the suspended enforcement of the School Board's expulsion order, the student is on a probationary basis, and must meet certain conditions to continue enrollment or the suspension of enforcement of the expulsion is revoked, and the student is placed in an appropriate alternative educational setting.

Transfer to another school within the district (Grades K to 6)

Students in grades kindergarten through fifth grade may be placed at another elementary school in the district. This provides the student with a fresh start or access to special educational services which are not available at their neighborhood school of residence.

Transfer to another school within the district (Grades 7 to 12)

Students in grades 7 to 12 may be placed at another middle or high school in the district. This provides the student with a fresh start or access to special educational services which are not available at their neighborhood school of residence.

District Operated Alternative School

Island High School provides students with an alternative educational setting to continue their learning. The smaller school setting allows for more individualized attention to student needs. Students are placed at Island as allowed by law.

Island High is a continuation school and is different from most traditional high schools in the state of California, in that it allows students to earn at the minimum of 7.5 credits every semester, instead of the usual 5 at a traditional high school. Moreover, the school doesn't give out "F" grades; instead, a "No Mark" is given in lieu of a failing grade. "F" and "NM" grades do not give

credit. Students are also given credit through special optional assignments called Contracts, and can earn credits in a class by taking Challenge Exams, which, if passed, apply 5 credits in the exam's subject area, which is worth a semester of credits at a traditional high school.

Island High follows the same calendar as the rest of the Alameda Unified School District. However, instead of splitting the year into four nine-week-long quarters like a traditional high school, Island splits its year into six hex-mesters, each six weeks long. Students can earn 2.5 credits per hex, allowing 7.5 credits per semester in every class. Additional credits can also be earned by completing academic contracts. Semester end dates and holidays are the same as the other high schools in the district.

The student body of Island High has always been relatively small, with approximately 70 students. Most students at Island High are transfer students from Alameda and Encinal High Schools who need credit recovery options. Once a student has a certain number of credits, he or she may choose to transfer back to their traditional home school. Few students actually choose to do this.

Despite being a continuation school, the diploma received at Island High is recognized just like one from a traditional high school in California.. The day a student successfully completes all graduation requirements is the day that they graduate. Given the many ways to earn credit at Island High, graduation can occur on any regular school day. Students who graduate midway through the school year are invited back in June to participate in a commencement ceremony.

District Operated Independent Study Program

Independent Study is an alternative program for high school and some middle school students offered by Alameda Unified School District. Instead of attending classes at school, students meet with a teacher 60-90 minutes each week, then complete all assigned work at home.

Independent Study is on the quarter system. Each student takes 3 classes per quarter. For each class there is about 10 hours of work each week. Students must attend their weekly meetings with their teachers. Students may request to take a class at their home school if it is not offered through Independent Study.

District Operated Home Based Instruction

Home based instruction is provided to students in particular circumstances. The instruction is provided to keep the student up-to-date with assignments when the student cannot attend the comprehensive school. Home Instruction is provided in the student's home for any student physically or emotionally unable to attend school for a period of at least three weeks. A health related recommendation from a licensed physician or psychiatrist is required for home instruction.

Specialized Placement or Program

In some cases, expelled students are placed or referred to specialized programs. Placement is informed by the student's needs and their IEP. Students who commit offenses that are a manifestation of their disability are not expelled but may be placed into an educational environment that is supportive of their needs and in compliance with their IEP.

Referral to County Operated Community School

Students in grades 7 to 12 who are expelled for serious incidents where expulsion is mandatory are referred to Alameda County Community Schools. These schools and programs are especially designed to educate expelled students and offer a variety of classroom-based and independent student options to meet the student's needs. Participation in mental health services may be recommended or required.

Students who fail to reach their rehabilitation plan are transferred to the Alameda County Community School.

Referral to County Operated Independent Student Program

Students may be allowed to participate in the QUEST independent study program operated by the Alameda County Office of Education

In Lieu of Expulsion

In rare cases, an administrative change of placement in lieu of other serious disciplinary outcomes is appropriate for a student.

Rehabilitation Plan, Transition and Support

Students who are expelled receive support from the district. District Administrators and/or Counselors communicate with families and make referrals for counseling and other social services. In addition, they continue contact with the student about progress made on the Rehabilitation Plan and establish a timeline for returning to the home district.

Albany Unified School District

Albany City Unified School District has a clearly delineated process for the expulsions of students. Our process provides full due process for each student and their families in this challenging situation. The focus is on making decisions that will provide the student with opportunities to continue to make progress toward positive academic and behavior outcomes. Caregivers and family members are always included in the process.

The expulsion process follows all state laws, guidelines and applicable education codes. In accordance with our District's Board policy, families who are recommended for expulsion are contacted by the District's expulsion coordinator to review the expulsion process and all available options for expulsion and rehabilitation.

Additionally, our district seeks to prevent expulsions when at all possible. We use preventative approaches by implementing PBIS and restorative practices. Our district's primary initiatives include MTSS, UDL, and Culturally Responsive Practices which is implemented through professional development, lesson protocols, classroom practices, and schoolwide protocols. In matters of response to behavior we take a two pronged approach that integrates restorative justice with some more traditional disciplinary practices when appropriate.

The following are the descriptions of the district's existing educational alternatives and other services for expelled students.

Expelled Students (Grades 7 to 12)

Students in grades 7 to 12 who are expelled for serious incidents where expulsion is mandatory are referred to Alameda County Community Schools. These schools and programs are especially designed to educate expelled students and offer a variety of classroom-based and independent student options to meet the student's needs. Participation in mental health services may be recommended or required. If a student has an IEP, there may be opportunities to have that student serve their expulsion at a school within our SELPA.

Expelled Students (Grades K to 5)

Students in grades K to 6 who are expelled are placed on suspended expulsion and transferred to another school within the district. Students and their families are required to participate in (school-based) counseling or referred to (off-site) mental health services.

Suspended Expulsions (Grades K to 5)

In certain cases, suspending the expulsion order and allowing the student to attend school as a comprehensive school site in the district is more appropriate than expelling the student to an out-of-district school. Placement in every expulsion matter is determined on a case-by-case basis, and

placement recommendations are made based on the incident, the student's background and history, the safety of the student and others, as well as all applicable Board Policies, Administrative Regulations and California Education Codes. During the term of the suspended enforcement of the School Board's expulsion order, the student is on a probationary basis, and must meet certain conditions to continue enrollment or the suspension of enforcement of the expulsion is revoked, and the student is placed in an appropriate alternative educational setting.

Transfer to another school within the district (Grades K to 5)

Students in grades kindergarten through fifth grade may be placed at another elementary school in the district. This provides the student with a fresh start or continued access to services available in the district of residence.

Transfer to another school within the district (Grades 10 to 12)

Students 16 or older may be placed in the District's alternative high school. This provides the student with a fresh start.

Inter-District Transfer to another school district

A student is involuntarily transferred to another school district if the student is currently on an inter-district transfer and commits an expellable offense. The inter-district transfer is revoked and the student is returned to his/her home school. An expelled student may be allowed to transfer to another district only if both the family and the districts agree that the placement in another district is in the best interest of the student.

District Operated Alternative School

MacGregor High School provides students with an alternative educational setting to continue their learning. The smaller school setting allows for more individualized attention to student needs. Students are placed at MacGregor High School as allowed by law. MacGregor High School serves students 16 years old or older and provides credit recovery in smaller classes with a reduced instructional day.

District Operated Home-Hospital Based Instruction

Home based instruction is provided to students in particular circumstances. The instruction is provided to keep the student up-to-date with assignments when the student cannot attend the comprehensive school.

District Operated Online or Virtual Education Program

Albany High School with credit recovery or through Home Hospital uses online programs when appropriate. **Specialized Placement or Program**

These services are not offered.

Referral to County Operated Community School

Students in grades 7 to 12 who are expelled for serious incidents where expulsion is mandatory are referred to Alameda County Community Schools. These schools and programs are especially designed to educate expelled students and offer a variety of classroom-based and independent student options to meet the student's needs. Participation in mental health services may be recommended or required.

Students who fail to reach their rehabilitation plan are transferred to the Alameda County Community School.

Referral to County Operated Independent Student Program

Students may be allowed to participate in the QUEST independent study program operated by the County Office of Education

In Lieu of Expulsion

In rare cases, an administrative change of placement in lieu of other serious disciplinary outcomes is appropriate for a student.

Rehabilitation Plan, Transition and Support

Students who are expelled receive Case Management support from the district. District staff communicate with families and make referrals for counseling and other social services. In addition, they continue contact with the student about progress made on the Rehabilitation Plan and establish a timeline for returning to the home district.

Berkeley Unified School District

Berkeley Unified School District has a clearly delineated process for the expulsions of students. Our process provides full due process for each student and their families in this challenging situation. The focus is on making decisions that will provide the student with opportunities to continue to make progress toward positive academic and behavior outcomes. Whenever possible, caregivers and family members are included in the process.

Berkeley Unified School District Board Policy 5144.3-Expulsion

The Governing Board is dedicated to implementing graduated discipline practices and policies that aim to keep all our students in class, receiving instruction and support. Expulsion from school is an extreme and severe disruption of the educational process, and shall be reserved for behavior that requires expulsion process, and shall be reserved for behavior that requires expulsion under law or that poses a serious future threat to the safety of students or staff.

The following are the descriptions of the district's existing educational alternatives and other services for expelled students.

Expelled Students (Grades 7 to 12)

Students in grades 7 to 12 who are expelled for serious incidents where expulsion is mandatory are referred to Alameda County Community Schools. These schools and programs are especially designed to educate expelled students and offer a variety of classroom-based and independent student options to meet the student's needs. Participation in mental health services may be recommended or required.

Expelled Students (Grades K to 6)

Students in grades K to 6 who are expelled are placed on suspended expulsion and transferred to another school within the district.

Suspended Expulsions (Grades K to 12)

In certain cases, suspending the expulsion order and allowing the student to attend school at a comprehensive school site in the district is more appropriate than expelling the student to an out-of-district school. Placement in every expulsion matter is determined on a case-by-case basis, and placement recommendations are made based on the incident, the student's background and history, the safety of the student and others, as well as all applicable Board Policies, Administrative Regulations and California Education Codes. During the term of the suspended enforcement of the School Board's expulsion order, the student is on a probationary basis, and must meet certain conditions to continue enrollment or the suspension of enforcement of the expulsion is revoked, and the student is placed in an appropriate alternative educational setting.

Transfer to another school within the district (Grades K to 6)

Students in grades kindergarten through fifth grade may be placed as another elementary school in the district. This provides the student with a fresh start or access to special educational services which are not available at their neighborhood school of residence.

Transfer to another school within the district (Grades 7 to 12)

Students in grades 7 to 12 may be placed as another middle or high school in the district. This provides the student with a fresh start or access to special educational services which are not available at their neighborhood school of residence.

Inter-District Transfer to another school district

A student is involuntarily transferred to another school district if the student is currently on an inter-district transfer and commits an expellable offense. The inter-district transfer is revoked and the student is returned to his/her home school. An expelled student may be allowed to transfer to another district only if both the family and the districts agree that the placement in another district is in the best interest of the student.

District Operated Alternative School (Grades 10-12)

Berkeley Technology Academy (BTA) serves students 16-18 years of age. This program provides students with an alternative educational setting to pursue the core curriculum of the District. The smaller school setting allows for closer attention to individual student needs. Students on a suspended expulsion may be placed at BTA, as allowed by the law.

District Operated Independent Study Program

Independent study may be provided for students in particular circumstances who are not expelled (Education Code does not allow districts to place expelled students on independent study). Students will arrange to meet with credentialed teachers within the structure of the particular program they are participating in.

District Operated Home Based Instruction

Home-based instruction is provided to students in particular circumstances. The instruction is provided to keep the student up-to-date with assignments when the student cannot attend the comprehensive school.

Home & Hospital Instruction (HHI) is available to all Berkeley Unified students who are unable to attend school for extended periods of time due to physical or mental incapacity. Students must have authorization from a medical doctor and the school district to enroll. The student that is

approved must have a need to be out of the school on record for 30 days or more. HHI is individualized instruction that is available to students with temporary disabilities whose disability makes attendance in the regular day classes or alternative education program in which the student is enrolled impossible or inadvisable.

District Operated Online or Virtual Education Program: These services are not provided

Referral to County Operated Community School: Students in grades 7 to 12 who are expelled for serious incidents where expulsion is mandatory may be referred to Alameda County Community Schools. These schools and programs are specially designed to educate expelled students and offer a variety of classroom-based and independent study options to meet the student's needs. Participation in mental health services may be recommended or required.

Referral to County Operated Independent Student Program: Students may be allowed to participate in the QUEST independent study program operated by the County Office of Education

In Lieu of Expulsion:

In certain expulsion cases, suspending the expulsion in lieu of other serious disciplinary outcomes may be appropriate for a student.

Rehabilitation Plan, Transition and Support: All Berkeley Unified School District students who are expelled automatically receive a Rehabilitation Plan. Rehabilitation plans include counseling, community service, positive attendance, progress towards graduation, and positive behavior requirement (student will not commit any suspendable or expellable offense under Education Code sections 48900 et seq.; violate any school rules, District policies; or, violate any other laws).

Castro Valley Unified School District

Castro Valley Unified School District has a clearly delineated process for the expulsions of students. Our process provides full due process for each student and their families in this challenging situation. The focus is on making decisions that will provide the student with opportunities to continue to make progress toward positive academic and behavior outcomes. Whenever possible, caregivers and family members are included in the process.

The following are the descriptions of the district's existing educational alternatives and other services for expelled students.

Expelled Students (Grades 7 to 12)

Students in grades 7 to 12 who are expelled for serious incidents where expulsion is mandatory are referred to Alameda County Community Schools. These schools and programs are especially designed to educate expelled students and offer a variety of classroom-based and independent study options to meet the student's needs. Participation in counseling or mental health services is typically required.

Expelled Students (Grades K to 6)

Students in grades K to 6 who are expelled are placed on suspended expulsion and transferred to another school within the district. Students and their families are required to participate in (school-based) counseling or referred to (off-site) mental health services.

Suspended Expulsions (Grades K to 12)

In certain cases, suspending the expulsion order and allowing the student to attend school at a comprehensive school site in the district is more appropriate than expelling the student to an out-of-district school. Placement in every expulsion matter is determined on a case-by-case basis, and placement recommendations are made based on the incident, the student's background and history, the safety of the student and others, as well as all applicable Board Policies, Administrative Regulations and California Education Code. During the term of the suspended enforcement of the School Board's expulsion order, the student is on a probationary status, and must meet certain conditions to continue enrollment or the suspension of enforcement of the expulsion may be revoked, which would result in the student being placed in an appropriate alternative educational setting.

Transfer to another school within the district (Grades K to 5)

Students in grades Kindergarten through fifth grade may be placed at another elementary school in the district. This provides the student with a fresh start or access to special educational services which are not available at their neighborhood school of residence.

Transfer to another school within the district (Grades 6 to 12)

Students in grades 6 to 12 may be placed at another middle or high school in the district. This provides the student with a fresh start or access to special educational services which are not available at their neighborhood school of residence.

Inter-District Transfer to another school district

A student is involuntarily transferred to another school district if the student is currently on an inter-district transfer and commits an expellable offense. The inter-district transfer is revoked and the student is returned to his/her home school. An expelled student may be allowed to transfer to another district only if both the family and the districts agree that the placement in another district is in the best interest of the student.

District Operated Alternative School

Redwood Continuation High School provides students with an alternative educational setting to continue their learning. The smaller school setting allows for more individualized attention to student needs. Students are placed at Redwood Continuation High School as allowed by law. The smaller school setting allows for closer attention to individual student needs, and provides credit deficient students with the opportunity to get caught-up and back on-track for graduation.

District Operated Independent Study Program

Redwood Independent Study (Grades 9-12) is an independent study program operated by the Castro Valley Unified School District. The decision for approval is based on individual circumstances and the ability to work independently. Students come to independent study once or more times per week and spend a minimum of one hour with their teacher. Students receive weekly assignments during their scheduled appointment time, and are expected to spend a minimum of twenty hours per week on academic work.

The program helps students pursue the educational requirements of the Castro Valley Unified School District. The nature of the independent study program gives students the opportunity to personalize their instruction and the freedom to utilize resources and activities to create an exciting and flexible educational experience. While attending independent study, students may take courses concurrently at the local community colleges and the Eden Area Regional Occupation Program.

District Operated Home Based Instruction

Home-based instruction is provided to students in particular circumstances. The instruction is provided to keep the student up-to-date with assignments when the student cannot attend the comprehensive school. The student will meet with an appropriate credentialed teacher for a

minimum of one-hour per week. The instruction is provided to keep the student up to date with assignments when the student cannot attend the regular, comprehensive school setting.

District Operated Online or Virtual Education Program

Castro Valley Unified School District provides curriculum through an online learning platform. The Castro Valley Virtual Academy (CVVA) provides a full time or concurrent option for students and currently serves students in grades 9 to 12 in a rigorous A-G program. The CVVA offers weekly workshops with highly qualified teachers to support student work and provide direct instruction.

Specialized Placement or Program

In some cases, expelled students are placed or referred to specialized programs. Placement is informed by the student's needs and their IEP. Students who commit offenses that are a manifestation of their disability are not expelled but may be placed into an educational environment that is supportive of their needs and in compliance with their IEP. Castro Valley Unified School District partners with area Non Public Schools (NPS) to provide specialized academic instruction and related services for students who required an alternative placement. The students are provided with all services included in their Individualized Education Plan (IEP) and are case managed by District special education staff to ensure access to their education. Students may receive educationally related mental health and behavior intervention services as appropriate while in the alternative placement.

Referral to County Operated Community School

Students in grades 7 to 12 who are expelled for serious incidents where expulsion is mandatory are referred to Alameda County Community Schools. These schools and programs are specially designed to educate expelled students and offer a variety of classroom-based and independent study options to meet the student's needs. Participation in mental health services may be recommended or required.

Students who fail to reach their rehabilitation plan while serving a suspended expulsion may be transferred to the Alameda County Community School.

Referral to County Operated Independent Student Program

Students may be allowed to participate in the QUEST independent study program operated by the County Office of Education upon mutual agreement between all parties.

In Lieu of Expulsion

In rare cases, an administrative change of placement in lieu of other serious disciplinary outcomes is appropriate for a student.

Rehabilitation Plan, Transition and Support

Students who are expelled from Castro Valley Unified School District receive Case Management support from district staff. Counselors and Social Workers communicate with families and make referrals for counseling and other social services. In addition, they continue contact with the student about progress made on the Rehabilitation Plan and establish a timeline for returning to the home district.

Dublin Unified School District

Dublin Unified School District has a clearly delineated process for the expulsions of students per Board Policy and Administrative Regulation 5144.1. The district's process provides full due process for each student and their families in this challenging situation, including a manifestation determination for students with a 504, an IEP, or a suspected disability. The focus is on making decisions that will provide the student with opportunities to continue to make progress toward positive academic and behavioral outcomes. Whenever possible, parents/caregivers are included in the process.

When a student has been recommended for expulsion, a pre-expulsion meeting is scheduled with the Director of Student Services to determine if the expulsion process should be enacted. The Director of Student Services and parents/caregivers are in attendance. The agenda of the meeting includes the following:

- Purpose of the meeting is shared with the parent, which includes the following:
 - Timeline of the process
 - Extend the suspension
 - Set up the student to continue receiving classwork and receiving credit while on suspension.
 - Share the two options parents/caregivers can choose in the process
 - Inform and give the Board Policy and Ed Code on suspension and expulsion to the parent/caregiver.
 - Describe the process and the role each person plays in the process. Provide an opportunity for a student to give their statement, receive input from the parent/caregiver, and review the expulsion file.

If it is determined the expulsion process should move forward, the Director of Student Services will share the following options:

- *Option 1: Administrative Hearing Panel* the following information is shared:
 - Scheduled 10 days out to give caregivers/guardians time to obtain legal counsel if they wish. A panel of impartial administrators within the district does not know the student or the family.
 - Panel will review the expulsion file and listen to testimonies given on both sides.
 - Have three days to deliberate and give their decision. Before or on the third day, Director of Student Services contacts parents/guardians to inform them of the recommendation to the Board.
 - Share the final decision-making body is the Board of Trustees, with the expulsion file reviewed and discussed in close session with the student assigned a case number.

- At the next board meeting, decide to accept, recommend, or go in another direction.
- **Option 2: Stipulated Expulsion** and the following is shared:
 - Waive the right to an administrative hearing.
 - Student admits guilt.
 - Expulsion recommendation with a rehabilitation plan to go to the Board is shared.
 - Parents/guardians sign off.

Through the process, parents/guardians are encouraged to ask questions and follow up with the process.

The following are the descriptions of the district's educational alternatives and other services for expelled students.

Expelled Students (Grades 6 to 12)

Students in grades 6 to 12 who are expelled for serious incidents where expulsion is mandatory are referred to Alameda County Community Schools. These schools and programs are specially designed to educate expelled students and offer various classroom-based and independent student options to meet the student's needs. Participation in mental health services may be recommended or required.

Expelled Students (Grades K to 5)

Students in grades K to 6 who are expelled are placed on suspended expulsion and transferred to another school within the district. Students and their families must participate in (school-based) counseling or referred to (off-site) mental health services.

Suspended Expulsions (Grades K to 12)

In certain cases, suspending the expulsion order and allowing the student to attend school in a comprehensive school site in the district is more appropriate than expelling the student to an out-of-district school. Placement in every expulsion matter is determined on a case-by-case basis, and placement recommendations are made based on the incident, the student's background and history, the safety of the student and others, as well as all applicable Board Policies, Administrative Regulations and California Education Codes. During the term of the suspended enforcement of the School Board's expulsion order, the student is on a probationary basis and must meet certain conditions to continue enrollment or the suspension of enforcement of the expulsion is revoked, and the student is placed in an appropriate alternative educational setting.

Intra-district transfer to another school within the district (Grades K to 5)

Students in grades kindergarten through fifth grade may be placed at another elementary school in the district. This provides the student with a fresh start or access to special educational services that are not available at their neighborhood school of residence.

Intra-district transfer to another school within the district (Grades 6 to 12)

Students in grades 7 to 12 may be placed at another middle or high school in the district. This provides the student with a fresh start or access to special educational services that are not available at their neighborhood school of residence.

Inter-district transfer to another school district

A student is involuntarily transferred to another school district if the student is currently on an inter-district transfer and commits an expellable offense. The inter-district transfer is revoked, and the student is returned to his/her home school. An expelled student may be allowed to transfer to another district only if both the family and the districts agree that the placement in another district is in the student's best interest.

District-Operated Alternative School-Voluntary(Continuation High School):

Valley Continuation High School is the Alternative Education High School for Dublin Unified School District. Valley students are afforded a program that provides a lower teacher-to-student ratio, an opportunity to make up credit deficiencies, and a setting designed to support students with social, emotional, and academic concerns. When necessary, the Hume Center and Axis Community Health provide mental health counseling services to Valley students.

Valley High has a long tradition of being an inclusive small community for learners who want to earn a diploma but who need flexibility as well as structure to achieve their goals. Valley High School prepares students to be critical thinkers, collaborators, effective communicators, and positively contributing global citizens.

District-Operated Independent Study Program

Edgenuity is an independent study program operated by the Dublin Unified School District. The decision for approval is based on individual circumstances and the ability to work independently. This online program includes a meeting with a teacher once a week at an alternative site and is available for grades 7 through 12.

District Operated Online or Virtual Education Program:

York Alternative Learning Center. DUSD families can enroll in the York Alternative Learning Center (YALC). 6th-12th grade students work on their Edgenuity classes at home, complete tests in person at the Valley High School Campus, and meet with a teacher at least once a week.

Students who are full-time at YALC, taking four or more classes, are required to check in daily; a variety of communication modes are used: text, email, zoom, and phone calls.

District Operated Home-Based Instruction:

Home/Hospital-based instruction is provided to students in particular circumstances that are generally medical in nature. The instruction is provided to keep the student up-to-date with assignments when the student cannot attend the comprehensive school. This is a short term placement (9 weeks) to support students while they are unable to physically attend school. The school site administrator approves participation in the program upon discussion with the student, parent, counselor, physician, and often teachers. Students served through the home-based instruction program have a note from a physician indicating why the student would need this setting and the anticipated return date.

Specialized Placement or Program

In some cases, expelled students are placed or referred to specialized programs. Placement is informed by the student's needs and their IEP. Students who commit offenses that are a manifestation of their disability are not expelled but may be placed into an educational environment that is supportive of their needs and in compliance with their IEP. Specialized programs are recommended through the IEP process. This process is available to grades 3 through 12.

Referral to County Operated Community School

Students in grades 6 to 12 who are expelled for serious incidents where expulsion is mandatory are referred to Alameda County Community Schools. These schools and programs are specially designed to educate expelled students and offer various classroom-based and independent student options to meet the student's needs. Participation in mental health services may be recommended or required.

Students who fail to reach their rehabilitation plan are transferred to the Alameda County Community School.

Referral to County Operated Independent Student Program

Students may be allowed to participate in the QUEST independent study program operated by the County Office of Education

In Lieu of Expulsion

In rare cases, an administrative change of placement in lieu of other serious disciplinary outcomes is appropriate for a student.

Rehabilitation Plan, Transition, and Support

Students who are expelled receive Case Management support from the DUSD social worker. Student Services Staff communicate with families and make referrals for counseling and other social services. In addition, they continue contact with the student about progress made on the Rehabilitation Plan and establish a timeline for returning to the home district.

Emery Unified School District

Emery Unified School District has a clearly delineated process for the expulsions of students. Our process provides full due process for each student and their families in this challenging situation. The focus is on making decisions that will provide the student with opportunities to continue to make progress toward positive academic and behavior outcomes. Whenever possible, caregivers and family members are included in the process.

When a student is referred for an expulsion for any acts other than those enumerated in 48915(c), the District and the Board considers secondary findings, in addition to evidence confirming the allegations. These additional findings include whether the student has received appropriate interventions to correct and/or change his/her behavior.

The following are the descriptions of the district's existing educational alternatives and other services for expelled students.

Expelled Students (Grades 7 to 12)

Students in grades 7 to 12 who are expelled for serious incidents where expulsion is mandatory are referred to Alameda County Community Schools. These schools and programs are especially designed to educate expelled students and offer a variety of classroom-based and independent student options to meet the student's needs. Participation in mental health services may be recommended or required.

Expelled Students (Grades K to 6)

Students in grades K to 6 who are expelled may be placed on suspended expulsion and provided with Home Instruction, Independent Study (at parent request), or granted an InterDistrict Transfer out of the District. Students and their families may be required to participate in (school- based) counseling or referred to (off-site) mental health services.

Suspended Expulsions (Grades K to 12)

In certain cases, suspending the expulsion order and allowing the student to attend school at a comprehensive school site in the district is more appropriate than expelling the student to an out-of-district school. Placement in every expulsion matter is determined on a case-by-case basis, and placement recommendations are made based on the incident, the student's background and history, the safety of the student and others, as well as all applicable Board Policies, Administrative Regulations and California Education Codes. During the term of the suspended enforcement of the School Board's expulsion order, the student is on a probationary basis, and must meet certain conditions to continue enrollment or the suspension of enforcement of the expulsion is revoked, and the student is placed in an appropriate alternative educational setting.

Inter-District Transfer to another school district

A student is involuntarily transferred to another school district if the student is currently on an inter-district transfer and commits an expellable offense. The inter-district transfer is revoked and the student is returned to his/her home school district. An expelled student may be allowed to transfer to another district only if both the family and the districts agree that the placement in another district is in the best interest of the student.

District Operated Independent Study Program (Grades 6-12)

Emery Unified School District provides an independent study program through either teacher prepared work packets or an on-line program. The District has adopted and modified the curriculum from the Edgenuity online program to meet EUSD standards and course requirements. Students access the course work electronically from home or community locations. Both options include weekly meetings with a teacher to review work, take tests, and grade essays. The decision for approval is based on individual circumstances and the ability to work independently.

District Operated Home Based Instruction (Grades K-6)

Home based instruction is a short term program of 5 hours per week, designed to accommodate students in particular circumstances. The instruction is provided to keep the student up-to-date with assignments when the student cannot attend the comprehensive school. A home teacher coordinates school work with the school site and assists the student in maintaining progress until the student can return to school.

Specialized Placement or Program (Grades K-12)

In some cases, expelled students are placed or referred to specialized programs. Placement is informed by the student's needs and their IEP. Students who commit offenses that are a manifestation of their disability are not expelled but may be placed into an educational environment that is supportive of their needs and in compliance with their IEP. Specialized programs may include those located in districts other than the student's home district through the North Region SELPA placement process, or Non-Public Schools.

Referral to County Operated Community School (Grades 7-12)

Students in grades 7 to 12 who are expelled for serious incidents where expulsion is mandatory are referred to Alameda County Community Schools. These schools and programs are especially designed to educate expelled students and offer a variety of classroom-based and independent student options to meet the student's needs. Participation in mental health services may be recommended or required.

Students who fail to reach their rehabilitation plan are transferred to the Alameda County Community School.

Referral to County Operated Independent Student Program

Students may be allowed to participate in the QUEST independent study program operated by the County Office of Education

In Lieu of Expulsion

In rare cases, an administrative change of placement in lieu of other serious disciplinary outcomes is appropriate for a student.

Rehabilitation Plan, Transition and Support

Students who are expelled receive Case Management support from the district. Counselors communicate with families and make referrals for counseling and other social services. In addition, they continue contact with the student about progress made on the Rehabilitation Plan and establish a timeline for returning to the home district.

Fremont Unified School District

Fremont Unified School District has a clearly delineated process for the expulsion of students per Board Policy & Administrative Regulations 5114. The District provides full due process for each student and their families in this challenging situation which includes a manifestation determination for students with a 504 or an IEP. The District's focus is on making decisions that will provide the student with opportunities to remedy the behavior for which the expulsion recommendation has been made. This also provides the student with the opportunity to continue making progress toward positive academic and behavior outcomes. Whenever possible, caregivers and family members are included in the process.

Students on a suspended expulsion who fail to meet the conditions of their expulsion order and rehabilitation plan may be transferred to the Alameda County Community School at any time.

Expelled Students (Grades 7-12) / Referral to County Operated Community School/Program

Students in grades 7-12 who are expelled from the Fremont Unified School District are referred to an Alameda County School/Program with a rehabilitation plan. These schools and programs are designed to educate expelled students and offer a variety of classroom-based and independent student options to meet the student's needs. Participation in mental health services may be recommended or required as part of the student's rehabilitation plan.

These students may apply for QUEST independent study program operated by the Alameda County Office of Education.

Expelled Students / Suspended Expulsion (Grades K-6)

Students in grades K-6 who are expelled are placed on suspended expulsion with a Rehabilitation plan and transferred to another school within the District. Individual student counseling is required and family counseling is highly recommended at no cost to the District.

Expelled Students / Suspended Expulsion (Grades 7-12)

When a student is expelled, the District believes that sometimes this is a more appropriate placement than expelling to an Alameda County school/program. Therefore, the district will place a student on a suspended expulsion which allows the student to attend another comprehensive school or a District operated alternative school/program in the Fremont Unified School District with a rehabilitation plan. In addition, when a student has an IEP, the Special Education Department is consulted to ensure the student receives FAPE.

Placement in every suspended expulsion matter is determined on a case-by-case basis. Placement recommendations are made based on the incident, the student's background and history, the safety of the student and others, as well as all applicable Board Policies, Administrative Regulations and

California Education Codes. During the term of the suspended expulsion, the student must meet the conditions set forth in the rehabilitation plan to continue attending the assigned site.

Students on a suspended expulsion who fail to meet the conditions of their expulsion order and rehabilitation plan may be transferred to the Alameda County Community School at any time.

District Operated Alternative School (Robertson Continuation High School)

Fremont Unified School District provides students with an alternative educational setting to continue their learning. Students on a suspended expulsion may be placed at Robertson High School as allowed by law. (16 years of age, teen parent or pregnant minor, McKinney-Vento/Foster Youth).

The program at Robertson High School is designed to assist students in earning a high school diploma, college and career readiness, developing vocational skills, and providing an opportunity for personal growth. The program is designed to allow students the opportunity to make up academic deficiencies and provide the student with a smaller learning environment. This setting allows for more individualized attention (22 to 1 student-teacher ratio) to better meet student needs. At Robertson, a student can complete classes in an accelerated manner, earning more than 80 credits per year. Students are encouraged to take additional coursework either on campus, at ROP, or adult school (if 18 years of age).

District Operated Independent Study Program (Vista Independent Study Program)

Students on a suspended expulsion may request placement at Vista (parent/guardian request only). Vista is an independent study program operated on the Robertson High School campus by the Fremont Unified School District for students in grades 7-12. A referral form to this program is completed at the assigned site and forwarded to Vista. The decision for approval is based on individual circumstances and the ability to work independently. If the student is not successful in this program, the student will be returned to the assigned school/program.

Intra-District Transfer to another site (Grades K-12)

An expelled student may apply for an intra-district transfer to another school only if both sites agree that the placement is in the best interest of the student. The intra-district transfer may be revoked by the receiving school at any time and the student returned to the assigned site.

Inter-District Transfer to another school district (Grades K-12)

An expelled student may apply for an inter-district transfer to another district only if both the districts agree that the placement is in the best interest of the student. The inter-district transfer may be revoked by the receiving district at any time and the student returned to the home district.

Home-Hospital Instruction for students with an IEP or 504 plan (Grades K-12)

In rare circumstances, a student shall be placed on a suspended expulsion into home-hospital instruction if it is determined through the student's IEP or 504 plan that this is an appropriate placement. The student will receive a maximum of five (5) hours per week of instruction unless otherwise specified in the IEP.

Students who commit an offense that is a manifestation of their disability are not expelled but may be placed on Home-Hospital Instruction if the placement is the least restrictive environment for the student and it is in compliance with the student's IEP. The student will receive a maximum of five (5) hours per week of instruction.

District Operated Online or Virtual Education Program

These services are not provided.

Specialized Placement or Program

These services are not provided.

In Lieu of Expulsion (Grades K-12)

In rare cases, an administrative change of placement may be processed in lieu of recommending the student for expulsion.

A meeting is held with the student and parent/guardian to discuss the student's most recent disciplinary action. The student is placed on a Behavior/Performance Contract with a review to be held at the end of the current school year. Placement on a Behavior/Performance Contract does not minimize the seriousness of the student's actions and continued negative behavior may result in an expulsion recommendation.

Rehabilitation Plan, Transition and Support

All Fremont Unified School District students who are expelled automatically receive a Rehabilitation Plan, which includes but is not limited to 98% attendance, C+ grade average, counseling, community service, and a reflective essay to be submitted at the end of the expulsion term.

Hayward Unified School District

Hayward Unified School District has a clearly delineated process for the expulsions of students. Our process provides full due process for each student and their families in this challenging situation. The focus is on making decisions that will provide the student with opportunities to continue to make progress toward positive academic and behavior outcomes. Whenever possible, caregivers and family members are included in the process.

Upon the determination that it is appropriate to extend the suspension of a student pending an administrative hearing (within the first 5 days of suspension), a hearing is scheduled and every student is referred for interim educational services through the Independent Studies program or the Home Study K-8 program at the Brenkwitz High School Campus.

Students with Individualized Education Plans (IEPs) are also provided interim services in accordance with their IEPs while the student is pending an administrative hearing and ultimately a final Board decision regarding student placement.

Administrative Hearing panel members hear each student case and based on the individual facts of each case, the needs of the student, and with a focus on the safety of all students on our campus', the panel makes a recommendation to the Board of Education that includes a suggested placement option, the length of expulsion and terms and conditions of an individualized Expulsion Rehabilitation Plan.

Upon review of expulsion hearing documentation and the recommendation of the Administrative Hearing panel, the Board of Education makes a final determination for each expulsion recommendation, formally placing the student in an educational setting for the duration of the expulsion term.

The following are the descriptions of the district's existing educational alternatives and other services for expelled students.

Expelled Students (Grades 7 to 12)

Students in grades 7 to 12 who are expelled for serious incidents where expulsion is mandatory are referred to Alameda County Community Schools. These schools and programs are especially designed to educate expelled students and offer a variety of classroom-based and independent student options to meet the student's needs. Participation in counseling services may be required as may community service.

Expelled Students (Grades K to 6)

Students in grades K to 6 who are expelled are placed on suspended expulsion and transferred to another school within the district. As part of the student's Rehabilitation Plan, the student is required to participate in counseling services and additional resources for support are shared with the family. The Intervention Counselors work with the student and their family, ensuring they are connected to resources and supporting the student to complete the Rehabilitation Plan within the term of expulsion.

Suspended Expulsions (Grades K to 12)

In certain cases, suspending enforcement of the expulsion order and allowing the student to attend school at a comprehensive school site in the district is more appropriate than expelling the student to an out-of-district school. Placement in every expulsion matter is determined on a case-by-case basis, and placement recommendations are made based on the incident, the student's background and history, the safety of the student and others, as well as all applicable Board Policies, Administrative Regulations and California Education Codes. During the term of the suspended enforcement of the School Board's expulsion order, the student is on a probationary basis, and must meet certain conditions to continue enrollment or the suspension of enforcement of the expulsion is revoked, and the student is placed in an appropriate alternative educational setting with the County Office of Education.

Transfer to another school within the district (Grades K to 6)

Students in grades kindergarten through sixth grade, who are expelled with a suspended enforcement, may be placed at another elementary school in the district. This provides the student with a fresh start and the opportunity to participate in a complete academic program in a comprehensive setting.

Transfer to another school within the district (Grades 7 to 12)

Students in grades 7 through 12, who are expelled with a suspended enforcement, may be placed at another middle or high school in the district. This provides the student with a fresh start and the opportunity to participate in a complete academic program in a comprehensive or alternative setting.

Inter-District Transfer to another school district

A student is involuntarily transferred to another school district if the student is currently on an inter-district transfer and commits an expellable offense. The inter-district transfer is revoked and the student is returned to their home school. An expelled student may be allowed to transfer to another district only if both the family and the districts agree that the placement in another district is in the best interest of the student.

District Operated Alternative School: Brenkwitz Continuation High School

This program offers a support system that allows students who are not on track for graduation to experience educational success in a smaller, more structured learning environment. Brenkwitz emphasizes individual learning plans, occupational opportunities, standards-based core class instruction, and online credit recovery. All students have a counselor as well as an academic advisor.

District Operated Independent Study Program: Independent Study Program (grades 9-12)

Students meet with a teacher 2-3 times weekly working on district adopted standards based curriculum. All students and parents must sign a contract that is renewed every semester. Failure to comply with the terms of the contract or missed appointments will result in the student being returned to the home school of residence. Students must be able to work independently while keeping weekly appointments. The program is strictly voluntary.

Home Study K-8 Program (grades K-8)

Parents and legal guardians work in conjunction with a credentialed teacher to implement district approved, state adopted curriculum. The parent/legal guardian is the primary instructor at home and attends weekly appointments with the child and the child's teacher. Before enrolling in the program, students and parents must sign a contract.

District Operated Home Based Instruction

Home Based Instruction is provided within the district when an IEP determines that a student requires this type of service to best meet their individual learning needs. Home Based Instruction is not used as a placement for disciplinary reasons. Home Hospital Instruction is available to students who, due to medical necessity, must receive instruction in their home while they recover from a significant, short term disabling condition such as surgery, chemotherapy, etc. when they are not able to participate in any other regular program offered by the school district.

District Operated Online or Virtual Education Program

Service is not available

Specialized Placement or Program

In occasional cases, when a student's exceptional needs cannot be met in the programming available within the district or the programming available at the County operated programs, expelled students may be placed in specialized programs operated through other agencies by IEP team decision. Placement is informed by the student's assessed needs and their IEP. Students who commit offenses that are a manifestation of their disability are not expelled, but are served in the

Least Restrictive Environment with appropriately supportive programming that meets the assessed needs of the student, as determined by the IEP team.

Referral to County Operated Community School

Students in grades 7 to 12 who are expelled for serious incidents where the Board finds that the student cannot be safely served on a district campus (48195 B2, E2) are referred to Alameda County Community Schools. These schools and programs are especially designed to educate expelled students and offer a variety of classroom-based and independent student options to meet the student's needs. Participation in mental health services may be recommended or required.

Students placed at district schools while their expulsion order is suspended, who then fail to meet the safety conditions of their rehabilitation plan by violating education codes 48900/48915, are transferred to the Alameda County Community School or Quest Independent Study Academy for the remainder of their term of expulsion.

Referral to County Operated Independent Student Program

Students may be allowed to participate in the QUEST independent study program operated by the County Office of Education, program participation is based on the individual needs of the student and their family.

In Lieu of Expulsion

In rare cases, an administrative change of placement in lieu of other serious disciplinary outcomes is appropriate for a student.

Rehabilitation Plan, Transition and Support

Hayward Unified School District Intervention Counselors follow up with all students who have an open expulsion order, whether placed on District campus' or in County programs, to verify enrollment, support connections to services and to support the student and family to begin working on meeting the conditions of the Rehabilitation Plan that will lead to reinstatement to the district with regular student status.

Hayward Unified School District Intervention Counselors have positive working relationships with staff at all 30 district schools K-12 and staff in County programs and visit the sites weekly to see students, provide ongoing support and ensure ongoing, timely and accurate communication with staff where the student is placed and the District, ultimately to ensure a coordinated network is supporting each student to success.

For students with IEPs or 504 Plans, staff in the Student & Family Services department ensures connections are made between County staff and Hayward Unified School District staff so IEP

services and 504 accommodations are provided for eligible students with minimal gaps due to transitions between programs.

High-Risk Students:

Students across the district identified as possibly at-risk for expulsion based on student discipline data are also referred for support by the Intervention Counselors. The Intervention Counselors work with school site leadership and the Coordination of Services Teams (COST) at each site to ensure that students are connected to socio-emotional support resources, such as participation in student support groups, 1:1 counseling, case management and coaching of the classroom staff in behavior support strategies.

Livermore Valley Joint Unified School District

Livermore Valley Joint Unified School District (LVJUSD) has a clearly delineated process for the expulsion of students. Our process provides full due process for each student and their families in this challenging situation. The focus is on making decisions that will provide the student with opportunities to continue to make progress toward positive academic and behavior outcomes.

The Livermore Valley Joint Unified School District believes it is essential that students enjoy a secure learning environment, with a sense of order and high expectations. We believe that schools can support families in helping students develop a sense of personal responsibility. Discipline guidelines are created to promote consistency in dealing with unacceptable behavior, with an understanding that students are likely to make good choices when they clearly understand the rules and the consequences for engaging in behavior that is not appropriate for a school setting.

School discipline should be consistent, reasonable, fair, age appropriate, and matched to the severity of the student's misbehavior. Consequences that are paired with meaningful interventions, instruction and guidance (corrective feedback and re-teaching) offer students an opportunity to connect their misconduct with new learning, participate in contributing back to the school community, and are more likely to result in re-engaging the student in learning. Any use of consequences should be carefully implemented with well-defined outcomes in order to provide the greatest benefit

The following are the descriptions of the District's existing educational alternatives for expelled students.

Expelled Students (Grades 6 to 12)

Students in grades 6 to 12 who are expelled for serious incidents where expulsion is mandatory are referred to Alameda County Community Schools. These schools and programs are especially designed to educate expelled students and offer a variety of classroom-based and independent student options to meet the student's needs. Participation in mental health services may be recommended or required. Student participation in community service may also be required as part of the student's rehabilitation plan.

Expelled Students (Grades K to 5)

Students in grades K to 5 who are expelled are placed on suspended expulsion and transferred to another school within the District. For some students, a transfer to another comprehensive site allows a student a new start, or access to services that may not be available at the previous school site.

Suspended Expulsions (Grades K to 12)

In certain expulsion cases, suspending the expulsion order and allowing the student to attend school in the District is more appropriate than expelling the student to an out-of-District school. Placement in every expulsion matter is determined on a case-by-case basis, and placement recommendations are made based on the incident, the student's background and history, the safety of the student and others, as well as all applicable Board Policies, Administrative Regulations and California Education Codes. During the term of the suspended enforcement of the School Board's expulsion order, the student is on a probationary basis, and must meet certain conditions to continue enrollment or the suspension of enforcement of the expulsion is revoked, and the student is placed in an appropriate alternative educational setting. Students may also be required to participate in mental health services and community service as part of the student's conditions of their rehabilitation plan.

Transfer to another school within the District

Due to age constraints with programs offered through Alameda County Community schools students in grades kindergarten through 5th grade may be involuntarily placed at another school in the District. Students in grades 6 to 12 may be placed at another middle or high school in the District. This provides the student with a fresh start. Students who receive special education services may be referred to a school in the District where their educational needs are met in accordance with their IEP. The student is placed at another school in the District with probationary conditions outlined in the rehabilitation plan. Students have a period of time, up to a year, to meet the conditions and be considered for a return to the program from which they were expelled.

Inter-District Transfer to another school District

The only time a student is involuntarily transferred to another school District is if the student is currently in LVJUSD on an Inter-District transfer and commits an expellable offense or does not meet the academic, attendance, and behavior expectations of the District. In these cases, the Inter-District transfer is revoked and the student is returned to his/her home District. A student may be allowed to transfer to another school District only if both the family and the Districts agree that placement in another District is in the best interest of the student.

Continuation High School - Voluntary

Students may be placed at Del Valle Continuation High School as an alternative educational setting. The program provides a lower teacher to student ratio, an opportunity to make up credit deficiencies, and a setting designed to deal with at-risk students. Mental health counseling services are provided by the Hume Center, Horizons and Axis Community Health. Horizons provides career exploration speakers and one of our senior English teachers offers a transition class to help students transition to college or career. They provide a career pathway in culinary arts in which the

students test, qualify and earn the food handler's certificate as well as learn entry level culinary skills. Students are encouraged to enroll in ROP classes at the local high schools.

Independent Study – Voluntary

Vineyard Alternative School is a school of choice that offers an independent study educational program. Students in grades one through twelve have access to the curriculum and learning opportunities through the state approved independent study model. Students are assigned weekly appointments to meet with content area teachers to receive instruction. Therefore, students can be expected to be on campus one to three times per week based on the courses they are taking and their scheduled meetings which are at least forty-five minutes long each. Students are also offered the opportunity to attend a support class and math tutoring if they are in need of additional academic assistance. High school students are expected to complete at least twenty credits per trimester or sixty credits per school year in order to be on track to graduate. They also have the opportunity to recover credits or work at an accelerated pace as well as concurrently enroll at our local Community college to further their education.

Adult Education

When age appropriate, students transfer to the Adult Education program to work on a high school diploma or prepare for the GED exam. Students attend classes at least two times per week where they have the opportunity to work one-on-one with credentialed teachers. Both the adult high school diploma and the GED preparation classes are taught using a blended learning model where students use online programs to access curriculum and assessments to earn credits and/or prepare them for the GED exam. Occasionally, these students also take concurrent classes at the local junior college.

Specialized Placement or Program

In some cases, expelled students are placed or referred to specialized programs. Placement is informed by the student's needs and their IEP. Students who commit offenses that are a manifestation of their disability are not expelled but may be placed into an educational environment that is supportive of their needs and in compliance with their IEP.

LVJUSD anger management through Horizon's Counseling, offers a Violence Prevention Program for students who have engaged in high risk behaviors. Students who are on extended suspension pending an expulsion hearing are required to participate.

Referral to County Operated Community School

Students are referred to an Alameda County community school program when expelled by the LVJUSD Board. Alameda County has day school and independent study programs available. They can place students in grades 6 – 12; as well as special education students on a case by case basis.

Referral to County Operated Independent Student Program

Students may be allowed to participate in the QUEST independent study program operated by the County Office of Education

In Lieu of Expulsion

In rare cases, an administrative change of placement in lieu of other serious disciplinary outcomes is appropriate for a student.

Rehabilitation Plan, Transition and Support

Students who are expelled receive support from the District. Administrators communicate with families and make referrals for counseling and other social services. In addition, they continue contact with the student about progress made on the Rehabilitation Plan and establish a timeline for returning to the District. Once a student returns to the district, the receiving school holds a transition meeting with the student and family in order to set the student up for success.

New Haven Unified School District

New Haven Unified has a clearly delineated process for the expulsions of students. Our process provides full due process for each student and their families in this challenging situation. The focus is on making decisions that will provide the student with opportunities to continue to make progress toward positive academic and behavior outcomes. Whenever possible, caregivers and family members are included in the process.

Students being recommended for expulsion and their families are invited to attend an Extension of Suspension meeting with the Coordinator of Pupil Services. At this meeting, the student's due process rights are explained and an explanation of the process is shared. Parents are afforded an opportunity to have any and all questions answered.

The following are the descriptions of the district's existing educational alternatives and other services for expelled students.

Expelled Students (Grades 7 to 12)

Students in grades 7 to 12 who are expelled for serious incidents where expulsion is mandatory are referred to Alameda County Community Schools. These schools and programs are specially designed to educate expelled students and offer a variety of classroom-based and independent student options to meet the student's needs. Participation in mental health services may be recommended or required.

Expelled Students (Grades K to 6)

Students in grades K to 6 who are expelled have the enforcement of that expulsion suspended and are transferred to another school within the district. Students and their families are required to participate in counseling appropriate for their level of development.

Suspended Enforcement of Expulsions (Grades K to 12)

In certain cases, suspending the expulsion order and allowing the student to attend school at a comprehensive school site in the district is more appropriate than expelling the student to an out-of-district school. Placement in every expulsion matter is determined on a case-by-case basis, and placement recommendations are made based on the incident, the student's background and history, the safety of the student and others, as well as all applicable Board Policies, Administrative Regulations and California Education Codes. During the term of the suspended enforcement of the School Board's expulsion order, the student is on a probationary basis, and must meet certain conditions to continue enrollment or the suspension of enforcement of the expulsion is revoked, and the student is placed in an appropriate alternative educational setting.

Transfer to another school within the district (Grades K to 6)

Students in grades kindergarten through fifth grade may be placed at another elementary school in the district. This provides the student with a fresh start or access to special educational services that are not available at their neighborhood school of residence.

Transfer to another school within the district (Grades 7 to 12)

Students in grades 7 to 12 may be placed at another middle or high school in the district. This provides the student with a fresh start or access to special educational services that are not available at their neighborhood school of residence.

Inter-District Transfer to another school district

When a student attending in New Haven on an inter-district transfer commits an expellable offense, the district moves forward with the expulsion process while also revoking the student's inter-district transfer. An expelled student may be allowed to transfer to another district only if both the family and the districts agree that the placement in another district is in the best interest of the student.

District Operated Alternative School

Conley-Caraballo High School (CCHS) provides students 16 years and older with an alternative educational setting to continue their learning. The smaller school setting allows for more individualized attention to student needs. The vast majority of students attending CCHS do so because they have requested to attend there. Additionally, a small number of students are placed at CCHS as allowed by law. Students enrolled at CCHS benefit from the smaller number of students and a sense of connection with all staff. No one is anonymous at CCHS.

District Operated Independent Study Program

The Decoto School for Independent Study (DSIS) is an independent study program operated by New Haven Unified. The decision for approval is based on individual circumstances and the ability to work independently. Students attend classes at least twice a week and regularly meet with their teachers. Students are expected to spend at least twenty hours a week on academic work. The independent study program is a voluntary program. Students are able to access multiple support services at the site and are housed on the same campus as the Union City Family Center, a hub for family-support services for the city.

District Operated Home Based Instruction

Home based instruction is provided to students in particular circumstances. The instruction is provided to keep the student up-to-date with assignments when the student cannot attend the

comprehensive school. Home instruction provides students one hour per day of time with an appropriately credentialed teacher.

District Operated Online or Virtual Education Program

The New Haven Unified School District offers the Personalized Learning Academy which is a strictly online instructional model. Students check-in, virtually, with a teacher several times a week and daily instruction is delivered through an online platform. This Personalized Learning Academy is available for students in Transitional Kindergarten through 12th grades.

The New Haven Unified School District also utilizes some online or virtual education programming for students to make up classes and recover credits.

Specialized Placement or Program

In some cases, expelled students are placed or referred to specialized programs. Placement is informed by the student's needs and their IEP. Students who commit offenses that are a manifestation of their disability are not expelled but may be placed into an educational environment that is supportive of their needs and in compliance with their IEP.

Referral to County Operated Community School

Students in grades 7 to 12 who are expelled for serious incidents where expulsion is mandatory are referred to Alameda County Community Schools. These schools and programs are specially designed to educate expelled students and offer a variety of classroom-based and independent student options to meet the student's needs. Participation in mental health services may be recommended or required.

Referral to County Operated Independent Student Program

Students may be allowed to participate in the QUEST independent study program operated by the County Office of Education

In Lieu of Expulsion

In rare cases, an administrative change of placement in lieu of other serious disciplinary outcomes is appropriate for a student.

Rehabilitation Plan, Transition and Support

Students who are expelled are offered support to meet the conditions of their Rehabilitation Plan from the district. The Coordinator of Pupil Services provides support in accessing counseling services based on parents' desire. In addition, the Coordinator of Pupil Services monitors and supports the student and family in meeting the requirements of the rehabilitation plan.

Newark Unified School District

The following are the descriptions of the district's existing educational alternatives for expelled students.

Suspend expulsion:

In certain expulsion cases, allowing the student to attend school at a comprehensive school site is more appropriate than expelling the student to an alternative school site. Placement in every expulsion matter is determined on a case-by-case basis, and placement recommendations are made in light of the incident, the student's background and history, the safety of the student and others, as well as all applicable Board Policies, Administrative Regulations and California Education Codes. During the term of the suspended enforcement of the School Board's expulsion order, the student attends a comprehensive campus on a probationary basis, and must meet certain conditions to continue in attendance, or the suspension of enforcement of the expulsion is revoked, and the student is placed in an appropriate alternative educational setting.

Transfer to another school within the district (K-6):

For some students, a transfer to a different comprehensive site allows a student a fresh start, or access to special education services which are not available at the neighborhood school of residence.

Reassigned with special contract conditions:

In some matters, an administrative change of placement in lieu of other serious disciplinary outcomes is appropriate for an individual student.

Placement into continuation high school:

The Bridgepoint Continuation High School provides students with an alternative educational setting to pursue the core curriculum of the district. The smaller school setting allows for closer attention to individual student needs, and fosters credit-deficient students to get caught-up and back on-track for graduation.

Independent study (at parent request):

Crossroads Independent Study is a high school, which delivers the curriculum through virtual independent study. Students receive weekly assignments during their scheduled appointment time, and are expected to spend a minimum of 20-hours a week on academic work. Crossroads students are highly capable learners.

Students attend Crossroads by choice. Crossroads helps students pursue their educational requirements of the Newark Unified School District. The nature of the independent study program gives students the opportunity to personalize their instruction and the freedom to utilize resources and activities to create an exciting and flexible educational experience. While attending Crossroads, students may take courses concurrently at the local community colleges and Mission Valley Regional Occupational Program. Students learn and practice the self-discipline necessary for future success.

Crossroads High School is dedicated to providing a place where all students feel valued and unique. Students are offered creative opportunities to learn and to accomplish their academic goals. The program offered is tailored to meet students' individual needs and incorporates individual learning styles, interest, aptitudes and passions. Crossroads is constantly examining the program and seeking new strategies to better meet the ever-changing needs of students and the demands for the 21st century.

Home instruction (regular and special education):

Home instruction provides students in particular circumstances one-hour per day of time at minimum or per their IEP recommendation with an appropriately-credentialed teacher. The instruction is provided to keep the student up to date with assignments when the student temporarily cannot attend the regular comprehensive school setting.

Oakland Unified School District

The following are the descriptions of the district's existing educational alternatives for expelled and high-risk students.

Expelled Students

County Community School (Grades 7-12)

Secondary-level students who are under expulsion and are then subsequently expelled from Oakland Unified School District for serious incidents may be referred to an available county community school program.

Suspended Expulsion

In certain expulsion cases, suspending the expulsion order and allowing the student to attend school at a comprehensive or alternative school site in the district is more appropriate than expelling the student to a county community school site. Placement in every expulsion matter is determined on a case-by-case basis, and placement recommendations are made based on the incident, the student's background and history, the safety of the student and others, as well as all applicable Board Policies, Administrative Regulations and California Education Codes. During the term of the suspended enforcement of the School Board's expulsion order, the student is on a probationary status, and must meet pre-established conditions to continue enrollment, or the suspended enforcement of the expulsion is revoked. The expulsion is enforced and the student is placed in an appropriate community day school or community school setting for the remaining period of the original expulsion. Where the student meets the pre-established conditions to continue enrollment, upon the expiration of the original expulsion the Board of Education may destroy the record of said expulsion.

High-Risk Students

Transfer to another comprehensive school within the district (Grades K-12):

In some cases, on a voluntary basis, a student may be transferred to a different comprehensive site in order to allow the student to achieve academic success.

Transfer to an Alternative School of Choice (Grades 9-12)

Students may be transferred to an alternative school of choice if it is determined that the student would benefit from the small school environment or particular support services available. Oakland offers three alternative schools of choice—Gateway to College at Laney College, Emiliano Zapata Street Academy and Oakland International High School. Placements at alternative schools of choice are voluntary and require parent consent.

Placement into Continuation High School (Grades 10-12, Ages 16-18):

Oakland's three continuation high schools—Rudsdale, Dewey, and Ralph J. Bunche high schools--provide students with a small alternative educational setting. The smaller school setting allows for closer attention to individual student needs, and fosters credit-deficient students to get caught up and back on-track for graduation. Comprehensive mental health and other support services are available to provide students with the tools necessary for success in school. In addition, Rudsdale offers a program for high-risk newcomer students, students who have been in the country less than three years and are at risk of not graduating from a comprehensive high school, in which additional resources are provided in a small alternative setting to support this specific population to be successful.

Independent study (Grades 7-12) or Home School (Grades K-6):

In rare circumstances, a student will be placed at Sojourner Truth Independent Studies for HomeSchool (grades K-6) or Independent Study (grades 7-12). Independent study and home school are strictly voluntary options that parents must request. Students on suspended expulsion are generally not considered candidates for independent study or home school options, but requests are considered on a case by case basis.

Home and Hospital (Grades K-12)

Students on expulsion, suspended expulsion, or deemed high-risk are eligible for Home and Hospital instruction when there is medical necessity. Credentialed teachers provide individualized instruction for students with medical needs at their homes, in hospitals, or at other medical facilities.

Piedmont Unified School District

Piedmont Unified School District has a clearly delineated process for the expulsions of students. Our process provides full due process for each student and their family in this challenging situation. The focus is on making decisions that will provide the student with opportunities to continue to make progress toward positive academic and behavioral outcomes. Whenever possible, caregivers and family members are included in the process.

Expulsion is an action taken by the Board for severe or prolonged breaches of discipline by a student. Except for single acts of a grave nature, expulsion is used only when there is a history of misconduct, when other forms of discipline, including suspension, are not feasible or have failed to bring about proper conduct, or when the student's presence causes a continuing danger to him/herself or others. (Education Code 48915)

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

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

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

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

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

If the Board finds it impractical to comply with the time requirements of the expulsion hearing due to 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)).

For additional details surrounding expulsion due process, please refer to PUSD Board Policy and Administrative Regulation 5144.1 and 5144.2

The following are the descriptions of the district's existing educational alternatives and other services for expelled students.

Expelled Students (Grades 6 to 12)

Students in grades 6 to 12 who are expelled for serious incidents where expulsion is mandatory are referred to Alameda County Community Schools. These schools and programs are specially designed to educate expelled students and offer a variety of classroom-based and independent student options to meet the student's needs. Participation in mental health services may be recommended or required.

Expelled Students (Grades K to 5)

Students in grades K to 5 who are expelled are placed on suspended expulsion and transferred to another school within the district. Students and their families are required to participate in (school-based) counseling or referred to (off-site) mental health services.

Suspended Expulsions (Grades K to 12)

In certain cases, suspending the expulsion order and allowing the student to attend school at a comprehensive school site in the district is more appropriate than expelling the student to an out-of-district school. Placement in every expulsion matter is determined on a case-by-case basis, and placement recommendations are made based on the incident, the student's background and history, the safety of the student, and others, as well as all applicable Board Policies, Administrative Regulations, and California Education Codes. During the term of the suspended enforcement of the School Board's expulsion order, the student is on a probationary basis and must meet certain conditions to continue enrollment or the suspension of enforcement of the expulsion is revoked, and the student is placed in an appropriate alternative educational setting.

Transfer to another school within the district (Grades K to 5)

Students in grades kindergarten through fifth grade may be placed at another elementary school in the district. This provides the student with a fresh start or access to special education services that are not available at their neighborhood school of residence.

Inter-District Transfer to another school district

A student will be involuntarily transferred to their home school district if the student currently attends PUSD schools on an inter-district transfer and commits an expellable offense. The inter-district transfer will be revoked and the student will be returned to his/her home school district. An expelled student may be allowed to transfer to another district only if both the family and the districts agree that the placement in another district is in the best interest of the student.

District Operated Alternative School

Millennium High School provides students with an alternative educational setting to continue their learning. The smaller school setting allows for more individualized attention to student needs. Students are placed at Millennium High School as allowed by law.

Millennium High School (MHS) is the alternative high school in Piedmont Unified School District. It serves a broad cross-section of students, grades 9-12, with diverse learning styles, proficiency levels, and personal needs. Students at MHS complete the same graduation requirements as students at Piedmont High School. The MHS curriculum is aligned with Content Standards for California Public Schools, and our courses satisfy UC “a-g” admission requirements. MHS prides itself on building an educational community, with an array of educational options and instructional strategies not readily available in traditional classrooms. It supports students to achieve their full potential and meet their self-defined academic, career, and life goals. Most MHS graduates pursue higher education at community colleges or four-year colleges and universities.

Students at MHS are instructed in small, interactive, non-competitive classes. Instruction is individualized, and students work until mastery is achieved. Many opportunities are provided for experiential learning, self-directed projects, small group discussions, tutorials, community-based learning, service-learning, interdisciplinary and multiple intelligences instruction, flexible scheduling, and personal counseling.

MHS has developed a unique “community-building approach to education” guided by four principles: Respect, Communication, Empowerment, and Community. Students and staff agree to respect each other, recognizing our diverse backgrounds and learning styles are a strength, not a weakness. Direct and honest communication is emphasized, with collective responsibility for addressing problems when they arise. MHS views everyone as both learner and teacher, and encourages students to make choices about how their learning will be structured. Students connect classroom and community-based learning by engaging in service-learning projects that address real issues and needs in society.

District-Operated Home Hospital-Based Instruction

Home Hospital-based instruction is provided to students in particular circumstances. The instruction is provided to keep students, grades K-12, up-to-date with assignments when the student cannot attend the comprehensive school due to a medical condition. Services provided consist of direct instruction up to 5 hours per week.

District Operated Online or Virtual Education Program

Piedmont Unified School District provides curriculum through Accelerate Education to students in grades 6-12. Accelerate Education is an online platform where students can access both college-preparatory and graduation-required courses for both semester and year-long credit.

Specialized Placement or Program

In some cases, expelled students, grades K-12, are placed or referred to specialized programs. Placement is informed by the student's needs and their IEP. Students who commit offenses that are a manifestation of their disability are not expelled but may be placed into an educational environment that is supportive of their needs and in compliance with their IEP.

Referral to County Operated Community Day School

Students in grades 6 to 12 who are expelled for serious incidents where expulsion is mandatory are referred to Alameda County Community Schools. These schools and programs are specially designed to educate expelled students and offer a variety of classroom-based and independent student options to meet the student's needs. Participation in mental health services may be recommended or required. Students who fail to reach their rehabilitation plan are transferred to the Alameda County Community School.

Referral to County Operated Independent Student Program

Students may be allowed to participate in the QUEST independent study program operated by the County Office of Education

Rehabilitation Plan, Transition and Support

Students who are expelled receive Case Management support from the district. Counselors communicate with families and make referrals for counseling and other social services. In addition, they continue to contact the student about progress made on the Rehabilitation Plan and establish a timeline for returning to the home district.

Pleasanton Unified School District

The Pleasanton Unified School District has a clearly delineated process for the expulsions of students. Our process provides full due process for each student and their families in this challenging situation. The focus is on making decisions that will provide the student with opportunities to continue to make progress toward positive academic and behavior outcomes. Whenever possible, caregivers and family members are included in the process.

To summarize our expulsion process, after a student is recommended for expulsion, they are invited to participate in a meeting with the Director of Student Services, and the Principal to review the incident and reason for the recommendation for expulsion. During this meeting, we take a restorative approach with the student and family. As appropriate or able, we ask the student:

1. What happened and what were you thinking at the time?
2. What have you thought about since?
3. Who has been affected by what happened and how?
4. What about this has been hardest for you?
5. What do you think needs to be done to make things as right as possible?

Based upon the conversation during the meeting, the specific violation of Ed. Code, previous discipline and means of corrective action taken, and an evaluation of if the student poses a continued threat or danger to the campus, a decision on how best to move forward to resolve the student discipline issue is made.

Sometimes, the student is placed on a behavior contract, and in this contract a restorative approach and rehabilitation plan is drafted. Other times, a formal Stipulated Suspended Expulsion Agreement with rehabilitation plan is taken to the Board of Trustees for their approval, and occasionally the District chooses to move forward with an Expulsion Hearing or Expulsion Agreement to expel the student and develop a rehabilitation plan.

As we develop the rehabilitation plans, we seek to individualize the plan to meet the unique and specific needs of each student. We also typically try to incorporate family or individual counseling sessions, as well as a way to give back to the community through service hours.

The following are the descriptions of the district's existing educational alternatives and other services for expelled students.

Expelled Students (Grades 6 to 12)

Pleasanton students in grades 6 to 12 who are expelled for serious incidents where expulsion is mandatory are referred to the Alameda County Community Schools. These schools and programs are especially designed to educate expelled students and offer a variety of classroom- based and independent student options to meet the student's needs. Participation in mental health services may be recommended or required.

Expelled Students (Grades K to 5)

Students in grades K to 5 who are expelled are placed on suspended expulsion and transferred to another school within the district. Students and their families are required to participate in (school-based) counseling or referred to (off-site) mental health services.

Suspended Expulsions (Grades K to 12)

In certain cases, suspending the expulsion order and allowing the student to attend school at a comprehensive school site in the district is more appropriate than expelling the student to an out-of-district school. Placement in every expulsion matter is determined on a case-by-case basis, and placement recommendations are made based on the incident, the student's background and history, the safety of the student and others, as well as all applicable Board Policies, Administrative Regulations and California Education Codes. During the term of the suspended enforcement of the School Board's expulsion order, the student is on a probationary basis, and must meet certain conditions to continue enrollment or the suspension of enforcement of the expulsion is revoked, and the student is placed in an appropriate alternative educational setting.

Transfer to another school within the district (Grades K to 5)

Students in grades Kindergarten through fifth grade may be placed at another elementary school in the district. This provides the student with a fresh start or access to special educational services which are not available at their neighborhood school of residence.

Transfer to another school within the district (Grades 6 to 12)

Students in grades 6 to 12 may be placed at another middle or high school in the district. This provides the student with a fresh start or access to special educational services which are not available at their neighborhood school of residence.

Inter-District Transfer to another school district

A student is involuntarily transferred to another school district if the student is currently on an inter-district transfer and commits an expellable offense. The inter-district transfer is revoked and the student is returned to their home school. An expelled student may be allowed to transfer to

another district only if both the family and the districts agree that the placement in another district is in the best interest of the student.

District Operated Alternative Education School (Continuation High School)

Village High School is the Alternative Education high school for Pleasanton Unified. A part of the Educational Options that Pleasanton Unified provides for students, Village students are afforded an alternative educational setting to continue their learning. The smaller school setting allows for more individualized attention to student needs. Students are placed at Village as allowed by law and are available for students in 10th-12th grade.

The mission of Village High School is to foster educational achievement and character development by providing a student with a more intimate atmosphere and an educational program that will enable them to explore career choices, develop academic and technical skills, and feel successful and succeed if he/she desires to do so.

Students may attend VHS, for a variety of reasons such as for credit recovery, a small school environment, or a more personal relationship with teachers. Village staff focus on individualizing student needs and creating a community of character. They have been accredited by the Western Association of Schools and Colleges (WASC) and received the maximum six-year term.

The Village High campus plays host to students who are engaged in meeting district graduation standards, as well as exploring career interests and focusing on future goals. Instruction is geared to maximize the learning experience for each individual student, and, with a class-size average of 20 to 1, teachers are able to support student learning throughout the curriculum.

Students come to Village for a variety of reasons, but they leave with a healthy respect for themselves, the staff, and the community in which they live.

District Operated Online or Virtual Education Program

The Pleasanton Virtual Academy (PVA) is a school that is part of the Pleasanton Unified School District for students grade K-12. The Pleasanton Virtual Academy is a flexible option that allows learners to learn from home, in person, and online. This option provides excellent PUSD support for families who choose to homeschool their students or for students who just need an alternative to daily, in-person attendance. The high school courses are WASC accredited, and most are UC A-G aligned.

District Operated Independent Study Program

Pleasanton Unified also has an Independent Study Program through Pleasanton Virtual Academy. The decision for approval is based on individual circumstances and the ability to work

independently. Independent Study through Pleasanton Virtual Academy is open to Elementary, Middle and High School students and contracts are reviewed and renewed as appropriate each year.

District Operated Home Based Instruction

Home/Hospital based instruction is provided to students in particular circumstances that are generally medical in nature. The instruction is provided to keep the student up-to-date with assignments when the student cannot attend the comprehensive school. This is a short term placement (6 weeks) to support students while they are unable to physically attend school. Participation in the program is approved by the school site administrator upon discussion with the student, parent, counselor and often teachers. Students served through the home-based instruction program have a note from a physician that indicates the reason the student would need this setting, as well as the anticipated return date.

Specialized Placement or Program

In some cases, expelled students are placed or referred to specialized programs. Placement is informed by the student's needs and their IEP. Students who commit offenses that are a manifestation of their disability are not expelled but may be placed into an educational environment that is supportive of their needs and in compliance with their IEP.

Referral to County Operated Community School

Students in grades 6 to 12 who are expelled for serious incidents where expulsion is mandatory are referred to Alameda County Community Schools. These schools and programs are especially designed to educate expelled students and offer a variety of classroom-based and independent student options to meet the student's needs. Participation in mental health services may be recommended or required. Students who fail to reach their rehabilitation plan are transferred to the Alameda County Community School.

Referral to County Operated Independent Student Program

Students may be allowed to participate in the QUEST Independent Study Program operated by the Alameda County Office of Education.

In Lieu of Expulsion

In rare cases, an administrative change of placement in lieu of other serious disciplinary outcomes is appropriate for a student.

Rehabilitation Plan, Transition and Support

Students who are expelled receive Case Management support from a PUSD Social Worker. Staff within the Student Services Department communicate with families and make referrals for counseling and other social services. In addition, they continue contact with the student about progress made on the Rehabilitation Plan and establish a timeline for returning to the home district.

San Leandro Unified School District

San Leandro Unified School District has a clearly delineated process for the expulsions of students. Our process provides full due process for each student and their families in this challenging situation. The focus is on making decisions that will provide the student with opportunities to continue to make progress toward positive academic and behavior outcomes. Whenever possible the goal is to recommend the readmission of the student once successful completion of rehabilitation is achieved. Caregivers and family members are included in the process.

SLUSD Expulsion Process

The following section provides details regarding the expulsion process in SLUSD. Throughout the duration of the expulsion a rehabilitation plan is developed for the student and SLUSD staff will support with monitoring the progress that is made toward meeting the goals of the plan. The SLUSD expulsion process is held within thirty school days of the principal or designee's determination to recommend expulsion in which the student is entitled to a hearing. The student receives written notice of an expulsion hearing at least ten days prior to the hearing. This notice includes:

- Date and location of the hearing.
 - The specific facts and charges upon which the proposed expulsion is based.
 - Explanation of the right for the student or student's parent or guardian to appear in person, or to obtain and be represented by an attorney.
 - Explanation of the right to inspect and obtain copies of all documents to be used at the hearing.
 - Explanation of the right to confront and question all witnesses who testify at the hearing and to question all other evidence presented.
 - Explanation of the right to present evidence on the student's behalf, including witnesses.
- A parent or guardian may also choose to waive their rights and agree to a stipulated agreement.

The Expulsion Hearing Process

An Expulsion Hearing Panel conducts the hearing to consider the recommendation to expel a student. The panel is made up of at least three district certificated administrators such as principals or vice principals, who are not employed at the student's school. The meeting is closed to the public unless the student or student's parent or guardian submits a written request that the hearing be conducted in public. Hearings are tape-recorded and students have access to written materials presented to the panel. At the end of the hearing, several different actions may take place:

- If the Expulsion Hearing Panel decides not to recommend expulsion, the proceedings are terminated and the student is immediately reinstated. The Family and Student Support Services Department will inform the parent or guardian of the panel's decision. The parent or guardian must then contact the school and arrange a meeting with the principal or principal's designee regarding subsequent placement for the student. This may include a return to the classroom instructional program, any other instructional program, a rehabilitation program, or a combination of these programs. A decision not to recommend expulsion is final.
- If the Expulsion Hearing Panel decides to recommend expulsion, it must also recommend a rehabilitation plan for the student. The rehabilitation plan may include a review and assessment at the time of the application for readmission to school. The plan may also include recommendations for counseling or other intervention support. The evidence supporting the decision to recommend expulsion, along with the proposed rehabilitation plan, is submitted to the Board of Education.
- Upon reviewing the recommendations, the Board of Education will either support the recommendation and order the expulsion, or reject the recommendation and suspend the expulsion order. The Board may also choose to suspend the expulsion order, but still assign the student to a school, class or alternative educational program considered appropriate for the rehabilitation plan.

The Stipulation Process

A stipulated agreement is made when a student's parent or guardian agrees that the student did commit an act included in the reasons for expulsion and is being recommended for expulsion. As part of reaching a stipulated agreement, the student and a parent or guardian will meet with the Director of Family and Student Support Services. They will review the evidence gathered in the investigation of the incident leading to the expulsion recommendation. The parent or guardian will be given 24 hours to notify the Director of Family and Student Support Services if they agree to the stipulated decision or if they would prefer to proceed with an expulsion hearing. At that time, if they agree to a stipulated decision, the student, parent or guardian and the director must initial and agree upon the following:

- They have been informed of and understand the right to due process with regard to the expulsion recommendation.
- They have had the opportunity to review the reasons for the recommendation for expulsion and to discuss them with district personnel.
- They agree to the facts as stated in the expulsion recommendation.
-

As part of a stipulated agreement, the student's parent or guardian waives a number of rights:

1. The right to an expulsion hearing.
2. All notices and timelines required by policy or law.
3. The right to be represented by an attorney at the expulsion hearing.
4. The right to inspect and have copies of the documents which would have been used at the hearing.
5. The right to confront and question all witnesses who would have testified at the hearing.
6. The right to question all written evidence presented.
7. The right to present witnesses and evidence on the student's behalf.
8. The right to appeal to the county Board of Education if the stipulated expulsion is approved by the Board of Education as agreed upon.

A student's parent or guardian may consult with an attorney about the stipulated expulsion process. The Board of Education must still approve a stipulated expulsion agreement.

The Reinstatement Process

Before the end of the last day of the academic year of an expulsion, the student will be contacted by the district's Family and Student Support Services Department, which will determine if the student has completed the rehabilitation plan and should be readmitted. The student and their parent guardian will participate in a Re- Entry Meeting. At this meeting the receiving site administrators and support staff will determine if the student has evidence that demonstrates completion of the rehabilitation plan.

An expulsion order remains in effect until the Board of Education orders the readmission of the student.

- Upon completion of the readmission process, the Board of Education will readmit the student, unless it determines that the student has not met the conditions of the rehabilitation plan, or continues to pose a danger to others. The student and the student's parent or guardian receives a description of the readmission process at the time the student is ordered expelled.
- If the Board of Education denies the readmission of an expelled student, the board must decide whether to continue the placement of the student in an alternative educational program. The Board must provide written notice to the expelled student and the student's parent or guardian describing the reasons for denying the student readmittance into the regular school district program.

The following are the descriptions of the district's existing educational alternatives and other services for expelled students.

Alternative Educational Programs

A student who is denied readmission to his or her regular classroom instructional program as a result of an expulsion may be assigned to an alternative educational program.

ACOE Quest Academy

A student in grades 7-12 can enroll in Quest Academy which offers an alternative to in-class classroom instruction with a standard-based course of study that is held. Quest Academy aims to provide positive learning environments that are safe, promote positive self-esteem and self-concept, and are respectful of student diversity so that students can set and attain goals in learning, work, and life, while meeting certain goals to complete their expulsion and/or probation plans.

Expelled Students (Grades 6 to 12)

Students in grades 6 to 12 who are expelled for serious incidents where expulsion is mandatory are referred to Alameda County Community Schools. These schools and programs are especially designed to educate expelled students and offer a variety of classroom-based and independent student options to meet the student's needs. Participation in mental health counseling services may be recommended or required.

Expelled Students (Grades K to 5)

Students in grades K to 5 who are expelled are placed on an independent study home instruction program in which the student receives up to 5 hours of instruction per week. This instruction takes place at the student's residence or at an agreed upon location. Participation in mental health counseling services may be recommended or required.

Suspended Expulsions (Grades K to 12)

In certain cases, the Board of Education may determine to suspend the expulsion order, allowing the student to attend school at a comprehensive school site in the district as deemed more appropriate than expelling the student to an out-of-district school. Placement in every expulsion matter is determined on a case-by-case basis, and placement recommendations are made based on the incident, the student's background and history, the safety of the student and others, as well as all applicable Board Policies, Administrative Regulations and California Education Codes. During the term of the suspended enforcement of the School Board's expulsion order, the student is on a probationary basis, and must meet certain conditions to continue enrollment or the suspension of enforcement of the expulsion is revoked, and the student is placed in an appropriate alternative educational setting.

Transfer to another school within the district (Grades K to 5)

Students in grades kindergarten through fifth grade may be placed at another elementary school in the district. This provides the student with a new environment or access to special educational services which may better support the implementation of their behavior support plan which may not have been available at their neighborhood school of residence. The student's background, history, safety and safety of others will be considerations in determining placement at another school.

Transfer to another school within the district (Grades 6 to 12)

Students in grades 6 to 8 may be placed at another middle school in the district. This provides the student with a fresh start or access to behavioral and or academic support which may not have been operational at their neighborhood school of residence. Students in grades 9-12 may be placed at the alternative high school if they meet the eligibility criteria.

Inter-District Transfer to another school district

If a student is currently on an inter-district transfer and commits an expellable offense the inter-district transfer is revoked and the student is returned to his/her home school in their corresponding district. An expelled student may be allowed to transfer to another district only if both the family and the districts agree that the placement in another district is in the best interest of the student.

District Operated Alternative School

Lincoln Alternative Education Center provides students with an alternative educational setting to continue their learning. The smaller school setting allows for more individualized attention to student needs. Students are placed as allowed by meeting the criteria of the specialized program. Lincoln Alternative Education Center offers a variety of responsive, personalized educational pathways for career and college readiness. Through the use of student centered learning, the pathways, this center serves as both a trajectory, and a bridge, to ensure our students' success. The site offers two programs: Lincoln High School and Lighthouse Independent Studies, which allow our scholars to meet their graduation requirements, academic goals, and socio-emotional needs.

District Operated Independent Study Program

San Leandro Unified School District offers an independent study program. The decision for approval is based on individual circumstances and the ability to work independently. Independent Study provides students who are able to effectively manage their time and work well on their own an opportunity to also achieve their high school diploma. Our staff and teachers understand that

health, family and or work obligations can interfere with daily schooling so our educators provide structured curriculum to help ensure the success of the students. The Independent Study Program grants flexibility in student scheduling and support, without the loss of rigor. Eligible to secondary students only.

District Operated Home Based Instruction

Home based instruction is provided to students in particular circumstances. The instruction is provided to keep the student up-to-date with assignments when the student cannot attend the comprehensive school. This option is offered to eligible students in grades K-12. Instruction is provided through a certificated teacher.

Specialized Placement or Program

In some cases, expelled students are placed or referred to specialized programs. Placement is informed by the student's IEP as well as their behavioral, social and academic needs. Students who have been identified to receive special education services and who engage in expellable offenses will be subject to a Manifestation Determination Review IEP. During the course of this review, if the LEA, the parent, and relevant members of the IEP team determine that either the expellable conduct in question was directly and substantially related to the child's disability or a failure to implement the IEP the conduct shall be determined to be a manifestation of the child's disability. If the District, the parent, and relevant members of the IEP Team make the determination that the conduct was a manifestation of the child's disability, the IEP team must carry out the following:

- Conduct a functional behavioral assessment and implement a behavioral intervention plan for the child, unless the District conducted a functional behavioral assessment prior to the manifestation determination
- If a behavioral intervention plan has been developed, the team must review the plan and modify it, as necessary to address the behavior; and
- Return the child to the placement from which the child was removed, unless the parent and the LEA agree to a change of placement as part of the modification of the behavioral intervention plan or if the conduct is subject to a 45 day interim alternative removal for inflicting serious bodily injury, knowingly possessing or using drugs, or carrying or possessing weapons

Referral to County Operated Community School

Students in grades 6 to 12 who are expelled for serious incidents where expulsion is mandatory are referred to Alameda County Community Schools. These schools and programs are especially designed to educate expelled students and offer a variety of classroom-based and independent

student options to meet the student's needs. Participation in mental health services may be recommended or required. Students who fail to reach their rehabilitation plan are transferred to the Alameda County Community School.

Referral to County Operated Independent Student Program

Students may be allowed to participate in the QUEST independent study program operated by the County Office of Education

In Lieu of Expulsion

In rare cases, an administrative change of placement in lieu of other serious disciplinary outcomes is appropriate for a student.

Rehabilitation Plan, Transition and Support

Each student, who is expelled, is given a rehabilitation plan upon expulsion as developed by the Expulsion hearing administration panel at the time of the expulsion order. The rehabilitation plan includes a date when the pupil may re-apply for readmission or reinstatement.

The home district stays in constant contact with the alternative education program to ensure the student successfully completes the expulsion order.

These programs' primary goal is for students to return to their home school, with a better understanding of the connection between their behavior and positive or negative consequences.

The Reinstatement Process

Before the end of the last day of the academic year of an expulsion, the student will be contacted by the district's Family and Student Support Services Department, which will determine if the student has completed the rehabilitation plan and should be readmitted. The student and their parent guardian will participate in a Re- Entry Meeting. At this meeting the receiving site administrators and support staff will determine if the student has evidence that demonstrates completion of the rehabilitation plan.

An expulsion order remains in effect until the Board of Education orders the readmission of the student.

- Upon completion of the readmission process, the Board of Education will readmit the student, unless it determines that the student has not met the conditions of the rehabilitation plan, or continues to pose a danger to others. The student and the student's parents or guardians receive a description of the readmission process at the time the student is ordered expelled.

- If the Board of Education denies the readmission of an expelled student, the board must decide whether to continue the placement of the student in an alternative educational program. The Board must provide written notice to the expelled student and the student's parent or guardian describing the reasons for denying the student readmittance into the regular school district program.

San Lorenzo Unified School District

San Lorenzo Unified School District has a clearly delineated process for the expulsions of students. Our process provided full due process for each student and their families in this challenging situation. The focus is on making decisions that will provide the student with opportunities to continue to make progress toward positive academic and behavior outcomes. Whenever possible, caregivers and family members are included in the process.

This section is designed to serve as a tool and guide for administrators contemplating the feasibility and appropriateness of an expulsion referral and for administrators who will be called to serve on an expulsion panel. Expulsion hearings typically begin at 9:15 am and panelists are expected to arrive at 8:30 am to review expulsion panelist instructions, expectations, and receive answers to any expulsion panelist questions about the process. Typically the documents related to the expulsion case are not reviewed by the panel until the start of the hearing or shortly before. Every administrator is expected to volunteer for expulsion-panel duty at least once a year.

The Director or Coordinator of the Department of Student Support Services will serve as the hearing officer. The hearing officer serves as a neutral party and is not a deciding member of a hearing panel, but will facilitate the flow of the hearing. Hearing panels will consist of three administrators with relatively little to no history of the student. Each school is responsible for presenting the facts of their expulsion case to the hearing panel. If the student/family is represented by legal counsel, SLZUSD legal counsel will also be provided for case presentation. All expulsion hearings are recorded.

All expulsion referral packets are to be in line with education code requirements, sound, thorough, well written, and illegible student statements must be typed by referring school personnel. Expulsion cases can be appealed to the Alameda County Office of Education, placing all documents, writings, and school/district professional decorum on stage. See the expulsion checklist for specific expulsion packet documentation requirements.

According to EC 48900.5, out of school suspensions “shall be imposed only when other means of correction fail to bring about proper conduct.” Similarly, aside from EC 48915 (c) cases, expulsion should be considered only when other means of correction have routinely failed. As indicated in EC 48900.5, Restorative Practices and Restorative Justice methods, by way of community building, repair building, and re-entry circles are excellent responses to student discipline.

Mandatory 48915 (c) Expulsion Referrals:

48915 (c) “The principal or superintendent of schools shall immediately suspend, pursuant to Section 48911, and shall recommend expulsion of a pupil that he or she determines has committed any of the following acts at school or at a school activity off school grounds.”

1. Possessing, selling, or furnishing a firearm
2. Brandishing a knife at another person
3. Unlawfully selling a controlled substance
4. Committing or attempting to commit a sexual assault
5. Possession of an explosive

Optional 48915 (a)(1) Expulsions Referrals:

48915 (a)(1) "...The principal or the superintendent of schools shall recommend the expulsion of a pupil for any of the following acts committed at school or at a school activity off school grounds, unless the principal or superintendent determines that expulsion should not be recommended under the circumstances or that an alternative means of correction would address the conduct."

- A. Causing serious physical injury to another person...
- B. Possession of any knife or other dangerous object
of no reasonable use to the pupil
- C. Unlawful possession of any controlled substance
- D. Robbery or extortion
- E. Assault or battery on a school employee

Under EC 48900 a-e and EC 48915 (a)(1) A-E (above), a decision to expel a student for any of those violations shall be based on a finding of one or both of the following:

(1) "*Other means of correction are not feasible or have repeatedly failed to bring about proper conduct.*" Through the expulsion referral documentation this must be substantially proven through historic documentation. Proof cannot be based on perception or personal preference.

(2) "*Due to the nature of the act, the presence of the pupil causes a continuing danger to the physical safety of the pupil or others.*" Through the expulsion referral documentation this must be substantially proven through actual impacted student or district adult personnel declarations, and cannot be based on personal preference or perceptions.

Student Due Process: Per Education Code 48918 (b)(5) at any hearing, unless waived by the student/family, they have the right to 1) appear in person, 2) to employ and be represented by counsel, 3) to inspect and obtain copies of all documents to be used at the hearing, 4) to confront and question those who testify at the hearing, 5) to question all other evidence presented, 6) and to present oral and documentary evidence on the pupil's behalf, including witnesses.

Special Education & Section 504s: If a student with an IEP or 504 is recommended for expulsion, remember that if the suspension is extended there must be a manifestation determination meeting by the 10th day of suspension. If a student with an IEP is being

recommended for expulsion contact the School Psychologist and Special Services (x4791) or (x4774) if the student has a 504.

The following are the descriptions of the district's existing educational alternatives and other services for expelled students.

Expelled Students (Grades 7 to 12)

Secondary-level students who are expelled from San Lorenzo schools for serious incidents where expulsion is mandatory are placed into the county community school program. These schools and programs are specifically designed to educate expelled students, and they offer a variety of classroom-based and independent-study programs to meet student needs. Students have the opportunity to participate in counseling programs, as an extension of the school day.

Expelled Students (Grades K to 6)

It is rare for SLZUSD to expel a student in grades K-6, but should that occur, they are placed on suspended expulsion and transferred to another school, kept at the same school, within the district. Students and their families are required to participate in (school based) counseling or referred to (off site) therapeutic services.

Suspended Expulsions (Grades K to 12)

In certain expulsion cases, students who are recommended for expulsion may be sent to an alternative program within the San Lorenzo School District under a suspended expulsion contract. Each expulsion is determined on a case-by-case basis and in the case where the enforcement of the expulsion has been suspended, the student is considered to be on academic and behavioral probationary status. These students may be placed in an Independent Study Program or another comprehensive school site within the district. Student placement is based on the student's discipline history, the safety of the student and others, Board Policy, Administrative Regulations, and California Education Code. All students placed on a suspended expulsion must complete a rehabilitation plan which includes, but is not limited to counseling, community service, satisfactory attendance, and academic achievement, and enrollment in the re-entry empowerment workshop in August.

Transfer to another school within the district (Grades K to 6)

In some cases, students in grades K-6 may be voluntarily transferred to a different comprehensive site in order to allow the student to achieve academic success. A specific district designee may place students on an administrative placement transfer based on the district process.

Transfer to another school within the district (Grades 7 to 12)

In some cases, students in grades 7-12 may be voluntarily transferred to a different comprehensive site in order to allow the student to achieve academic success. A specific district designee may place students on an administrative placement transfer based on the district process.

Inter-District Transfer to another school district

A student is involuntarily transferred to another school district if the student is currently on an inter-district transfer and commits an expellable offense. The inter-district transfer is revoked and the student is returned to their home school. An expelled student may be allowed to transfer to another district only if both the family and the districts agree that the placement in another district is in the best interest of the student.

District Operated Independent Study Program

The DICE Independent study program is a voluntary program for students of multiple grades. In this program, students meet with a teacher 2-3 times per week to work on district adopted standards based on curriculum. Students must be able to work independently and must be able to keep all weekly appointments with the teacher. Student failure to comply with sufficient completion of the homework and /or missing appointments with the teacher will result in the student being dropped from the program. The DICE program also offers a home-based instructional program if it is the most viable option.

District Operated Home Based Instruction

See DICE Home-Based instruction option above.

Referral to County Operated Community Day School

Students in grades 7 to 12 who are expelled for serious incidents where expulsion is mandatory are referred to Alameda County Community Schools. These schools and programs are especially designed to educate expelled students and offer a variety of classroom-based and independent student options to meet the student's needs. Participation in mental health services may be recommended or required.

Students who fail to reach their rehabilitation plan are transferred to the Alameda County Community School.

Referral to County Operated Independent Student Program

Students may be allowed to participate in the QUEST independent study program operated by the County Office of Education.

In Lieu of Expulsion

In rare cases, an administrative change of placement in lieu of other serious disciplinary outcomes is appropriate for a student. In such cases the placement of the student is agreed upon between the District and family.

Rehabilitation Plan, Transition and Support

Students who are expelled receive Case Management support from the district. Counselors communicate with families and make referrals for counseling and other social services. In addition, they continue contact with the student about progress made on the Rehabilitation Plan and establish a timeline for returning to the home district.

Re-Entry Program:

Purpose: The San Lorenzo Unified School District Re-Entry & Intervention Program is designed to re-engage, reconnect, and prepare the following secondary populations for campus and academic success:

- Students returning from expulsion
- Students returning from Juvenile Hall/Camp
- Students enrolled in the District SARB program
- Students with 10 or more days of suspension who appear on track for expulsion

Traditionally the aforementioned populations struggle academically and behaviorally upon re-entry because of the sudden shift within educational and campus dynamics. The purpose of this program is to reduce the predictability that such students will repeat with similar problematic behaviors and patterns.

Restorative Practices: In terms of our equity lens, wheel, and response to student discipline, SLZUSD now has restorative circles and restorative conferences as alternatives to suspension and expulsion as appropriate. The process of Restorative Practices requires collaboration from all stakeholders responsible for addressing and or handing out discipline. The concept of Restorative Practices allows adults to deepen adult-to-adult relationships and student's to repair harm imposed upon the school community. It also allows the student and family to take full responsibility and accountability for their actions in a proactive fashion. Suspensions and expulsions result in the removal of students from the school community, but often fail to deal with the root cause or allow for harm to be repaired, restored, or reconciled. Our Restorative Justice model includes the response and approach of teachers, admin, central office, counselors, and CSOs. It will require the understanding of SROs. Our Restorative Justice model will not result in the total removal of suspensions and expulsions, but it will look at ways to productively restore as a first layer of intervention, as opposed to using suspension as a first reaction.

Sunol Glen Unified School District

Suspended Expulsion

In certain expulsion cases, allowing the student to attend school at a comprehensive school site is more appropriate than expelling the student to an alternative school site. Placement in every expulsion matter is determined on a case-by-case basis, and placement recommendations are made in light of the incident, the student's background and history, the safety of the student and others, as well as all applicable Board Policies, Administrative Regulations and California Education Codes. During the term of the suspended enforcement of the School Board's expulsion order, the student is on a probationary basis, and must meet certain conditions in attendance, or the suspension of enforcement of the expulsion is revoked, and the student is placed in an appropriate alternative educational setting.

Consider Interdistrict Transfer

The only time a student is involuntarily transferred to another school district is if the student is currently in SGUSD on an interdistrict transfer and commits an expellable offense or does not meet the academic, attendance and behavior expectations of the district. In these cases, the interdistrict transfer is revoked and the student is returned to his/her home school.

Offer Placement in County Alternative Education Programming if Deemed Appropriate for Expelled Student from the District

Students who fail to meet their rehabilitation plan are transferred to County Community School. The school and programs are specifically designed to educate these expelled students, and they offer a variety of classroom-based and independent-study programs to meet students' needs. Students have the opportunity to participate in counseling, as an extension of the school day.

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 their standards, including suspensions and/or expulsion, which should be considered a last resort in the process.



**ALAMEDA COUNTY
OFFICE OF EDUCATION**
Alysse Castro, Superintendent

District Superintendent Signatures

County-Wide Educational Services Plan for
Serving Expelled and High-Risk Students

AB922 Triennial Plan Update
July 1, 2024 - June 30, 2027

California Education Code (EC) Section 48926 requires each county superintendent of schools, in conjunction with district superintendents in the county, to submit a triennial update to the State Superintendent of Public Instruction.

The AB922 Triennial Plan addresses the following components:

- Existing Educational Alternatives Provided by the Alameda County Office of Education
- Alameda County Community Schools Transition Process
- Educational Services Provided to Expelled Students with Exceptional Needs
- Gaps in Educational Services to Expelled Students
- Alternative Placement for Students who Fail Placement or Pose a Danger to Other District Students
- Existing Educational Alternatives for Expelled Students Offered by Districts

I have reviewed and approve the contents and the process that has occurred for updating the triennial plan.

Signature of Superintendent: _____ Date: _____

District Name: _____

ALAMEDA UNIFIED SCHOOL DISTRICT
BOARD AGENDA ITEM

Item Title: Approval of AUSD's Comprehensive School Safety Plans (CSSP)

Item Type: Consent

Background: Per Education Code 32281, "Each school district is responsible for the overall development of all Comprehensive School Safety Plans (CSSP) for its schools operating kindergarten or any of grades 1 to 12, inclusive."

The Comprehensive School Safety Plans shall be reviewed and updated by March 1 of each year and presented to the Board for approval (Ed. Code 32286, 32288). The Board shall review the CSSPs in order to ensure compliance with state law, Board policy, and administrative regulation and shall approve the plans at a regularly scheduled meeting.

Tonight, the following CSSPs are being presented to the Board for approval:

- Alameda High School
- Alameda Science & Technology Institute
- Bay Farm School
- Earhart Elementary
- Edison Elementary
- Encinal Jr./Sr. High School
- Franklin Elementary
- Island Continuation High School
- Lincoln Middle School
- Love Elementary
- Maya Lin School
- Otis Elementary
- Paden Elementary
- Ruby Bridges Elementary
- Wood Middle School

AUSD LCAP Goals: 4. Ensure that all students have access to basic services.

Fund Codes:

Fiscal Analysis

Amount (Savings) (Cost): N/A

Recommendation: This item is presented for information only.

AUSD Guiding Principle: #1 - All students have the ability to achieve academic and personal success.| #2 - Teachers must challenge and support all students to reach their highest academic and personal potential.| #3 - Administrators must have the knowledge, leadership skills and ability to ensure student success.| #4 - Parental involvement and community engagement are integral to student

success.| #5 - Accountability, transparency, and trust are necessary at all levels of the organization.

Submitted By: Kirsten Zazo, Assistant Superintendent of Educational Services

ATTACHMENTS:

Description	Upload Date	Type
▣ 2023 CSSP_AHS_3.26.24	3/15/2024	Backup Material
▣ 2023 CSSP_ASTI_3.26.24	3/15/2024	Backup Material
▣ 2023_CSSP_Bay Farm School_3.26.24	3/15/2024	Backup Material
▣ 2023_CSSP_Earhart Elem_3.26.24	3/15/2024	Backup Material
▣ 2023 CSSP_Edison Elem_3.26.24	3/15/2024	Backup Material
▣ 2023 CSSP_Encinal Jr. Sr. HS_3.26.24	3/15/2024	Backup Material
▣ 2023 CSSP_Franklin Elem_3.26.24	3/15/2024	Backup Material
▣ 2023 CSSP_Island HS_3.26.24	3/15/2024	Backup Material
▣ 2023 CSSP_Lincoln MS_3.26.24	3/15/2024	Backup Material
▣ 2023 CSSP_Love Elem_3.26.24	3/15/2024	Backup Material
▣ 2023 CSSP_May Lin School_3.26.24	3/15/2024	Backup Material
▣ 2023 CSSP_Otis Elem_3.26.24	3/15/2024	Backup Material
▣ 2023 CSSP_Paden Elem_3.26.24	3/15/2024	Backup Material
▣ 2023 CSSP_Ruby Bridges Elem_3.26.24	3/15/2024	Backup Material
▣ 2023 CSSP_Wood MS_3.26.24	3/15/2024	Backup Material

Comprehensive School Safety Plan

**2023-24
School Year**

School: Alameda High School
CDS Code: 01611190130229
District: Alameda Unified School District
Address: 2200 Central Avenue
Alameda, CA 94501
Date of Adoption: 3/22/2023
Date of Update: 3/20/2024
Date of Review:
- with Staff 1/27/2023
- with Law Enforcement
- with Fire Authority

Table of Contents

Comprehensive School Safety Plan Purpose.....	4
Safety Plan Vision.....	4
Components of the Comprehensive School Safety Plan (EC 32281).....	6
(A) Child Abuse Reporting Procedures (EC 35294.2 [a] [2]; PC 11166).....	6
(B) Disaster Procedures (EC 35295-35297; GC 8607 and 3100).....	8
(C) School Suspension, Expulsion and Mandatory Expulsion Guidelines	11
(D) Procedures to Notify Teachers of Dangerous Pupils (EC 49079).....	31
(E) Sexual Harassment Policies (EC 212.6 [b]).....	32
(F) School-wide Dress Code Relating to Gang-Related Apparel (EC 35183).....	35
(G) Procedure for Safe Ingress and Egress of Pupils, Parents, and Staff to and from School (EC 35294.2)	38
(H) A Safe and Orderly School Environment Conducive to Learning (EC 35294.2)	40
(I) School Discipline Rules and Consequences (EC 35291 and EC 35291.5)	42
(K) Hate Crime Reporting Procedures and Policies	43
(J) Procedures to Prepare for Active Shooters.....	45
Procedures for Preventing Acts of Bullying and Cyber-bullying.....	46
Emergency Contact Numbers	50
Safety Plan Review, Evaluation and Amendment Procedures	51
Alameda High School Incident Command System	52
Incident Command Team Responsibilities.....	53
Types of Emergencies & Specific Procedures.....	60
Aircraft Crash	60
Animal Disturbance.....	60
Armed Assault on Campus	60
Biological or Chemical Release.....	60
Bomb Threat/ Threat Of violence	61
Disorderly Conduct	63
Earthquake	65
Explosion or Risk Of Explosion	65

Fire in Surrounding Area66

Fire on School Grounds66

Flooding68

Loss or Failure Of Utilities69

Motor Vehicle Crash69

Psychological Trauma.....69

Opioid Overdose70

Emergency Evacuation Map.....71

Comprehensive School Safety Plan Purpose

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

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

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

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

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

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

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

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

<https://docs.google.com/document/d/1Oiz2NjMccFI3HZpnmvvr-DIOcGpOIrkOeGpM8XdXdHE/edit>

A copy of the Comprehensive School Safety Plan is available for review at .

Safety Plan Vision

The Alameda Unified School District is committed to providing a quality educational environment that is safe, secure, and peaceful. The primary goal of the District is to help each student develop to the maximum of his/her capacity and function as a responsible member of a democratic society. When parents, students and staff are aware of our mutual responsibilities to keep our community safe, we can effectively promote positive student participation in all of our schools.

The School Site Emergency Plan is designed for use as a school resource for prevention/mitigation, preparedness, response, and recovery planning and training as well as functioning as a template for meeting the requirements for the annual Safety Plan Process under Senate Bill 187, Education Code Section 35294, Statutes of 1998, and the National Incident Management System. It is designed to be a living document that is updated as necessary to meet site, District, and community needs, forms, and/or requirements—therefore, it should be maintained in hard copy and electronic form.

This document is NOT intended to be a “grab and go” guide in an actual emergency.

Components of the Comprehensive School Safety Plan (EC 32281)

Alameda High School Safety Committee

https://docs.google.com/document/d/1Y2wrgoAhkok_8wr6RuhmiwoSooFLt-dFDALaRGMmPmU/edit

Assessment of School Safety

Current Status of School Crime. Each school is required to assess the current status of school crime committed on the school campus and at schoolrelated functions. You may accomplish this by reviewing the following type of information: Local law enforcement crime data; suspension/expulsion data; behavior referrals; counseling referrals; attendance rates; SART/SARB data; CHK Survey data; SPSA data; property damage/vandalism data; or any other data pertinent to your assessment. Insert Aeries data here.

<https://docs.google.com/spreadsheets/d/1E7X0zOhdmd6DKIsBFCLBnzV2sEJP1G7J-drDMiv1hWY/edit#gid=371039585>

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

<https://docs.google.com/document/d/1W89n1wJwXVvA-ygKLDjlGvR8Wzvz-UeKwfEGVylveSw/edit>

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

Child Abuse Reporting Procedures

With concern for the total well-being of each student, employees of the district shall report known or suspected incidences of child abuse in accordance with state law and district regulations. Our employees cooperate with the child protective agencies responsible for reporting, investigating and prosecuting cases of child abuse.

A. Definition of Child Abuse

"Child Abuse," as defined by law, pursuant to Penal Code 273 and 11165, includes:

1. Physical abuse resulting in a non-accidental physical injury.
2. Physical neglect, including both severe and general neglect, resulting in negligent treatment or maltreatment of a child.
3. Sexual abuse including both sexual assault and sexual exploitation.
4. Emotional abuse and emotional deprivation including willful cruelty or unjustifiable punishment.
5. Severe corporal punishment.

B. Legal Duty to Report

Mandated child abuse reporting is governed by the Child Abuse and Neglect Reporting Act, P.C. 11164. The intent and purpose of the law is to protect children from abuse. The definition of a child is any person under 18 years of age.

Within the scope of his or her employment, any childcare custodian who has knowledge of, observes, or reasonably suspects a child is a victim of child abuse, shall report the known or suspected abuse to a child protective agency by telephone and written report. Additionally, any suspicion of mental suffering inflicted on a child where his or her well-being is endangered in any way, will also be reported.

"Mandated Reporters" are those people defined by law as "childcare custodians," "medical practitioners" and "non-medical practitioners" and include virtually all school employees.

(Penal Code 11165.7 and 11165.8) The following school personnel are required to report: teachers, administrators, supervisors of child welfare and attendance, certificated student personnel employees, employees of a child care programs, preschool teachers, school psychologists, licensed nurses, counselors, para-educators instructional aides or other classified employees trained in child abuse reporting. Employees do not need to have their employer's permission to make a child abuse report.

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

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

3. Employees will report known or suspected child abuse to a child protective agency by telephone immediately or as soon as practically possible and in writing within 36 hours. The reporting duties are individual and cannot be delegated to another individual.

4. When two or more persons who are required to report and both have knowledge of suspected child abuse, and when there is agreement among them, the telephone report may be made by any one of them who is selected by mutual agreement, and a single report may be made and signed by the person selected. However, if any person who knows or should know that the person designated to report failed to do so, that person then has a duty to make the report.

5. The duty to report child abuse is an individual duty and no supervisor or administrator may impede or inhibit such reporting duties. Furthermore, no person making such a report shall be subject to any sanction. Any supervisor or administrator in violation (Section 11166) is guilty of an infraction punishable by a fine not to exceed five thousand dollars (\$5000).

C. Legal Responsibility and Liability

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

2. Any mandated reporter who fails to report an incident of known reasonably suspected child abuse or neglect as required by this section is guilty of a misdemeanor punishable by up to six months confinement in a county jail or by fine of one thousand dollars (\$1000) or by both that fine and punishment. The mandated reporter may also be held civilly liable for damages of any injury to the child after a failure to report.

D. Reporting Procedures

The person who first observes or learns about the abuse is to complete the "Suspected Child Abuse Report" form (BCIA 8572) and call the Child Abuse Reporting phone number Call our hotline now at 510-259-1800, available 24 hours a day, 7 days a week or if it is an emergency call:

OR Immediately telephone the appropriate law enforcement agency (based upon where the abuse is suspected to have occurred). Jurisdiction, as to whether the county or the city responds, is determined by where the abuse took place.

a. City: Call the Alameda Police Department (510) 337-8340

3. Employees are not required to identify themselves to their employer when they make a child abuse report. If an employee wishes to waive his/her confidentiality rights he/she may wish to make photocopies of the "Suspected Child Abuse Report" form (SS8572) and forward a copy to the principal and to the Executive Director of Student and Family Support Services.

E. Victim Interviews

Upon request, a child protective agency representative may interview a suspected victim of child abuse, during school hours and on school premises, concerning a report of suspected child abuse that occurred within the child's home. The child shall be given the choice of being interviewed in private or in the presence of any adult school employee or volunteer aide selected by the child. A staff member or volunteer aide selected by a child may decline to present at the interview. If the selected person accepts, the principal or designee shall inform him/her, before the interview takes place, of the following legal requirements:

1. The purpose of the selected person's presence at the interview is to lend support to the child and enable him/her to be as comfortable as possible.
2. The selected person shall not participate in the interview.
3. The selected person shall not discuss the facts or circumstances of the case with the child.
4. The selected person is subject to the confidentiality requirements of Article 2.5 (Penal Code 11165 et seq.), a violation of which is punishable as specified by 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)

F. Release of Child to Peace Officer or to a Child Protective Services Worker

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

G. Staff Training

The Principal or designee shall provide training in child abuse identification and reporting for all certificated personnel, instructional and teacher aides, teacher assistants, para-educators and other classified employees. (Penal Code 11165.7) All employees trained in child abuse identification and reporting shall be given, as a part of that training, written notice of the child abuse reporting requirements and the employees' confidentiality rights. (Penal Code 11165.7). The absence of training does not excuse a mandated reporter from the duties imposed by the penal code.

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

Disaster Plan (See Appendix C-F)

Purpose of the Plan

This response plan is designed to assist school staff, students, parents and local agencies organize resources of the school and community to respond to a crisis situation while school is in session. Regulatory Authority State laws and regulations require school districts develop emergency plans and train staff in emergency response procedures. These include laws applicable to school staff and students as well as Cal/OSHA regulations specifically addressing the safety of district employees. The Katz Act [California Education Code, §35295-35297] requires schools plan for earthquakes and other emergencies. It also requires training in earthquake preparedness procedures for both certificated and classified staff. The Petris Bill [Government Code, §8607] requires school districts be prepared to utilize the Standardized Emergency Management System (SEMS) when responding to emergencies. This requires that principles of SEMS are incorporated in District plans; that the Incident Command System (ICS) are used at school sites; that all school personnel are trained in how the respective systems work and correlate; and that schools have drills and exercises in order to practice using the systems. This plan is designed and structured to ensure compliance with the mandates of state law as well as with Cal/OSHA's Emergency Action Plan Standard Title 8, California Code of Regulations §3220. This regulation requires each employer facility have an Emergency Action Plan which focuses on specific emergency contingencies, response personnel roles, and evacuation plans of each employer's site where employees work. Schools and school districts are included in this mandate. School Site Emergency Preparedness and Response Coordination Each principal shall supervise the planning, operating and testing of their respective school's Emergency Preparedness and Crisis Response Plan. Each principal will also ensure that all school staff and students are familiar with the basic elements of the District's Emergency Operations Plan, which will be utilized at the district office in the event of a major emergency or district-wide disaster. The principal must ensure that the Incident Command System are utilized by all staff personnel in the event of an emergency incident and shall serve as the Incident Commander at all school crises or emergencies.

Campus and Facility Site Preparedness Duties

This school and the District have designated specific persons to assume emergency position responsibilities in the event of a site emergency or District-wide disaster. The following information provides a breakdown of these responsibilities:

All School Staff:

- Become familiar with the school's emergency and evacuation procedures.
- Participate in First Aid and CPR training, as appropriate.

Annually each principal shall:

- Designate Staff Incident Command Structure Assignments.
- Update this site Emergency Preparedness and Crisis Response Plan.
- Ensure personnel are properly trained in their respective assignments.
- Conduct survey of personnel to determine CPR/First Aid/Disaster Preparedness/Medical Training.
- Survey parents to determine who may wish to volunteer during an extended emergency or disaster.
- Ensure needs of students and staff with disabilities are provided for in the event of an emergency.
- Designate primary and alternate locations for command post, evacuation, first aid, student release, and morgue.
- See that parents are informed of the plan and its effect upon students.
- Compile/maintain list of local emergency agencies including telephone numbers and addresses.
- Practice building evacuation plans including testing of warning systems, alarm signals, and communications methods.
- With Maintenance and Operations, complete a site and building hazard survey.
- Ensure all emergency equipment and supplies are in usable condition at all times.

Teachers:

- Teachers are responsible for the supervision of students in their charge.
- Understand emergency response procedures.
- Have planned activities for use during disasters to lessen possible tension.

School Office Managers or Designee:

- Organize and maintain the emergency first aid supplies and distribute back-up supplies.
- Assist principal in developing procedures to protect essential records.
- Ensure battery-operated AM/FM radio is available in working condition; know the call number and frequency of disaster information station.
- Maintain an up-to-date list of students and staff who require life sustaining medication.

School Custodians or designee:

- Assist principal in planning control procedures for different types of building damage.
 - Routinely check that battery-operated equipment is in working condition.
- Directions for the Instructional Staff During a Declared Emergency

Crisis Response

The primary goals of crisis response are to:

- Prevent a potentially chaotic situation from escalating into a catastrophic event.
- Help those affected to return, as quickly as possible, to a normal level of functioning.
- Decrease the potential long-term effects of the crisis.

Incident Command System (ICS)

The Incident Command System is an emergency response system used to manage an emergency incident at a specific facility or site. The ICS, as designated by the AUSD, will be used by this school as the formal emergency response structure. This is in contrast to the Standardized Emergency Management System (SEMS) which is used to manage resources at a district-wide level.

Foundations of Crisis Response

The primary foundation for any emergency or crisis response system is to ensure, as much as is humanly possible, the application of the three C's at all times.

These three C's are:

- Control – Control is the cornerstone of every crisis/emergency response. In emergency response this is initiated and maintained through the effective use of the Incident Command System.
- Communication - Communication is essential to maintaining effective coordination of all response actions. Ongoing communication must be maintained between response persons, school staff, and the command team.
- Coordination - Coordination is essential to ensure that the most effective and appropriate response actions are used throughout a response operation. Proper utilization of the Incident Command System will ensure that all response operations are coordinated from a central point and that no response action is taken at cross purposes to any other.

Insert link to REMS packet here

Public Agency Use of School Buildings for Emergency Shelters

If the Superintendent declares a District emergency during the school day, the District has a clear statement of policy governing its actions.

Alameda Unified School District Policy is as follows:

IN CASE OF A DECLARED EMERGENCY BY THE SUPERINTENDENT DURING SCHOOL HOURS, ALL STUDENTS WILL BE REQUIRED TO REMAIN AT SCHOOL OR AN ALTERNATE, SAFE SITE UNDER THE SUPERVISION OF DISTRICT PERSONNEL:

1. Until regular dismissal time and then released only if it is considered safe, OR
2. Until released to an adult authorized by the parent or legal guardian whose name appears on District records.
 - a) If students are on their way to school they should proceed to school.
 - b) If students are on their way home from school they are to continue home.
3. To provide this supervision and care, Alameda Unified School District personnel will be utilized under Title 1, Division 4, Chapter 8 Government Code and other legal statutes. The statute states that all public employees are designated disaster service workers when an emergency is declared. The District Superintendent, or designee, has the legal authority to declare an emergency in this District. The authority also extends to Alameda County to declare an emergency and impress public employees into service as disaster service workers.

4. Alameda Unified School District encourages the utilization of a buddy system at District sites wherein staff responsibilities for specific emergency functions are assigned to pairs of employees who could, with approval of the Site Manager, carry on legally required supervision and care requirements while allowing emergency home visits to assure welfare of their own families.

(C) School Suspension, Expulsion and Mandatory Expulsion Guidelines

Definitions

Suspension from school means removal of a student from ongoing instruction for adjustment purposes.

The teacher of any class from which a student is suspended pursuant to Section 48910 shall require the student to complete any assignments and tests missed during the suspension. The school will monitor and address the educational needs of the student that arise due to the loss of instructional time. (Education Code 48913). However, suspension does not mean any of the following: (Education Code 48925)

- Reassignment to another education program or class at the same school where the student will receive continuing instruction for the length of day prescribed by the Governing Board for students of the same grade level.
- Referral to a certificated employee designated by the principal to advise students.
- Removal from the class, but without reassignment to another class or program, for the remainder of the class period without sending the student to the principal or designee as provided in Education Code 48910. Removal from a particular class shall not occur more than once every five school days.

Referral means removal from classroom instruction for discipline reasons.

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

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

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

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

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

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

The District database is the Aeries Student Information System.

Restorative Practices (RP) is a continuum of practices by which schools build community through circles and other activities, where students learn to use affective statements and the process where all stakeholders affected by an injustice have an opportunity to discuss how they have been affected by the injustice and to decide what should be done to repair the harm.

Positive Behavioral Interventions and Supports (PBIS) is a framework for providing a range of systemic and individualized strategies for achieving important academic and behavioral outcomes while preventing problem behaviors.

Social and Emotional Learning (SEL) is a process through which children and adults develop the fundamental skills for life effectiveness. The five SEL competencies are: self-awareness, self-management, social awareness, relationship skills, and responsible decision-making.

Multi Tiered System of Support (MTSS) is a way of organizing instruction and intervention to help all students. The goal of the multi-tiered framework is to provide high-quality instruction and supports based on student need. This framework helps educators by providing information (data) to identify students needing additional support (academic and behavioral) and also identify students who may need special education services. MTSS includes three levels (or tiers) of instruction. Each tier has a set of evidence-based practices to meet the instructional goals.

Tier 1

For MTSS, a school must first establish its Tier 1 or universal supports. Universal supports are the instructional practices that help all students in a school. Once the universal supports are in place, staff can use assessment data to determine which students need additional supports.

Tiers 2 and 3

The intensity and duration of supports increase for Tiers 2 and 3. The appropriate level of support for each student is determined by assessment data.

Grounds for Suspension and Expulsion

The following is a list of grounds for which suspension and expulsion may be permitted or shall be imposed subject to the

restrictions and requirements herein:

- Caused, attempted to cause, or threatened to cause physical injury to another person or willfully used force or violence upon another person, except in self-defense (Education Code 48900(a))
- A student who aids or abets the infliction or attempted infliction of physical injury on another person, as defined in Penal Code 31, may be suspended, but not expelled. However, such a student may be suspended or expelled pursuant to Education Code 48900(a) when he/she has been adjudged by a juvenile court to have committed, as an aider or abettor, a crime of physical violence in which the victim suffered great or serious bodily injury. (Education Code 48900(t))
- 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))
- 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))
- 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))
- Committed or attempted to commit robbery or extortion (Education Code 48900(e))
- Caused or attempted to cause damage to school property or private property (Education Code 48900(f))
- Stole or attempted to steal school property or private property (Education Code 48900(g))
- 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))
- Committed an obscene act or engaged in habitual profanity or vulgarity (Education Code 48900(i))
- Unlawfully possessed, offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Health and Safety Code 11014.5 (Education Code 48900(j))

As provided in California Education Code section 48900(k), no student enrolled in grades T-Kindergarten through third grade may be suspended or expelled for disrupting school activities or willfully defying the authority of school personnel ("disruption and willful defiance") and no student in TK-12 may be expelled for willful disruption or defiance.

Effective July 1, 2019, no student enrolled in grades T-Kindergarten through twelve (TK-12) grades may be suspended or expelled for disrupting school activities or willfully defying the authority of school personnel. The Board will review data regarding suspensions for defiance in Grades 4 through 12 in August 2019 and January 2020. If, based on review of the data, it appears further steps should be undertaken to meet the goal of eliminating suspensions for defiance by July 1, 2019, the Board will direct the Superintendent to implement such additional measures to achieve the goal of no suspensions for defiance by July 1, 2020.

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

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

- 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.

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 (items #20-22 below), that has any of the effects described above on a reasonable student.

Electronic act means the transmission of a communication, 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.

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))

- 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)

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

- 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)

- 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)

- 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)

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

- While on school grounds
- While going to or coming from school
- During the lunch period, whether on or off the school campus
- During, going to, or coming from a school-sponsored activity

Teacher-Initiated Suspensions Pursuant to Section 48910

The Board desires the adoption of a Multi-Tiered System of Support which includes Positive Behavior Intervention Supports to facilitate a consistent approach for positive, pro-social behavior management (BP 5144). The District expects teachers to attempt interventions prior to initiating a suspension pursuant to Section 48910 except where suspension for a first offense is permitted or mandated by law, as described on pp. 8-9 below.

When removing a student from his/her class pursuant to Section 48910, 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 removed. (Education Code 48910)

The site administrator or designee shall ensure that site staff completed the following:

- The teacher completed the Teacher-Initiated Pupil Suspension Report and, starting in the 2019-20 school year, the office referral form.
- The teacher contacted the parent/guardian to request their participation in a parent-teacher conference regarding the suspension within 24 hours. 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)
- The site administrator or designee reviewed the office referral form and completed the in-school suspension form if warranted.
- The site administrator or designee contacted parent/guardian regarding the suspension.
- The site administrator or designee recorded the classroom interventions and referral in the District database.

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

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

The teacher of any class from which a student is suspended pursuant to Section 48910 shall require the student to complete any assignments and tests missed during the suspension. The school will monitor and address the educational needs of the student that arise due to the loss of instructional time. (Education Code 48913)

When suspending a student in Grades TK-3 from class for committing an obscene act or engaging in habitual profanity or vulgarity, the teacher of the class may require any parent/guardian who lives with the student to attend a portion of the school day in the class from which the student is being suspended, to assist in resolving the classroom behavior problems. (Education Code 48900.1) The teacher of the class may also require any parent/guardian who lives with the student to attend a portion of the school day in the class to assist in resolving classroom behavior problems.

When suspending a student in Grades 4-12 from class for committing an obscene act or engaging in habitual profanity or vulgarity, disrupting school activities, or otherwise willfully defying valid staff authority, the teacher of the class may require any parent/guardian who lives with the student to attend a portion of the school day in the class from which the student is being suspended, to assist in resolving the classroom behavior problems. (Education Code 48900.1)

When suspending a student in any grade from class for committing an obscene act, engaging in habitual profanity or vulgarity, the teacher of the class may require any parent/guardian who lives with the student to attend a portion of the school day in the class from which the student is being suspended, to assist in resolving the classroom behavior problems. (Education Code 48900.1) The teacher of the class may also require any parent/guardian who lives with the student to attend a portion of the school day in the class to assist in resolving classroom behavior problems.

Teachers should reserve the option of required parental attendance for cases in which they have determined that it is the best strategy to promote positive interaction between the teacher and the student and his/her parents/guardians and to improve the student's behavior.

Any teacher requiring parental attendance pursuant to this policy shall apply the policy uniformly to all students within the classroom. (Education Code 48900.1)

When a teacher makes this request, the principal shall send the parent/guardian a written notice that the parent/guardian's attendance is requested pursuant to law. (Education Code 48900.1)

The notice shall specify that the attendance may be on either the date the student is scheduled to return to class or within one week thereafter.

This notice shall also:

- Inform the parent/guardian when his/her presence is expected and by what means he/she may arrange an alternate date
- Ask the parent/guardian to meet with the principal after the visit and before leaving school, as required by Education Code 48900.1

At the meeting with the student's parent/guardian, the principal or designee shall explain the district's and school's discipline policies, including the disciplinary strategies that may be used to achieve proper student conduct.

When a parent/guardian does not respond to the request to attend school, the principal or designee shall contact him/her by telephone, mail, or other method that maintains the confidentiality of the student's records.

District regulations shall include procedures for implementing parental attendance requirements. Parents/guardians shall be notified of this policy prior to its implementation. (Education Code 48900.1)

Suspensions by Superintendent, Principal, or Designee

The Board does not support a zero tolerance approach to discipline except where mandated by law. Schools may not adopt zero tolerance policies that conflict with District discipline policies. The Board desires that schools will adopt, engage, and implement positive approaches to addressing problem behavior prior to initiating the suspension of a student.

Suspension for a first time offense is limited to certain serious offenses (listed below in permissible and mandatory categories) or where it can be documented that the presence of a student causes a danger to persons.

Defiance

As provided in California Education Code section 48900(k), no student enrolled in grades T-Kindergarten through third grade may be suspended or expelled for disrupting school activities or willfully defying the authority of school personnel ("disruption and willful defiance") and no student regardless of grade may be expelled for willful defiance or disruption.

Effective July 1, 2019, no student enrolled in grades T-Kindergarten through twelve (TK-12) grades may be suspended or expelled for disrupting school activities or willfully defying the authority of school personnel. Suspension and expulsion shall not be imposed for a violation of Education Code section 48900(k), including disruption of school activities or willful defiance. The District expects schools to develop appropriate interventions, for example, behavioral plans, restorative circles, or SEL groups for students who engage in a pattern of defiant behavior.

Defiance is when a student continues to disobey a school official, teacher, or administrator after having been taught the rules and expectations of the school and the student displays behavior that directly interferes with the rights of others to learn.

The Board will review data regarding suspensions for defiance in Grades 4 through 12 in August and January. If, based on review of the data, it appears further steps should be undertaken to meet the goal of eliminating suspensions for defiance, the Board will direct the Superintendent to implement such additional measures to achieve the goal of no suspensions for defiance by July 1, 2020.

Discipline and Intervention Matrix for Administrators

Attached to this Administrative Regulation is the discipline and intervention matrix aligned to the District's Multi-Tiered System of Support framework that models a progressive and holistic approach to discipline. As provided in the Board Policy, each school is responsible for adopting strategies, programs, and interventions within this framework to facilitate a positive approach to behavior management. Even if suspension is appropriate, administrators must first consider whether other interventions should be used.

Except where suspension for a first offense is permitted or mandatory (as described above), in-school and out-of-school suspension and other sanctions that result in a student's loss of instruction shall only be imposed when the principal or designee has determined that other means of correction that are consistent with District policies and procedures have failed to bring about proper conduct. (Education Code 48900.5)

As described in AR 5144, interventions and other alternatives to suspension should be attempted and evaluated prior to referral from the classroom. In addition, the principal or designee shall document the other means of correction used and retain them in the student's record. (Education Code 48900.5)

The Principal or designee shall complete the suspension form and record the suspension in the District's database.

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

A student may be suspended from school for not more than 20 school days in any school year unless, for purposes of adjustment, the student enrolls in or is transferred to another regular school, an opportunity school, or continuation school or class, in which case suspension shall not exceed 30 days in any school year. However, this restriction on the number of days of suspension does not apply when the suspension is extended pending an expulsion. (Education Code 48903, 48911, 48912)

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)

Suspensions shall be initiated according to the following procedures:

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 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. 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)

Administrative Actions: All requests for student suspension are to be processed by the principal or designee. All suspensions shall be recorded in the District database. 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)

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

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

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

Parent/Guardian Conference: Whenever a student is suspended, school officials may meet 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)

Although the parent/guardian is required to respond without delay to a request for a conference about his/her child's behavior, 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 readmission solely because the parent/guardian failed to attend the conference. (Education Code 48911)

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 Principal may, in writing, extend the suspension until such time as the Board has made a decision. (Education Code 48911)

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

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

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

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.

The student shall be responsible for contacting the school to receive assignments to be completed during the period of the suspension. The school shall make available all assignments and tests that the student will miss while suspended.

Suspension by the Board

The Board may suspend a student for any of the acts listed in "Grounds for Suspension and Expulsion" above and within the limits specified in "Suspensions by Superintendent, Principal, or Designee" above. (Education Code 48912)

The Board may suspend a student enrolled in a continuation school or class for a period not longer than the remainder of the semester if any of the acts listed in "Grounds for Suspension and Expulsion" occurred. The suspension shall meet the requirements of Education Code 48915. (Education Code 48912.5)

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

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

Supervised Suspension Classroom

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 a supervised suspension classroom in a separate classroom, building, or site for the entire period of suspension. The following conditions shall apply: (Education Code 48911.1)

The supervised suspension classroom shall be staffed in accordance with law and by certificated employees.

The student shall have access to appropriate counseling services.

The supervised suspension classroom shall promote completion of schoolwork and tests missed by the student during the suspension.

The student shall be responsible for contacting his/her teacher(s) to receive assignments to be completed in the supervised suspension classroom except where otherwise set out in the student's Individualized Education Program (IEP) or Section 504 plan. 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.

The Principal or designee shall complete the in-school suspension form and record the suspension in the District's database.

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

Involuntary Transfer

The District may not involuntarily transfer a student in Grades TK- 3rd grade to another school based on a finding of disruption of school activities or willful defiance of the authority of school personnel (California Education Code section 48900(k)).

Effective July 1, 2019, the District may not involuntarily transfer a student to another school based on a finding of disruption of school activities or willful defiance of the authority of school personnel (California Education Code section 48900(k)).

Involuntary transfers may only occur following a recommendation for expulsion and after a hearing before the District's Disciplinary Hearing Panel (DHP) consistent with the requirements in Education Code section 48918 and the notice and hearing procedures set forth below for expulsions. In addition, an involuntary transfer to a continuation school must be made pursuant to Education Code section 48432.5.

Expulsions

The Board shall expel, as required by law, any student found to have committed any offense listed below under "Mandatory Recommendation and Mandatory Expulsion" (see page 13). (Education Code 48915)

For all other grounds listed under "Grounds for Suspension and Expulsion," the Board shall order a student expelled upon the recommendation of the Superintendent, principal, or designee only if the Board makes a finding of either or both of the following: (Education Code 48915(b) and (e))

- That other means of correction have repeatedly failed to bring about proper conduct
- 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

Authority to Expel

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

The Board shall expel, as required by law, any student found to have committed any offense listed below under "Mandatory Recommendation and Mandatory Expulsion." (Education Code 48915)

For all other grounds listed above under "Grounds for Suspension and Expulsion," the Board shall order a student expelled upon the recommendation of the Superintendent, principal, or designee, only if the Board makes a finding of either or both of the following: (Education Code 48915(b) and (e))

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

Recommendation for Expulsion Expected Unless It Is Not Appropriate or Alternative Means of Correction Would Address the Conduct

Unless the Superintendent, principal, or designee 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(a))

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

- Possession of any knife as defined in Education Code 48915(g), explosive, or other dangerous object of no reasonable use to the student
- 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
- Robbery or extortion
- 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)

Mandatory Recommendation and Mandatory Expulsion

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

Possessing, as verified by a district employee, selling, or otherwise furnishing a firearm.

Possession of an imitation firearm, as defined in Education Code 48900(m), shall not be regarded as an offense requiring a mandatory recommendation for expulsion and mandatory expulsion. However, an administrator shall have discretion on a case-by-case basis to recommend expulsion for the possession of an imitation firearm.

Brandishing a knife as defined in Education Code 48915(g) at another person

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

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

Possessing an explosive as defined in 18 USC 921

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

Student's Right to Expulsion Hearing

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 one of the acts listed above under "Grounds for Suspension and Expulsion." (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))

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)

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

Have up to two adult support persons of his/her choosing present at the hearing at the time he/she testifies

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)

The rights of a complaining witness are further outlined in Administrative Regulation 5145.7 (Sexual Harassment).

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))

- The date and place of the hearing.
- A statement of the specific facts, charges, and offense upon which the proposed expulsion is based.
- A copy of district disciplinary rules which relate to the alleged violation.
- 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).
- 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 advisor.

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

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

- The right to inspect and obtain copies of all documents to be used at the hearing.
- The opportunity to confront and question all witnesses who testify at the hearing.
- 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

At least 10 days prior to a hearing to determine if a student who is a foster youth as defined under Education Code 48853.5 should be expelled for an offense not requiring a mandatory recommendation for expulsion, the Superintendent or designee shall notify the student's attorney and a representative of an appropriate county child welfare agency. If the hearing is pursuant to an offense requiring a mandatory expulsion recommendation, the Superintendent or designee may provide the same notification. The notice shall be provided by the most cost-effective method possible, including by email or a telephone call. (Education Code 48918.1)

Conduct of Expulsion Hearing

Closed Session: Notwithstanding the provisions of Government Code 54953 and Education Code 35145, the Board shall conduct a hearing to consider the expulsion of the student in a session closed to the public unless the student requests in writing at least five days prior to the hearing that the hearing be a public meeting. If such a request is made, the meeting shall be public unless another student's privacy rights would be violated. (Education Code 48918(c))

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))

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))

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))

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" 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.

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)

- Any complaining witness shall be given five days' notice before being called to testify.
- Any complaining witness shall be entitled to have up to two adult support persons, including, but not limited to, a parent/guardian or legal counsel, present during his/her testimony.
- Before a complaining witness testifies, support persons shall be admonished that the hearing is confidential.
- The person presiding over the hearing may remove a support person whom he/she finds is disrupting the hearing.
- If one or both support persons are also witnesses, the hearing shall be conducted in accordance with Penal Code 868.5.

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.

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.

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

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.

The person conducting the hearing may:

- Arrange the seating within the hearing room so as to facilitate a less intimidating environment for the complaining witness
- 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
- Permit one of the support persons to accompany the complaining witness to the witness stand

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. Alternatively, the Board may appoint an impartial administrative panel composed of three or more certificated personnel, none of whom shall be members of the Board or on the staff of the school in which the student is enrolled. (Education Code 48918(d))

A hearing conducted by the hearing officer or administrative panel shall conform to the same procedures applicable to a hearing conducted by the Board as specified above in "Conduct of Expulsion Hearing," including the requirement to issue its 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 expulsion referral was made, unless the parent, guardian, or responsible adult of the pupil requests another school placement in writing. Before the placement decision is made by the parent, guardian, or responsible adult, the superintendent of schools or the superintendent's designee shall consult with school district personnel, including the pupil's teachers, and the parent, guardian, or responsible adult regarding any other school placement options for the pupil in addition to the option to return to his or her classroom instructional program from which the expulsion referral was made. If the hearing officer or administrative panel finds that the pupil committed any of the acts specified in subdivision (c) of Section 48915, but does not recommend expulsion, the pupil shall be immediately reinstated and may be referred to his or her prior school or another comprehensive school, or, pursuant to the procedures set forth in Section 48432.5, a continuation school of the school district. The decision not to 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 for a period of one year. (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, the final action to expel shall be taken by the Board at a public meeting. (Education Code 48918(j))

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

Upon ordering an expulsion, the Board shall set a date when the student shall be reviewed for readmission to a school within the district. For a student expelled for 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)

- Periodic review, as well as assessment at the time of review, for readmission
- 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:

- The specific offense committed by the student for any of the causes for suspension or expulsion listed above under "Grounds for Suspension and Expulsion" (Education Code 48900.8)
- The fact that a description of readmission procedures will be made available to the student and his/her parent/guardian (Education Code 48916)
- Notice of the right to appeal the expulsion to the County Board of Education (Education Code 48918)
- Notice of the alternative educational placement to be provided to the student during the time of expulsion (Education Code 48918)
- Notice of the student's or parent/guardian's obligation to inform any new district in which the student seeks to enroll of the student's status with the expelling district, pursuant to Education Code 48915.1 (Education Code 48918)

Decision Not to Enforce Expulsion Order

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

- The student's pattern of behavior
- 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:

- 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)
- During the period when enforcement of the expulsion order is suspended, the student shall be on probationary status. (Education Code 48917)
- The suspension of the enforcement of an expulsion order may be revoked by the Board if the student commits any of the acts listed under "Grounds for Suspension and Expulsion" above or violates any of the district's rules and regulations governing student conduct. (Education Code 48917)
- 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)

- 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)

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))

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)

Right to 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)

The student shall submit 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 furnishment 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)

Post-Expulsion Placements

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

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

When the placement described above is not available and when the County Superintendent so certifies, students expelled for acts described in items #6-13 and #20-22 under "Grounds for Suspension and Expulsion" 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

Readmission procedures shall be as follows:

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

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)

If the Board denies the readmission of a student, the Board shall determine either to continue the student's placement in the alternative educational program initially selected or to place the student in another program that serves expelled students, including placement in a county community school. (Education Code 48916)

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 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)

Outcome Data

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

- The number of students recommended for expulsion
- The specific grounds for each recommended expulsion
- Whether the student was subsequently expelled
- Whether the expulsion order was suspended
- The type of referral made after the expulsion
- The disposition of the student after the end of the expulsion period

Public Reporting of Discipline Data

The Superintendent or designee shall ensure that the following data is publicly available on the District's public website twice annually, within 60 days after the completion of each semester:

- The aggregate number and rates of office referrals, teacher suspensions, supervised in-school and out-of-school suspensions, involuntary transfers, expulsion referrals, expulsions, on-campus citations, school-based arrests, and four-year graduation and drop-out rates, disaggregated by all subgroups, including race, gender, ethnicity, English Language Learner status, socio-economic status, foster youth, homeless youth, and disability and by offense for the district and by school-site.
- The number of instructional days and ADA funding lost to suspensions, transfers, and expulsions.
- The school sites to which students were transferred after the Disciplinary Review Hearing procedure or through any involuntary transfer process, whether they enrolled subsequently, and the outcomes for such students, including, but not limited to, graduation and drop-out rates.

In reporting such data, the privacy of individual students and teachers shall be protected. Data will not be disaggregated in any manner that could reveal student identity to the public or to knowledgeable members of the school community. The data shall be reported for the district as a whole and for each school-site.

The procedures shall also include requirements that appropriate district and school officials regularly review this data and take action to address disparities or disproportionate use of punitive discipline measures for particular subgroups.

Expungement of Student Disciplinary Records

As provided in Board Policy 5144.3, a student, parent, guardian, appointed advocate on behalf of the student, or Superintendent on behalf of a student may apply for expungement of student disciplines record which meet the criteria set forth in BP 5144.3.

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

Notice Regarding Student Offenses

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

Acts That Are Grounds for Suspension or Expulsion

The Superintendent or designee shall inform the teacher(s) of each student who, during the previous three school years, has engaged in or is reasonably suspected to have engaged in any act, except the possession or use of tobacco products, that would constitute a ground for suspension or expulsion as specified in AR 5144.1 - Suspension and Expulsion/Due Process. This information shall be based upon district records maintained in the ordinary course of business or records received from a law enforcement agency. (Education Code 49079)

Upon receiving a transfer student's record regarding acts committed by the student that resulted in suspension or expulsion, the Superintendent or designee shall inform the student's teacher(s) that the student was suspended from school or expelled from the former district and of the act that resulted in the suspension or expulsion. (Education Code 48201)

Information received by teacher(s) shall be received in confidence for the limited purpose for which it was provided and shall not be further disseminated by the teacher. (Education Code 48201, 49079)

Offenses Reported to the District by a Court

When informed by a court that a minor student has been found by the court to have committed any felony or any misdemeanor involving curfew, gambling, alcohol, drugs, tobacco products, carrying of weapons, a sex offense listed in Penal Code 290, assault or battery, larceny, vandalism, or graffiti, the Superintendent or designee shall expeditiously notify the school principal. (Welfare and Institutions Code 827)

The principal shall expeditiously disseminate this information to any counselor who directly supervises or reports on the student's behavior or progress and to any teacher or administrator directly supervising or reporting on the student's behavior or progress whom the principal thinks may need the information in order to work with the student appropriately, avoid being needlessly vulnerable, or protect others from vulnerability. (Welfare and Institutions Code 827)

Any court-initiated information that a teacher, counselor, or administrator receives shall be kept confidential and used only to rehabilitate the student and protect other students and staff. The information shall be further disseminated only when communication with the student, parent/guardian, law enforcement staff, and probation officer is necessary to rehabilitate the student or to protect students and staff. (Welfare and Institutions Code 827)

When a student is removed from school as a result of an offense, the Superintendent shall hold the court's information in a separate confidential file until the student is returned to the district. If the student is returned to a different district, the Superintendent shall transmit the information provided by the student's parole or probation officer to the superintendent of the new district of attendance. (Welfare and Institutions Code 827)

Any confidential file of court-initiated information shall be kept until the student becomes 18, graduates from high school, or is released from juvenile court jurisdiction, whichever occurs first, and shall then be destroyed. (Welfare and Institutions Code 827)

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

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

Definitions

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, regardless of whether or not the conduct is motivated by sexual desire. Conduct is considered to be sexual harassment when made against another person of the same or opposite sex in the work or educational setting under any of the following conditions: (Education Code 212.5; Government Code 12940; 2 CCR 11034)

- Submission to the conduct is made explicitly or implicitly a term or condition of the individual's employment.
- Submission to or rejection of the conduct is used as the basis for an employment decision affecting the individual.
- The conduct has the purpose or effect of having a negative impact upon the individual's work performance or of creating an intimidating, hostile, or offensive work environment.
- 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. For purposes of applying the complaint procedures specified in Title IX of the Education Amendments of 1972, sexual harassment is defined as any of the following forms of conduct that occurs in an education program or activity in which a district school exercises substantial control over the context and respondent: (34 CFR 106.30, 106.44)
- A district employee conditioning the provision of a district aid, benefit, or service on the student's participation in unwelcome sexual conduct
- Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the district's education program or activity

Sexual assault, dating violence, domestic violence, or stalking as defined in 20 USC 1092 or 34 USC 12291

Examples of Sexual Harassment

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

- 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
- Unwelcome visual conduct such as drawings, pictures, graffiti, or gestures; sexually explicit emails; displaying sexually suggestive objects
- 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

Title IX Coordinator/Compliance Officer

The district designates the following individual(s) as the responsible employee(s) to coordinate its efforts to comply with Title IX of the Education Amendments of 1972 in accordance with AR 4119.12/4219.12/4319.12 - Title IX Sexual Harassment Complaint Procedures, as well as to oversee, investigate, and resolve sexual harassment complaints processed under AR 4030 - Nondiscrimination in Employment.

The Title IX Coordinator(s) may be contacted at:

Asst. Superintendent of Educational Services
2060 Challenger Drive
Alameda, CA 94501
(510) 337-7095
kzazo@alamedaunified.org

Training

Every two years, the Superintendent or designee shall ensure that supervisory employees receive at least two hours, and nonsupervisory employees receive at least one hour, of classroom or other effective interactive training and education regarding sexual harassment. All newly hired employees and employees promoted to a supervisory position 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)

Such training may be completed by employees individually or as part of a group presentation, may be completed in shorter segments as long as the applicable hourly requirement is met, and may be provided in conjunction with other training provided to the employees. The training shall be presented by trainers or educators with knowledge and expertise in the prevention of harassment, discrimination, and retaliation. (Government Code 12950.1)

The district's sexual harassment training and education program shall include, but is not limited to, the following: (Government Code 12950.1; 2 CCR 11024)

- Information and practical guidance regarding federal and state laws concerning the prohibition, prevention, and correction of sexual harassment
- The types of conduct that constitute sexual harassment
- Remedies available for victims in civil actions, and potential employer/individual exposure/liability
- Strategies to prevent harassment in the workplace

- Supervisors' obligation to report sexual harassment, discrimination, and retaliation of which they become aware
- 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
- The limited confidentiality of the complaint process
- Resources for victims of unlawful harassment, such as to whom they should report any alleged harassment
- Steps necessary to take appropriate remedial measures to correct harassing behavior, which includes the district's obligation to conduct an effective workplace investigation of a harassment complaint
- What to do if the supervisor is personally accused of harassment
- The essential elements of the district's anti-harassment policy, and how to use the policy if a harassment complaint is filed

Employees shall receive a copy of the district's sexual harassment policy and administrative regulations, which they shall read and acknowledge that they have received. Information, including practical examples, of harassment based on gender identity, gender expression, and sexual orientation. Prevention of abusive conduct, including a review of the definition and elements of abusive conduct pursuant to Government Code 12950.1, the negative effects that abusive conduct has on the victim and other in the workplace, the detrimental consequences of this conduct on employee productivity and morale, and that a single act does not constitute abusive conduct unless the act is severe or egregious.

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

The Superintendent or designee shall notify employees that the district does not discriminate on the basis of sex as required by Title IX, that the Title IX nondiscrimination requirement extends to employment, and that inquiries about the application of Title IX to the district may be referred to the district's Title IX Coordinator and/or to the Assistant Secretary for Civil Rights, U.S. Department of Education. (34 CFR 106.8)

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

A copy of the Board policy and this administrative regulation shall:

- 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 (Education Code 231.5)
- 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 (Education Code 231.5)
- Appear in any school or district publication that sets forth the school's or district's comprehensive rules, regulations, procedures, and standards of conduct (Education Code 231.5)
- Be posted, along with the name or title and contact information of the Title IX Coordinator, in a prominent location on the district's web site (34 CFR 106.8)

- Be included, along with the name or title and contact information of the Title IX Coordinator, in any handbook provided to employees or employee organizations (34 CFR 106.8)

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

- The illegality of sexual harassment
- The definition of sexual harassment under applicable state and federal law
- A description of sexual harassment, with examples
- The district's complaint process available to the employee
- The legal remedies and complaint process available through DFEH and the Equal Employment Opportunity Commission (EEOC)
- Directions on how to contact DFEH and the EEOC

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, the DFEH poster on discrimination in employment and the illegality of sexual harassment and the DFEH poster regarding transgender rights. (Government Code 12950)

Complaint Procedures

All complaints and allegations of sexual harassment by and against employees shall be investigated and resolved in accordance with law and district procedures. The Title IX Coordinator shall review the allegations to determine the applicable procedure for responding to the complaint. All complaints that meet the definition of sexual harassment under Title IX shall be investigated and resolved in accordance with AR 4119.12/4219.12/4319.12 - Title IX Sexual Harassment Complaint Procedures. Other sexual harassment complaints shall be investigated and resolved pursuant to AR 4030 - Nondiscrimination in Employment.

If sexual harassment is found following an investigation, the Title IX Coordinator, or designee in consultation with the Coordinator, shall take prompt action to stop the sexual harassment, prevent recurrence, and address any continuing effects.

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

Basic Principles:

All students are encouraged to dress in a manner that is comfortable and conducive to an active school day.

Students should be able to wear clothing without fear of or actual unnecessary discipline or body shaming.

The student dress code should serve to support all students to develop a body-positive self-image.

All items listed in the "must wear" and "may wear" categories below must meet these basic principles.

Students MUST Wear:

- Top
- Bottom
- Shoes

Clothing that covers specific body parts (genitals, buttocks, and areolae/nipples) with opaque material. Courses or specific class activities that include attire as part of the curriculum may include assignment-specific dress, but should not focus on covering students' bodies or promoting culturally-specific attire. Activity specific shoe requirements are permitted (Examples include but are not limited to physical education and shop class).

Students MAY Choose to Wear:

- Sun-protective clothing, including but not limited to hats, for outdoor use during the school day. (Education Code 35183.5)
- Hats, including religious headwear
- Hooded shirts/jackets (over head is allowed)*

Teachers may direct students to remove/adjust the position of hats/hoods over the head in class during the administration of a test/exam, to address headphone/earbud use issues, or to enable visual identification of a student's face. This does NOT apply to any headwear worn for religious reasons.

Students CANNOT Wear:

- Clothing that includes violent language or images
- Clothing that includes images or language depicting drugs or alcohol (or any illegal item or activity) or the use of same
- Clothing that includes hate speech, profanity, pornography
- Clothing that includes images or language that create a hostile or intimidating environment based on any protected class
- Visible underwear or bathing suits of similar design - Visible waistbands or straps on undergarments worn under other clothing are not a violation
- Helmets, hoods, or other headgear that obscures a student's identity (except as a religious observance).

A student's face must be clearly visible when taking their school photo for identification purposes. This may require the removal of a hood and/or hat. No grade of a student participating in a physical education class shall be adversely affected if the student does not wear standardized physical education apparel because of circumstances beyond the student's control. (Education Code 49066)

Training and Enforcement:

- All staff should be trained to understand the purpose/spirit of the code, the actual code, and how to enforce with the least impact on student learning and self-confidence.
- All staff must enforce the district dress code consistently, once it is adopted. All staff should not have discretion to vary the requirements in ways that lead to discriminatory enforcement.
- All staff should be trained and able to use student/body-positive language to explain the code and to address code violations.
- Enforcement should be consistent with a school's overall discipline plan. Failure to comply with the student dress code should be enforced consistently with comparable behavior and conduct violations, including access to a student advocate or ombudsperson and appeals process.

- Enforcement for students should be limited to safety and non-violence/non-discrimination and will not include messages based on body maturity.
- Violations should be treated as minor on the continuum of school rule violations.
- Students should never be removed from a classroom for a dress code violation unless they are violating the 'Students Cannot Wear' and 'Students MUST Wear' sections of the dress code. Loss of class time should be avoided or kept to a minimum.
- Students should never be forced to wear extra school clothing (that isn't their own) when they are in violation of the code. Students should be presented with a variety of options to rectify the situation. This could include but is not limited to: personal on-site clothing, school-offered clothing, and delivery of alternate clothing.
- Parents/guardians should never be called during the school day to bring alternative clothing for the student to wear for the remainder of the day unless by student request.
- No student should be disproportionately affected by dress code enforcement because of gender, race, body size, or body maturity.
- Students should not be shamed or required to display their body in front of others (students, parents, or staff) in school. "Shaming" includes but is not limited to kneeling or bending over to check attire fit, measuring/commenting on straps, skirt length, or cleavage, asking students to account for their attire in the classroom, and directing students to correct a dress code violation during instructional time.

Evaluation:

The Superintendent or designee shall annually review the effectiveness of this policy and determine, as appropriate, if any further review or revision is required.

Gang-Related Apparel

At individual schools that have a dress code prohibiting gang-related apparel at school or school activities, the principal, staff, and parents/guardians participating in the development of the school safety plan shall define "gang-related apparel" and shall limit this definition to apparel that reasonably could be determined to threaten the health and safety of the school environment if it were worn or displayed on a school campus. (Education Code 32282)

Because gang-related symbols are constantly changing, definitions of gang-related apparel shall be reviewed at least once each semester and updated whenever related information is received. As necessary, the school shall collaborate with law enforcement agencies to update definitions of gang-related apparel.

Uniforms

In schools that require a schoolwide uniform, the principal, staff, and parents/guardians of the school shall jointly select the specific uniform to be worn. (Education Code 35183)

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

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

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

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

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

EVACUATION PROCEDURES

EVACUATION ALARM SYSTEM

A crisis or emergency may warrant an evacuation of the school building(s). Once notified of an emergency situation, the Incident Commander, will carry out the initial response actions delineated in the Emergency Preparedness and Crisis Response Plan. In consultation with members of the Incident Command Team, the principal will determine whether an evacuation is warranted or is the safest action given the character of the emergency. Incident Command Team members will immediately assume their designated response duties as activated by the Incident Commander. The Disaster Response Officer will ensure, during the evacuation itself, that all evacuation assistance personnel are operative and performing their respective duties as assigned. When a decision is made to evacuate, the Assembly /Shelter and Care Team leader will immediately report to the assembly area and inspect the area for hazards. The Assembly /Shelter and Care Team leader will notify the Disaster Response Officer immediately if the area is safe. If not, the Assembly /Shelter and Care Team will advise that the evacuation be done to the alternate assembly location. This evacuation may be a partial evacuation of only portions of the building in a localized emergency [e.g., a small chemical spill] or it may be a general evacuation of all building. When an evacuation is ordered, students and staff will be notified according to the site's Preparedness and Crisis Response REMS packet. If deemed appropriate and safe, the school's fire alarm will sound in the event of a general building evacuation. If neither mechanical system is operable, the Incident Commander will utilize office, custodial or student personnel to notify classrooms of the need to evacuate.

COORDINATING THE EVACUATION

Upon receiving the order to evacuate, staff will assume their designated positions in the school. They will then monitor the evacuation procedures and assure that all persons have left the building. Staff are also responsible to ensure that all disabled persons in the building are assisted as necessary.

1. Take emergency backpack, and attendance information.
2. Teachers evacuate with current class. If evacuation occurs outside of a class period: Return to previous class
3. Upon exit lock door to indicate room is all clear and lock door. Keep unlocked if victim is inside.
4. Check with buddy teacher. Assist/evacuate both classes if needed.
5. If on prep or don't have a class: move to nearest evacuation area and assist
6. Check common areas while evacuating.
7. Evacuate to primary location via assigned route, adjust as needed.
8. At evacuation location, line up, and take attendance.
9. List missing students on Share 911
10. Stay with class unless you are released to assume other duties.
11. Release from drill will be PA announcement/bell
12. Communicate with your students and maintain control.

EVACUATION ASSEMBLY AREAS

When ordered to evacuate, students and staff will follow the evacuation route prescribed for their respective areas and exit the building in an orderly and controlled manner. Any volunteers or visitors to the classroom should be advised to go with the classroom to the assembly area. ALL students and staff must report to the assembly area and remain there until the Incident Command Team, via the Assembly/Shelter and Care Team, notifies them it is clear to return to the building. Under no circumstances are students to leave the area unless released by the teacher in strict accordance with the school's Student Release Procedures as outlined in the site's Preparedness and Crisis Response Cliff Notes. This will not be done unless it is authorized by the Incident Command Team. Teachers MUST take a head count of all persons under their care to ensure that all students, volunteers and visitors are present. This will be reported to the Assembly /Shelter and Care Team as outlined in the site's Preparedness and Crisis Response Cliff Notes.. If someone is deemed missing, the teacher is to immediately report this fact to the Assembly /Shelter and Care Team as outlined in the site's Preparedness and Crisis REMS packet.

ACCESS CONTROL PERSONNEL

Whenever an evacuation is called, the designated Security/Traffic response team (designated prior to an emergency) will automatically assume duties as traffic controllers to prevent unauthorized public vehicles or persons access to the school campus and building(s). They will function according to the duties delineation shown in the Emergency Preparedness and Crisis Response Plan.

STUDENT EARLY DISMISSAL AND EMERGENCY SCHOOL CLOSURE

During school hours, all students are considered under the care and supervision of school staff. In all circumstances, and especially in the event of emergency incidents or circumstances, the safety of the students and the school staff is of paramount importance. All actions taken shall bear in mind the safety and well-being of both students and school employees. Thus, in the event of a major emergency incident or disaster during school hours, school will not be dismissed without the expressed and clear authorization of the District Superintendent or a designee, and children will remain under the supervision of school authorities. Students will only be released from school and District responsibility in strict accordance with the procedures outlined in the District's Early Release Policy as described below. Parents/guardians or designated emergency contacts who come to the school to pick up students must properly identify themselves in order for their children to be released.

RELEASE OF STUDENTS FROM SCHOOL

AUSD and this school want to reunite parents with their children at the earliest time possible after an emergency situation or major disaster event. However, if it is not possible for parents to pick up their children or make arrangements for others to do so, students will be held at the school or other area until such time as they can be safely released. Each year the school will notify all parents of the procedure for reuniting parents with children in the event of an emergency at school. Parents are encouraged to print out and complete data confirmation each year and update their emergency contacts. In the event students are held at a school, they may be released only to the student's own parent(s) or a person authorized beforehand by the parent. As a part of annual registration, sites collect emergency contact information in AERIES. From AERIES, Emergency Cards shall be printed and used for this purpose. It is recommended sites print copies for teachers to have on hand in their emergency packs along with roll information. Office shall also print out the Emergency Student List or Emergency Cards and Parents or others must check with this school's Student Release team at the emergency Student Release Location prior to pick up of their children. Teachers will release students according to the procedure outlined under the Emergency Student Release Procedures described below.

EMERGENCY RELEASE PLAN PROCEDURES

Teachers will utilize the following procedures to properly release students from their care to a parent, legal guardian or person authorized in writing to pick up the student:

1. At time of emergency, students remain with their current classes. Teacher takes roll on an Accountability Form and await direction from Incident Commander via Student Release team.
2. Incident Command will communicate with district office for dismissal directive. Students will report to (first period or other) classes, upon Student Release team directive.
3. Students will be released only to authorized adults listed on the Emergency Card or Emergency Student List. Adults picking up students must sign Student Release Log and indicate destination. Unless otherwise directed by Incident Commander via Student Release officer, a runner takes message to teacher with name of student being released and name of adult picking up student. Teacher double-checks sign-out sheet, stamps/marks student and releases.
4. Students may go home with people listed on Emergency Card or Emergency Student List if parent can't be reached.
5. Periodically, as students are released, remaining students will be consolidated.
7. Teacher takes attendance after each consolidation, informs Assembly/Shelter and Care team as well as the Student Release team, and keeps all documentation.

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

Component:

Component I: The Social Climate, People, and Programs

<https://docs.google.com/document/d/1W89n1wJwXVvA-ygKLDjIGvR8Wzvz-UeKwfEGVylveSw/edit>

Element:

Identify proposed changes to or the addition of curriculum, strategies and programs that ensure a safe and orderly environment.

https://drive.google.com/file/d/1ouAhMf942Lk_w49wWsuKP4zyfYf5DlvO/view?usp=share_link
<https://docs.google.com/document/d/1G9xuCXFn8rHwpO8Vv-Q1tcvKNlayLR3i/edit?usp=sharing&oid=103762905351512460563&rtpof=true&sd=true>
https://drive.google.com/file/d/1QNkHtkmc0RH1m3UxFI7jbBDh3-aIP7E0/view?usp=share_link

Opportunity for Improvement:

Goal: Provide useful and staff supported professional development to all staff members to create a culturally responsive classroom with rigorous curriculum and differentiated instruction that connects to students' lives.

Objectives	Action Steps	Resources	Lead Person	Evaluation
Provide useful and staff supported professional development to all staff members to create a culturally responsive classroom with rigorous curriculum and differentiated instruction that connects to students' lives.	Provide staff with regular data updates and information relating to underperforming groups of students	AERIES data	Admin	Review by Principal's cabinet
	Provide opportunities for staff to share best practices in the delivery of differentiated instruction to meet the needs of students from under performing groups	Time at staff meetings	Various teachers	Review by Principal's cabinet
	Provide targeted and staff supported professional development to all staff members to support student achievement	Time and PD opportunities	Admin, District office personnel	Staff survey
Provide effective interventions both inside (Tier I and Tier II) and outside (Tier II) the classroom to support underachieving students in meeting academic standards.	Work to re-establish lunchtime and after school tutoring to support students and develop a plan to recruit and encourage at risk students to attend and participate in after school tutorial	Discretionary and LCFF budget	Admin Link Crew Team	Semester grade reports
	Provide targeted and staff supported professional development in the delivery of TIER II in-class interventions to all staff members to support student achievement.	Time at staff meetings and discretionary budget to pay for PD	Principal and Intervention Lead	Teacher survey
	Continue to stress the "Essential Six" elements designed to deliver better Tier I instruction in the classrooms	Staff meeting time	Admin	Walk throughs and classroom observations

Component:

Component II: Physical Environment

Element:

Identify proposed changes to or the addition of strategies and programs that ensure a safe and orderly environment.

Opportunity for Improvement:

Goal: Create a campus that is safe for students and staff

Objectives	Action Steps	Resources	Lead Person	Evaluation
Determine ways to increase the safety of the campus	Perform perimeter assessment to determine which doors can be locked during the school day.		Admin, MOF	
Install camera in hallways to track dangerous behavior	monitor cameras when something occurs on campus	Verkada camera system	Admin	
Provide consequences to decrease tardies and absenteeism	Daily lunch detentions, weekly Wed. detentions, ineligibility to participate in extra-curricular activities	AERIES reports	Principal, Dean of Students	Attendance trends

(I) School Discipline Rules and Consequences (EC 35291 and EC 35291.5)**Alameda High School Student Conduct Code****ALAMEDA UNIFIED SCHOOL DISTRICT DISCIPLINE AND INTERVENTION PROTOCOL**

Alameda Unified School District is committed to creating a safe and positive school culture in which all students feel included, supported, and respected. We want to help eliminate inequality in the use of punitive consequences and provide each child with excellent teachers who are equipped to promote academic and social emotional growth in all students. AUSD takes a positive approach to student behavior and the use of restorative practices to minimize the need for punitive consequences and maximize instructional time for every student. We recognize the importance of developing the social and emotional health of all youth and adults in our organization.

The following chart indicates the types of disciplinary action that may apply to each type of infraction. In each instance, an opportunity to teach appropriate behavior through the use of intervention, restorative practices and a corrective action is stated. Each situation or violation involving student conduct should be individualized and the least punitive action based on the violation should be taken. The administrator shall, however, determine whether a specific infraction warrants the corrective action described on the chart. Corrective action taken by the administrator shall take place after progressive discipline interventions by the school fail to bring about proper conduct. These corrective measures are intended to assist in teaching appropriateness and responsibility, while maintaining consistent student discipline on campus.

See Link to discipline matrix: <https://docs.google.com/document/d/1YyzC48Eq5WsTycFdS35jhrGP4G3nALhYghgdznwzuQ/edit#>

Conduct Code Procedures

All Alameda Unified School District students are held to a high standard of behavior. Students are also privileged to participate in many positive school-sanctioned senior activities. These include; AUSD Graduation Ceremony, Senior Prom/Ball, Senior Banquet and Senior Picnic, Junior Prom, Sports, etc.. Note: Student participation in any non-sanctioned activities (e.g. senior cut day or any senior prank) may result in disciplinary consequences, including but not limited to suspension, and may include loss of the privilege of participating in the graduation ceremony.?

Any student's first suspension will result in the denial of participation in one of the above privileges at the discretion of the school site administrator.

Any students' second suspension will result in loss of all remaining privileges, and may include the privilege of participating in the graduation ceremony.

Each semester, students who have more than one truancy notice and/or are not passing all of their classes with a D or higher during that semester will be ineligible to participate in senior activities that semester.

Any senior with more than 10 unexcused period absences without a valid medical excuse may be denied participating in one of the above senior privileges at the discretion of the school site administrator.

(K) Hate Crime Reporting Procedures and Policies

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

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

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

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

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

As necessary, the district shall provide counseling, guidance, and support to students who are victims of hate motivated behavior and to students who exhibit such behavior.

When appropriate, students who engage in hate-motivated behavior shall be disciplined.

The Superintendent or designee shall provide staff with training that:

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

6. Includes effective enforcement of rules for appropriate student conduct

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

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

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

Complaints

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

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

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

(J) Procedures to Prepare for Active Shooters

When responding to a situation that requires our school to go into lockdown (this may include, but is not limited to, an active shooter in the building), the ALICE (Alert, Lockdown, Inform, Counter, Evacuate) protocol will be followed.

ALERT

Purpose: To use clear, concise language to indicate presence and location of active shooter or other harmful individual.

Indicate lockdown and the harmful presence and/or location of threat. For example, "LOCKDOWN, There is an active shooter in the Computer Lab," or "LOCKDOWN, an armed gunman is walking through the first floor long hallway."

Anyone can alert the school community to such a situation. Do not wait for or rely on Administration or the front office staff to make the announcement. If a staff or faculty member undoubtedly sees or is notified of a harmful individual inside the school building, he or she has the authority to alert the rest of the school community of a lockdown. Some ways to alert include: the PA system, Using the classroom phone to activate LOCKDOWN, yelling, using share 911. Faculty and staff must use any means available to them to alert the school community and to spread the word. This may be a team effort where a group of individuals work together to inform everyone. If the opportunity to escape presents itself, you should do so and report to the predetermined Rally Point.

LOCKDOWN

Purpose: To allow for an aggressive use of current technology and procedures.

A traditional lockdown procedure is the first best option when in a high-risk area (or near the harmful individual). If you do not know if you are in a high-risk area, assume you are high risk and proceed to lockdown. If remaining in lockdown remains the best option, all members of the school community should work together to protect themselves.

First, close and lock classroom doors. Use belt or backpack strap to secure door handle if possible.

Create a barricade between you and students in the classroom and the intruder on the outside; use desks, chairs, shelves, cabinets and other pieces of furniture to block entry and to provide more time for survival (have smaller items near at hand in event intruder enters the room)

Gather in the area furthest from the entry point to the room; greater distance means greater safety.

Taking attendance and maintaining order are not the priority.

INFORM

Purpose: To continually communicate the shooter's whereabouts using direct and clear language. (Use Share 911 and the PA system)

By communicating with the school community, all members can make well-informed judgment calls and can be aggressive in protecting themselves. Students, faculty and staff should use every opportunity to alert others and to communicate the whereabouts of the harmful individual.

The use of share 911, phones (school or cell), yelling, and PA system are encouraged to communicate the whereabouts and will keep the intruder off balance. Working together to make informed decisions will put the intruder at a disadvantage.

COUNTER

Purpose: To apply skills to distract, confuse and gain control.

Counter is an absolute last resort. If one finds himself in close proximity to the intruder (no chance to flee or safely get away), he should apply the following counter movements to increase chances of survival:

- Throw objects at the intruder
- Distract the intruder by noise and/or movement
- Run away in a zig zag pattern
- Swarm the intruder
- Flight or fight but do not freeze
- Turn chaos into an advantage
- Use body weight and gravity to gain control

EVACUATE

Purpose: To remove as many people as possible from the danger zone to minimize targets of opportunity.

If you know the intruder's whereabouts and you are not in a high-risk area, you should Evacuate to the school's Rally Point. Only people on the first floor should exit through the windows if necessary. People on the 2nd and 3rd floors should not evacuate through windows as this may cause harm and use the safest stairwell then exit the school to the Rally Point.

REUNIFICATION

Purpose: To reunify students with their parent/guardians in a safe location

Procedures for Preventing Acts of Bullying and Cyber-bullying

Definitions:

Bullying is an unwanted, aggressive behavior that involves a real or perceived imbalance of power between individuals with the intent to cause emotional or physical harm. Bullying can be physical, verbal, or social/relational and involves repetition or potential repetition of a deliberate act.

Cyberbullying includes the electronic creation or transmission of harassing communications, direct threats, or other harmful texts, sounds, or images. Cyberbullying also includes breaking into another person's electronic account or assuming that person's online identity in order to damage that person's reputation.

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

- Physical bullying that inflicts harm upon a person's body or possessions, such as hitting, kicking, pinching, spitting, tripping, pushing, taking or breaking someone's possessions, or making cruel or rude hand gestures
- Verbal bullying that includes saying or writing hurtful things, such as teasing, name-calling, inappropriate sexual comments, taunting, or threats to cause harm
- Social/relational bullying that harms a person's reputation or relationships, such as leaving a person out of an activity on purpose, influencing others not to be friends with someone, spreading rumors, or embarrassing someone in public
- Cyberbullying, such as sending demeaning or hateful text messages or emails, sending rumors by email or by posting on social networking sites, or posting embarrassing photos, videos, web site, or fake profiles

Measures to Prevent Bullying:

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

- Ensuring that each school establishes clear rules for student conduct and implements strategies to promote a positive, collaborative school climate
- Providing to students, through student handbooks and other age-appropriate means, information about district and school rules related to bullying, mechanisms available for reporting incidents or threats, and the consequences for engaging in bullying
- Encouraging students to notify school staff when they are being bullied or when they suspect that another student is being bullied, and providing means by which students may report threats or incidents confidentially and anonymously

- Conducting an assessment of bullying incidents at each school and, if necessary, increasing supervision and security in areas where bullying most often occurs, such as classrooms, playgrounds, hallways, restrooms, and cafeterias
- Annually notifying district employees that, pursuant to Education Code 234.1, any school staff who witnesses an act of bullying against a student has a responsibility to immediately intervene to stop the incident when it is safe to do so

Staff Development:

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

The Superintendent or designee shall provide training to teachers and other school staff to raise their awareness about the legal obligation of the district and its employees to prevent discrimination, harassment, intimidation, and bullying of district students. Such training shall be designed to provide staff with the skills to:

- Discuss the diversity of the student body and school community, including their varying immigration experiences
- Discuss bullying prevention strategies with students, and teach students to recognize the behavior and characteristics of bullying perpetrators and victims
- Identify the signs of bullying or harassing behavior
- Take immediate corrective action when bullying is observed
- Report incidents to the appropriate authorities, including law enforcement in instances of criminal behavior

Student Instruction:

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

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

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

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

Reporting and Filing of Complaints:

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

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

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

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

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

Discipline/Corrective Actions:

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

When appropriate based on the severity or pervasiveness of the bullying, the Superintendent or designee shall notify the parents/guardians of victims and perpetrators and may contact law enforcement.

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

(Education Code 48900.9)

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

Emergency Contact Numbers

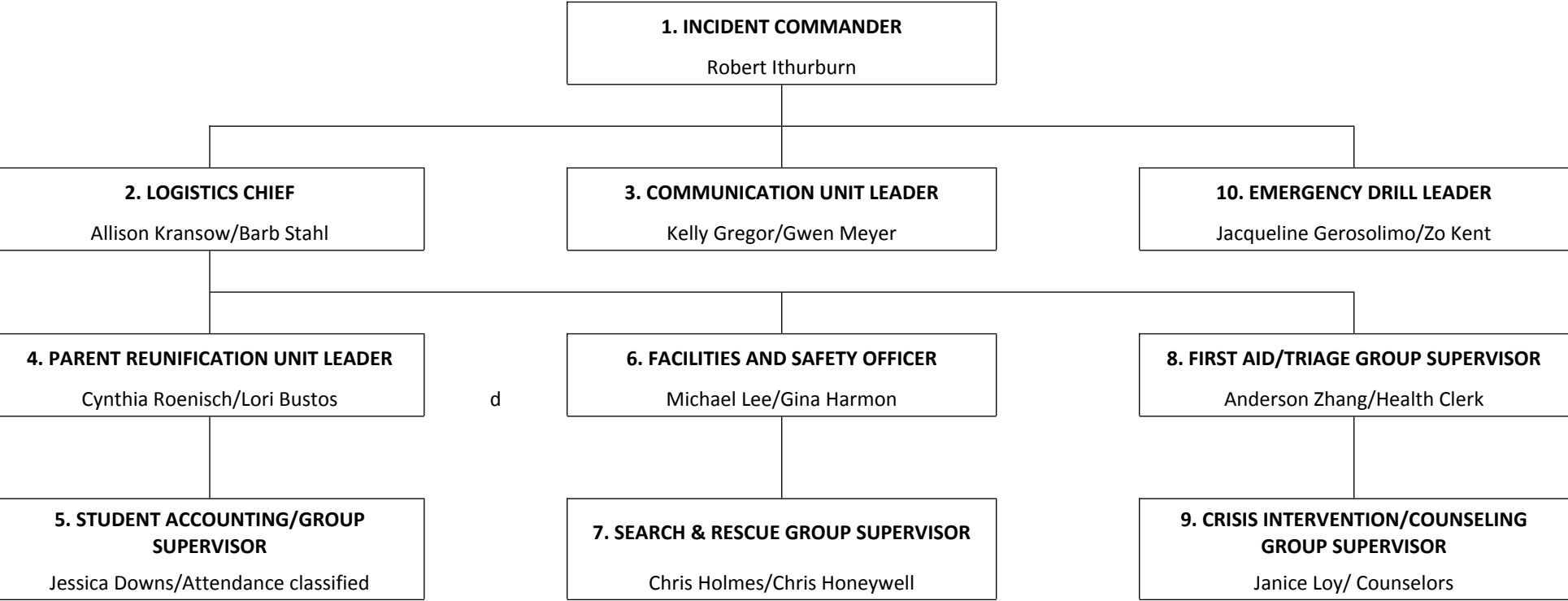
Utilities, Responders and Communication Resources

Type	Vendor	Number	Comments
City Services	City of Alameda	510-747-7400	
Other	County of Alameda	510-208-9770	
Law Enforcement/Fire/Paramedic	APD Non-Emergency	510-337-8340	
Law Enforcement/Fire/Paramedic	POLICE DEPARTMENT 911	911	
Other	Hazardous Materials Unit	510-567-6702	
Other	HEALTH DEPARTMENT - Alameda County	510-267-8000	
Local Hospitals	Alameda Hospital (Emergency Room)	510-522-3700	
American National Red Cross	RED CROSS	510-595-4400	

Safety Plan Review, Evaluation and Amendment Procedures

Activity Description (i.e. review steps, meetings conducted, approvals, etc)	Date and Time	Attached Document (description and location)
Faculty Meeting	8/10/23 and 1/27/23	Emergency response training with all staff
Safety Committee Meeting	8/08/23 and 1/24/23	Review of Safety Plan and procedures, roles and responsibilities, maps and evacuation routes
Faculty Meeting	1/27/23	Safety Committee share out
Safety Committee Meeting	1/27/23	Table top drill and training planning
Faculty Meeting	1/27/23	Review of REMS roles and responsibilities
Safety Committee Meeting	1/18/23	Update Safety plan with revisions
Public Hearing		Safety plan review with community
School Community Meeting	3/22/23	SSC approval of plan

Alameda High School Incident Command System



Incident Command Team Responsibilities

Standardized Emergency Response Management System Overview

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

SITE ORGANIZATION DURING A DECLARED EMERGENCY COMMAND POST PERSONNEL AND DUTIES

If notified of a Declared Emergency from the Superintendent's Office, OR if the site suffers a severe disaster, the Site Manager shall immediately implement the plans and procedures in the Site Emergency Plan.

The Site Manager or Incident Commander shall:

- A. Activate alarm/Broadcast Alert on Share911 and PA to notify staff
- B. Activate Command Post and 2-way radio
- C. Activate Emergency Teams
- D. Assess total school situation
- E. Make initial site assessment report on Share911 to District Emergency Operations Center.
- F. Check to see that Site Emergency Teams are operating
- G. Assign messengers to needed areas
- H. Request help from 911 or Emergency Operations Center as required
- I. Secure information from Emergency Teams Update Site Status Reports - Report to the Emergency Operations Center
- J. Reassign team members to other duties as required when they finish initial assignment duties
- K. Personally address these items:
 - 1. Is campus secure?
 - 3. Are utilities off or secure?
 - 4. Are signs directing adults to release area up?
 - 5. Are traffic controllers needed?
 - 6. Is First Aid Center functioning?
 - 7. Have buildings been searched for victims?
 - 8. Is the student release program set up and operational?

Logistics Chief: The Site Office Manager shall:

- A. Report immediately to the Command Post with:

1. Master keys
2. Current roster of students and staff
3. Emergency forms and documents
4. Office supplies to assist unit leads

B. Assume responsibilities as directed by Site Manager

The Site Clerical Staff shall:

A. Team up with other personnel as a member of a Site Emergency Team, otherwise:

B. Report to the Site Command Post and assume responsibilities as directed by the Site Manager

The Attendance Clerk shall:

A. Keep a current file of all students release information from forms parents are required to fill out authorizing listed persons to pick up their children in case of a severe emergency. The Attendance Clerk will take these records to the Student Release Area in the Cafeteria and give them to the Student Release Team to use.

The Site Custodians shall:

A. Check the condition of the utilities and connecting pipes and lines and if necessary, turn them off.

B. Check the site completely for:

1. Fire and electrical hazards
2. Chemical hazards (Chlorine storage)
3. Other hazards

C. Notify Site Manager of hazards and services needed

D. Barricade hazardous areas using whatever materials handy

E. When site is secure, report to the Command Post for direction

F. Open emergency container and provide emergency sanitation areas if toilets are unavailable

Directions for the Instructional Staff During a Declared Emergency

Teachers and Para Professionals shall:

A. Respond immediately to emergency signals requiring specific actions and check in on Share911

B. If signal is one to Leave Building, know if signal is for:

1. Fire evacuation

2. Earthquake evacuation
3. Chemical spill evacuation

Evacuate Accordingly!

A. When leaving building:

1. Take emergency backpack
2. Require students to be silent in order to hear instructions
3. Close doors to classroom
4. Go directly to pre-assigned location

B. Check with nearby classrooms when evacuating. If there are seriously injured persons who cannot be moved, assign one teacher to remain and the other to evacuate the rest of the students. Report on Share911

C. Teachers shall provide First Aid to the best of their ability to students under their supervision until the emergency First Aid station is activated. Students with major injuries are to remain in the classroom supervised by a teacher or aide. Students with minor injuries are to be cared for after evacuation.

D. Upon reaching evacuation destination, teachers shall:

1. Take roll
2. List missing students on Share 911 and on paper
3. Give list to Assembly Area Team members
4. Calm students. Remind them of District policies about remaining at school
5. Monitor warmth and protection of students. Move if necessary

E. If assigned to a Site Emergency Team, transfer your students to paired teacher to supervise, report immediately to the Command Post for supplies and begin implementation of Team responsibilities.

USE REMS TO ESTABLISH YOUR EMERGENCY SITE TEAM

Note: Contact listing is intended to be shared with team members to enhance communication in the event of a critical incident. It is recommended that the Principal and Designee establish an intranet list server to further enhance communications. The personal information listed is intended for team members. Please type name and number under each assignment.

REMS Team Members Primary Contact/Cell number Secondary Contact/Cell number

Incident Commander:

Establishes an Incident Command Center, lists incident objectives and designates the following positions to perform the following duties.

Logistics Chief:

Supports each unit leader with where to find the necessary tools to support the team fulfilling their duties.

Report immediately to the Command Post with:

- Master keys
- Current roster of students and staff
- Emergency forms and documents
- Office supplies to assist unit leads
- Computers and walkie talkies
- Assume responsibilities as directed by Site Manager

Communication Unit Leader:

Works with the incident commander to communicate out important information to all supervisors and the public.

Report immediately to the Command Post with:

- Computer
- Office supplies

Parent Reunification Unit Leader:

Reunification refers to getting students reunited with their parents or guardians in an efficient and orderly manner. Reunification can be an enormous challenge and takes a lot of planning.

The Student Release Team is responsible for:

- Setting up secure reunion area
- Checking student emergency cards for authorized releases
- Completing release logs
- Coordinating with the Public Information Office on external messages

Student Accounting/Group Supervisor:

Evacuation, shelter, and student care in an emergency is one of the most important tasks faced by schools. It includes student accounting, protection from weather, providing for sanitation needs, and providing for food and water and releasing of students to their guardians.

The Evacuation/Shelter/Care Team is responsible for:

- Accounting for the whereabouts of all students, staff, and volunteers
- Setting up secure assembly area
- Managing sheltering and sanitation operations
- Managing student feeding and hydration
- Coordinating with the Student Release Team
- Coordinating with the Logistics Section to secure the needed space and supplies

Search & Rescue Group Supervisor:

Search & Rescue Teams search the entire school facility, entering only after they have checked the outside for signs of structural damage and determined that it is safe to enter. Search & Rescue Teams are responsible for ensuring that all students and staff evacuate the building (or, if it is unsafe to move the persons, that their locations are documented so that professional responders can locate them easily and extricate them).

Search & Rescue Teams are also responsible for:

- Using Share 911 to identify where injuries may exist
- Obtaining injury and missing student reports from teachers
- Moving injured members from building if emergency responders are unable to do so
- Identifying and marking unsafe areas
- Conducting initial damage assessment

First Aid/Triage Group Supervisor:

First Aid Teams provide triage and treatment for students and other disaster victims. First Aid Teams are responsible for setting up first aid area for students, assessing and treating injuries, and completing master injury report.

First Aid Teams are responsible for:

- Setting up a first aid area for students
- Assessing and treating injuries
- Completing master injury report

Note: The Logistics Section Medical Unit provides care to responders. The Operations Section First Aid Team is dedicated to students or other disaster victims.

Crisis Intervention/ Counseling Group Supervisor:

The Crisis Intervention Team is responsible for assisting students and school personnel who are unable to cope with the fears and psychological trauma associated with emergencies and disasters.

This includes:

- Assessing need for onsite mental health support
- Determining need for outside agency assistance
- Providing onsite intervention/counseling
- Monitoring well-being of school emergency team, staff, and students, and reporting all findings to the Operations Section Chief

Facilities and Safety Officer:

The Facilities & Security Response Team is responsible for:

- Locating all utilities and turning them off, if necessary
- Securing and isolating fire/HazMat
- Opening Emergency Trailer
- Assessing and notifying officials of fire/HazMat
- Conducting perimeter control

Emergency Drill Leader:

The Emergency Drill Leader is responsible for:

- Training staff
- Coordinating and running all required drills
- Monitoring participations
- Reviewing after action reports
- Reporting to the incident commander

LIST SEARCH TEAM DUTY DESCRIPTIONS

EXAMPLE: If assignment is SEARCH TEAM:

Take heavy gloves, flashlight, hard hat and masking tape (no entry) from Emergency Backpack.

Leave Emergency Backpack and students with designated teacher (see previous page).

Report to INCIDENT COMMAND CENTER near gate in lower yard meet with search team partner(s).

Receive directions for search instructions from Search team supervisor.

LIST WHO WILL BE:

SEARCH TEAM #1 Search team will be delegated by

LIST FIRST AID FUNCTION

EXAMPLE: Minimize injuries and loss of life: provide temporary care of injured students.

Set up desk at picnic tables behind multipurpose room (or if unsafe here, on blacktop near multipurpose room).
Organize supplies and treatment area.
Help with wounded.
Keep Check Out Station informed.
Request additional help (ambulances, etc.) through Check Out Station.
Look up emergency information if necessary.

LIST WHO WILL BE:

TREATMENT

TRIAGE

RECORDER

List the things you will have to accomplish and assign to operations section or logistics section.

Examples:

Set up table, chairs and sign "Incident Command Center"

Set up operations table, logistics table.

Set up a first aid station

Put traffic cones in the street, blocking off access to the parking lot entry drive

Set up people to handle the check out of students. Display signs A-L, M-Z. Have emergency card information forms out.

Record finding of search teams

List any unaccounted for students and those in First Aid or in need of first aid.

Keep track of the walkie-talkies

Listen to radio

Use runners as necessary to retrieve information and students

Organize parent line-up and announce using bullhorn to parents that students have been evacuated

Assist in calming and organizing parents

Provide pen and paper for non-English speaking students to write their name

Communicate to District Personnel

INCIDENT COMMAND POST – Located

The Site Manager or designee is the final authority at each school. He/she must be available for all decisions, information and authority during the time the schools are isolated.

Therefore, the Site Manager and the Command Post should be housed in a central area, i.e., the front of the school, where the manager is available to radio, telephone, emergency equipment or personnel and parents.

The Command Post will begin to operate immediately after a disaster.

This is where the record keeping, communication, and major decision making will take place. The Site Manager or Incident commander will be here.

In addition, a separate Student Release Area will be established to coordinate the release of students to authorized adults. Student release area will be in the bike cage (if inaccessible at the end of the parking lot behind the second gate).

Emergency Release Information Forms are needed at the Release Area to document the release of all students.

While the Command Post is functioning, The First Aid and Search/Assessment Teams will carry out their functions and provide information to the Incident commander about the:

1. Condition of students
2. Condition of staff
3. Condition of facilities

Management

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

Planning & Intelligence

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

Operations

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

Logistics

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

Finance & Administration

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

Types of Emergencies & Specific Procedures

Aircraft Crash

FALLEN AIRCRAFT

DEFINITION/DESCRIPTION

If an aircraft falls near the school, the principal will determine which emergency action, if any, will be taken. Local fire and police departments will be responding also. All students and staff should be kept at a safe distance to protect them from possible explosions and/or fire.

IMMEDIATE ACTION

Principal

- Determine which Action, if any, should be implemented.
- Where necessary, tell teachers they may need to take immediate action for the safety of students without waiting for directions from the principal.
- Determine, if possible, whether the aircraft is military, commercial or private. Contact the local police to determine appropriate action and refer all members of the press to the Emergency Operations Center.

Principal's Secretary

- Respond to calls.
- Assist principal as needed.
- Refer all members of the press to the Emergency Operations Center.

Teachers

- Follow principal's direction as to appropriate Action.
- Depending on the nature of the accident you may need to take Action DROP or Action TAKE COVER to protect students from a possible explosion and/or fire.

FOLLOW UP ACTION

Principal

- Provide up-to-date information to staff and students as it becomes available and arrange school site meetings to make assignments and determine plans.
- Coordinate activities of the school site team.
- Maintain contact with Emergency Operations Center and Superintendent's office.
- Arrange after-school staff meetings to debrief and clarify events.

Teachers

- Read bulletins/announcements as provided by the principal.
- Refer all media to the principal's office.
- Cooperate with the school site team to provide follow-up as appropriate.
- Refer for counseling students who may be at risk.
- Return to normal instructional activities as soon as possible.

Animal Disturbance

If a rabid or vicious animal is at or in the vicinity of the school, the Animal Control Center should be notified immediately. Teachers shall be notified Shelter In Place. Students outside of the building will be quietly and cautiously sent into the nearest building and secured in a room behind closed doors. Notify the Superintendent's Office.

Armed Assault on Campus

Follow A.L.I.C.E Procedures

Biological or Chemical Release

CHEMICAL SPILL

1. An announcement will be made to either Shelter in Place or evacuate the building and gather in the Assembly Area, depending on the situation.
2. The announcement will be made by the P.A. system, or if this fails to operate, messenger will alert classes.
3. If the Assembly Area is not safe, students will be evacuated to Lincoln Park, depending on the area of the spill and direction of the wind.

CHEMICAL ACCIDENT

1. DEFINITION/DESCRIPTION

Chemical accidents of disaster magnitude would include tank truck accidents involving large quantities of toxic gases or toxic liquids. This type of accident will likely be reported by an outside source unless the accident has occurred immediately adjacent to the school site.

2. IMMEDIATE ACTION

Principal

- a) Receive information about/review situation to determine if evacuation routes are safe (move crosswind to avoid fumes).
- b) Determine which action should be implemented.
- c) Sound alarm for appropriate action.
- d) Notify/maintain contact with Superintendent/Emergency Operations Center.
- e) Determine what further action to take.

Teachers

- a) Implement appropriate action, using alternate evacuation route if required.
- b) Maintain control of students.
- c) Take roll. Report students who are absent.
- d) Notify principal of any problems in/around area
- e) Notify principal of need for first aid, as appropriate.

Custodian

- a) Review situation to assess extent of spill, wind direction and proximity to building.
- b) Report findings to principal.
- c) Be prepared to direct fire/police department to spill site.
- d) Assist in spill clean-up or containment, as appropriate.

3. FOLLOW UP ACTION

Principal

- a) Determine, in coordination with M.O.F./Fire Department, whether buildings are habitable.
- b) Notify staff/students of any modification in schedule.
- c) Work with Emergency Operations Center to publicize information regarding accident.
- d) Arrange school site meeting to provide information to staff.

Principal's Secretary

- a) Screen all calls. Refer public to Emergency Operations Center.
- b) Refer media to Emergency Operations Center.
- c) Prepare necessary bulletins.

Teachers

- a) Read bulletins/announcements as provided by principal.
- b) Refer all media to principal's office.
- c) Cooperate with school site team to provide follow-up, as appropriate.
- d) Refer for counseling students who may be at risk.
- e) Return to normal instructional activities as soon as possible.

Bomb Threat/ Threat Of violence

1. DEFINITION/DESCRIPTION

A bomb threat will typically be received in writing or by telephone call. Responses will generally be the same with the initial exception of a person receiving a telephone threat. A copy of the Bomb Threat Checklist should be readily available for every administrative phone responder.

2. IMMEDIATE ACTION – Telephone Threat

Person Receiving Call

- a) Keep the caller on the line. Delay the caller with such statements as: “I’m sorry, I did not understand you. What did you say?”
- b) Use Bomb Threat Checklist (see form at the end of this “Bomb Threat” section). Get as much information as possible from the caller.
- c) Immediately after caller hangs up, report all information to principal.

All Office Personnel

Immediately search your work area for foreign or suspicious objects or packages. If one is found, DO NOT TOUCH OR MOVE IT!!

IMMEDIATE ACTION – Written Threat

Person Receiving Written Message

Give the message to the principal immediately upon identification.

Principal

- a) Receive/review all information about bomb threat.
- b) Determine which action should be taken.
- c) Initiate non-electronic evacuation procedure; i.e. runner or bullhorn, since electronic warnings could activate any device, being sure all evacuation routes are clear.
- d) Notify Superintendent/Police/Fire Department.
- e) Direct search of office complex, evacuation site and classrooms.
- f) Determine what further action should be taken.

Teachers

- a) Implement appropriate action, using alternate evacuation route if required.
- b) Maintain control of students.
- c) Take roll. Report students who are absent.
- d) Notify principal of any problems in or around area.
- e) Hold students until designated evacuation area has been searched and declared safe, and then conduct students to the cleared area.

Teachers assigned to the designated evacuation area will remain with the pupils; personnel who are assigned to search teams will report to the principal for briefing.

If notification of a threat is received and immediate evacuation is not ordered, teachers will search their classrooms for any unidentifiable objects. If nothing is found, resume instruction until the evacuation order is received.

Custodians

- a) Under the direction of the principal, immediately proceed with a thorough search of designated evacuation area (or other area large enough to contain the students) to provide a safe place for students evacuated from the buildings.
- b) Search, as required, to determine that no explosive is hidden in a book, clothes locker or restroom.

3. FOLLOW UP ACTION

Principal

- a) Determine, in coordination with M.O.F. and Fire Department, whether buildings are habitable.
- b) Notify staff/students of any modification in schedule, via special bulletin or telephone tree.
- c) Work with Emergency Operations Center to put messages on TV, radio and telephone system regarding any modifications in schedule.
- d) Arrange school site meeting to discuss plan.

Principal’s Secretary

- a) Screen all calls. Refer calls to Emergency Operations Center.
- b) Prepare necessary bulletins.

Teachers

- a) Read bulletins/announcements as provided by principal.
- b) Refer all media to principal's office.
- c) Cooperate with school site team to provide follow-up as appropriate.
- d) Refer for counseling students who may be at risk.
- e) Return to normal instructional activities as soon as possible.

EXPLOSION OR THREAT OF EXPLOSION

1. DEFINITION/DESCRIPTION

An explosion at the school, or the threat of an explosion, may be caused by leaking gas or a faulty boiler within a school building.

2. IMMEDIATE ACTION – EXPLOSION

Principal

Sound the school alarm.

Notify the Superintendent or Assistant Superintendent.

Notify utility companies of a break or suspected break.

Notify fire and police departments and direct further action as required.

Notify teachers of proper action (DROP or LEAVE BUILDING).

Teachers

Command DROP is given. Instruct students to react in the same manner on their own to this type of catastrophe in case it occurs when the teacher is temporarily not present.

If the explosion occurred within the building, or threatened the building, immediately implement Action LEAVE BUILDING.

Move to an area of safety and maintain control of students.

Notify principal of students needing first aid as necessary.

Fight incipient fires without endangering life.

Take roll. Report absent students to principal.

Students and staff should not return to the school until Fire Department officials declare the area safe.

IMMEDIATE ACTION - THREAT OF EXPLOSION:

Principal

Sound the school fire alarm, or silent evacuation if electronic means could set off explosion. This will automatically implement Action LEAVE BUILDING.

Follow procedures for principal -- 'c' and 'd' above.

Teacher

Follow procedures for teachers -- 'c' through 'g' above.

Disorderly Conduct

CIVIL DISOBEDIENCE/MENACING INDIVIDUALS

1. DEFINITION/DESCRIPTION

Civil disobedience is defined as any assemblage on the school premises by unauthorized persons whose purpose and conduct is inimical to the orderly conduct of the school and the laws relating to the conduct of schools and the welfare of students.

WARNING: The presence of unauthorized individuals or an alert of an impending visitation. When this condition has been reported to the principal or authority in charge, he shall transmit the warning to all classes by the public address system. If the PA system is inoperable, a messenger will be sent to each classroom.

2. IMMEDIATE ACTION

The major plan of action will be to protect all personnel from undue exposure to danger. Every effort must be made to keep classes within their rooms. The following specific steps will be taken to implement the plan of action:

Principal or Designee

- a) Transmit a Shelter in Place alert to all staff members.

- b) Call the local law enforcement agencies to provide protection and to handle arrests.
- c) Make certain that a specific crime is committed before requesting arrests.
- d) School civil disobedience crimes involving arrest are listed in the Criminal Code Procedure and include the following:
 - 1. Disturbing the Peace
 - 2. Trespassing
 - 3. Loitering Around the School Grounds
- e) The principal should make an announcement to the demonstrators similar to the following:
 "I am the principal of this school. You are interfering with the orderly process of education in this school. I request that you leave. If you do not leave, I shall ask for your arrest. You are causing a disturbance."

Teachers

- a) Keep students within their locked classrooms until further notice, regardless of the bells and schedules.
- b) Lock classroom doors.
- c) Remain in charge of your class, utilizing the best judgment in occupying the students within the classroom.
- d) Precaution should be taken to protect personnel from flying glass in case of broken windows. Drapes, venetian blinds, or jalousies should be closed.
- e) Where there is evidence of a potential problem, all P.E. classes will immediately return to the locker rooms.

Custodians

Lock and secure all exterior doors.

3. FOLLOW UP ACTION

Principal

- a) Determine, in coordination with M.O.F., whether building(s) is/are habitable.
- b) Notify staff/students of any modification in schedule, via special bulletin or telephone tree.
- c) Work with Communications director to put messages regarding any modifications in schedule.
- d) Arrange school site meeting to discuss plan.

Principal's Secretary

- a) Screen all calls. Refer public to Director of Communications
- b) Refer media to Director of Communications
- c) Prepare necessary communication to community.

Teachers

- a) Read announcements as provided by principal.
- b) Refer all media to principal's office.
- c) Cooperate with school site team to provide follow-up, as appropriate.
- d) Refer for counseling students who may be at risk.
- e) Return to normal instructional activities as soon as possible.

Earthquake

Although the probability of an earthquake occurring is lower than most other emergency types, the potential for injuries and damage from one is high. It is essential that students and staff remain aware of the following basic actions:

This section removed from posted plan for security purposes. If you wish to see the full plan, contact the school principal for an appointment.

If an earthquake or other situation warrants, drop to the floor, take protective position under desks or furniture with backs to windows and hands covering head and face. Stay in position until directed to evacuate or take other protective action. If outside, move away from buildings and trees and take protective position. When situation permits, proceed to the designated assembly point. Standby: Alert students in your area to stand by for further information. Make whatever assessment of the situation is possible. Render emergency first aid as required. If inside, stay inside during ground shaking. In classrooms or offices, move away from windows, shelves and heavy objects or furniture that may fall. Take cover under a safe table, desk or counter. At the teacher's command, students should take the DROP position.

If a "shelter" (table, desk, etc.) is not available, move to an inside wall or corner, turn away from windows, kneel alongside wall, and bend head close to knees, with elbows firmly behind neck protecting face. If notebooks or jackets are handy, hold these overhead for added protection from flying glass and ceilings debris. Remain in sheltered position for at least 60 seconds or until directed to move by an adult. If in halls, on stairways, or other areas where no cover is available, students must follow the directions of the nearest teacher or school employee.

If in the library, immediately move away from windows and bookshelves and take appropriate cover. In the science lab or shops, all burners should be extinguished (if possible) before taking cover. Stay clear of hazardous chemicals that may spill. The duration of ground shaking depends on a number of factors, including the severity of the earthquake. Advise students to anticipate shorter or longer episodes of ground shaking during actual earthquakes and their aftershocks.

EARTHQUAKE HAZARDS COMMONLY FOUND IN SCHOOL BUILDINGS:

- Glass that shatters or flies around
- Objects stored above head-level on shelves, walls, and ceilings (such as unused projectors, books, science equipment, boxes)
- Objects that block movement to safe places (books on floors, tipped desks and bookcases)
- Cabinets without latches
- Objects stored on wheels
- Open shelving without a lip or restraining wire
- Free standing cabinets
- Blocked exits
- Objects in hallways that block movement (glass, tables, locker contents)

SETTLING DOWN AFTER THE FIRST SHOCK:

- After the first shock, teachers will evacuate the classrooms, being alert to the possibility of aftershocks.
- When leaving the classroom, teachers should make every effort to take with them the roll book and emergency supplies.
- Announce that no student is to return to the room unless directed to do so.
- Teachers will take classes to pre-arranged places on the campus.
- Teachers and students will remain in designated areas until re-entry to the building has been approved or they are directed to move elsewhere.
- School will remain open indefinitely until every student has been released to parents or to an authorized person.
- Do not light any fires after the earthquake because of possible gas leaks.
- If possible, notify utility companies of any break or suspected breaks in service.

THE GREAT SHAKEOUT EARTHQUAKE DRILLS

All AUSD schools are encouraged to participate in the annual Great ShakeOut Earthquake Drills. See <https://www.shakeout.org/index.html> for more information.

Explosion or Risk Of Explosion

EXPLOSION OR THREAT OF EXPLOSION

DEFINITION/DESCRIPTION

An explosion at the school, or the threat of an explosion, may be caused by leaking gas or a faulty boiler within a school building.

IMMEDIATE ACTION – EXPLOSION

Principal

- a) Sound the school alarm and report on Share911.
- b) Notify teachers of proper action (DROP or LEAVE BUILDING).

Teachers

- a) Command DROP is given. Instruct students to react in the same manner on their own to this type of catastrophe in case it occurs when the teacher is temporarily not present.
- b) If the explosion occurred within the building, or threatened the building, immediately implement Action LEAVE BUILDING.
- c) Move to an area of safety, and maintain control of students.
- d) Use Share911 to report students absent, found or needing first aid as necessary.
- e) Fight incipient fires without endangering life.
- g) Students and staff should not return to the school until Fire Department officials declare the area safe.

IMMEDIATE ACTION - THREAT OF EXPLOSION:

Principal

Sound the school fire alarm, or silent evacuation if electronic means could set off explosion. This will automatically implement Action LEAVE BUILDING.

Follow procedures for principal -- 'c' and 'd' above.

Teacher

Follow procedures for teachers -- 'c' through 'g' above.

Fire in Surrounding Area

Follow shelter-in-place procedures

Fire on School Grounds

DEFINITION/DESCRIPTION: A fire detected in or adjacent to any building at the school site.

IMMEDIATE ACTION

Principal or Site Safety Coordinator

- View fire or take report to determine that evacuation routes are safe.
- Notify teachers of alternate route if necessary.
- Sound school fire alarm and report on Share911.
- Determine what further action to take (i.e. send students/staff home).

Teachers

- Implement Action LEAVE BUILDING, using alternate route in necessary.
- Maintain control of students at a safe distance from the fire and fire fighting equipment.
- Take roll upon arrival at designated area. students.
- Remain with students in designated area until notified of next action.
- Notify principal of any hazards observed in/around area through Share911.
- Notify principal of need for first aid as appropriate through Share911.

Custodians

- View fire to identify location and extent.
- Report findings to principal.
- Fight incipient fire without endangering life.
- Be prepared to direct fire department to fire site.
- Shut off gas/water as appropriate.
- Shut off electricity after all necessary use of P.A. system is complete.

FOLLOW-UP ACTION

Principal

- Determine, in coordination with M.O.F. and Fire Department whether buildings) is/are habitable.
- Notify staff/students of any modification in schedule, via Share911 and special bulletin or telephone tree.
- Work with Director of Communications to put messages on TV, radio and communication system regarding any modifications in schedule
- Arrange school site meeting to discuss plan.

Principal's Secretary

- Screen all calls.
- Refer media to Director of Communication.
- Prepare necessary communications to community.

Teachers

- Read announcements as provided by principal.
- Refer all media to principal's office.
- Cooperate with school site team to provide follow-up as appropriate.
- Refer for counseling students who may be at risk.
- Return to normal instructional activities as soon as possible.

Flooding

DESCRIPTION/DEFINITION

There should be some thought and preparation for this eventuality should any sources around the school create flooding. Flooding may be the secondary effect of another disaster, such as an earthquake.

IMMEDIATE ACTION

Principal

- View flood or take report to determine that evacuation routes are safe.
- Broadcast Alert on Share911 and PA as appropriate.
- Determine what further action to take.

Teachers

- Implement appropriate Action in response to principal direction.
- Take roll upon arrival at evacuation area. Report absent students, needs for first aid and any hazards observed in/around area to principal through Share911.
- Maintain control of students at evacuation area.

Custodians

- View flood to identify location and extent.
- Report findings to principal.
- Be prepared to direct M.O.F./City to flood site/source.
- If flooding is result of school site damage, turn off water.

Follow up Plan

Principal

- Determine, in coordination with M.O.F. and Fire Department whether buildings) is/are habitable.
- Notify staff/students of any modification in schedule, via Share911 and special bulletin or telephone tree.
- Work with Director of Communications to put messages on TV, radio and communication system regarding any modifications in schedule
- Arrange school site meeting to discuss plan.

Principal's Secretary

- Screen all calls.
- Refer media to the Director of Communication.
- Prepare necessary communications to the community.

Teachers

- Read announcements as provided by the principal.
- Refer all media to the principal's office.
- Cooperate with the school site team to provide follow-up as appropriate.
- Refer for counseling students who may be at risk.
- Return to normal instructional activities as soon as possible.

Loss or Failure Of Utilities

UTILITIES LOSS OR FAILURE

CALL MOF - They will call the appropriate public works system based on the loss or failure.

LOSS OF ELECTRICAL POWER:

Consult Alameda Power

LOSS of GAS

PG&E

WATER EMERGENCY:

East Bay Municipal Utility District, colloquially referred to as "East Bay Mud

PHONE ISSUES:

Contact Technology Information Services to report phone issues.

ADDITIONAL INFORMATION:

Contact Maintenance, Operations & Facilities at extension if any utility will be off for an extended period of time.

Notify the superintendent of the situation.

If necessary, make appropriate arrangements with Maintenance and Operations for temporary communications, water delivery and portable rest rooms.

In the event of an extended outage, consult with the cafeteria manager. The cafeteria manager will consult with Food and Nutritional Services.

If an extended outage is likely, provide an update to keep parents/guardians informed.

Motor Vehicle Crash

Step1: Respond to the injured party and determine if first aid or CPR should be provided

Step 2: If 911 needs to be called have another person call while you deliver first aid or CPR

Step 3: Send another person to notify others and get any emergency equipment or information that would be helpful to the emergency

Step 4: When safe to do so, activate share 911 to communicate to staff if an ambulance is on its way

Step 5: Designate staff to the appropriate gate/entrance to help emergency services get in close proximity to injured party

Step 6: Staff are required to complete and turn in an Accident Report to administration for any injuries to any one on campus

Step 7: Accident forms need to be sent to the business office

Psychological Trauma

The sudden death, serious injury to a student or staff member either through natural causes, accidents or as the result of an act of violence, such as school shooting, missing students (known or suspected abduction), physical assault, sexual assault, non-natural or non-accidental causes or other unexpected events are, without question, a crisis. Responding to these kinds of crisis situations in a timely and effective manner is as critical as dealing with an earthquake or a fire.

1. Contact Student Services to request the District Crisis Intervention Team immediately following a serious injury, accident or death of a student or staff member.

2. Work with your school psychologist and or counselors to determine identification of short- and long-term interventions for students or staff traumatized by the event.
3. Work with the Superintendent's office to formulate a public statement.
4. Discuss the crisis in a factual manner in follow up meetings and/or communications.
5. Be sensitive to latent behavior problems that are trauma-related.

A general message will be prepared and whenever possible parents will be contacted first in order to be the first adults to provide the information and support their children. All staff will be debriefed and supported. Activities to best meet the needs of the community will be provided aimed at providing counseling, a way for all to process (writing, drawing, and sharing). Activities such as games, music and reading may be planned over a short period of time to reduce anxiety and work demands. Follow and close monitoring for students and staff to insure latent reactions and responses.

Opioid Overdose

Step (1) Call 911 An overdose is a medical emergency. It is important to have trained medical professionals assess the condition of the overdose victim. Even though Naloxone can reverse the overdose, there may be other health problems of which the responder may not be aware. In addition, people who survive any type of overdose are at risk of experiencing other health complications because of the overdose. Getting someone examined by a medical professional is an important part of reducing the harms associated with overdosing.

It is important for trained staff to remember that Naloxone only works if there are opioids involved with the overdose. It cannot reverse an overdose from benzodiazepines, meth, cocaine, or alcohol.

Step (2) Administer Naloxone (Narcan)

Open the Naloxone blister pack; do not push the plunger.

With the victim's head tilted slightly back, place two (2) fingers over the top of the medication with your thumb securing it from the bottom.

Insert the atomizer fully and gently into their nostril

Push the plunger forward with the thumb and deliver spray of medication. (There is no need to plug the opposing nostril).

Place the person to their side (recovery position).

If the individual is still not responding within two (2) minutes, give a second dose in the opposite nostril.

Follow Up

If the victim is a student, contact parent/guardian per school policy.

Complete an Accident/Injury Report

Facilitate a debriefing with responding staff

Consider a plan of care for the students' safe return to school

Emergency Evacuation Map

https://docs.google.com/document/d/1-opj1S5gWCeiLWqf0zOuNfopDeRXNIXu/edit?usp=share_link&ouid=103762905351512460563&rtpof=true&sd=true

Comprehensive School Safety Plan

**2023-24
School Year**

School: Alameda Science and Technology Institute
CDS Code: 01 61119 0106401
District: Alameda Unified School District
Address: 555 Ralph Appezato Memorial Pkwy. Portable 1
Alameda, CA 94501
Date of Adoption:
Date of Update: 10.25.2023
Date of Review:
- with Staff 10.23.2023
- with Law Enforcement
- with Fire Authority

Table of Contents

Comprehensive School Safety Plan Purpose.....	4
Safety Plan Vision.....	4
Components of the Comprehensive School Safety Plan (EC 32281).....	5
(A) Child Abuse Reporting Procedures (EC 35294.2 [a] [2]; PC 11166).....	5
(B) Disaster Procedures (EC 35295-35297; GC 8607 and 3100).....	8
(C) School Suspension, Expulsion and Mandatory Expulsion Guidelines	10
(D) Procedures to Notify Teachers of Dangerous Pupils (EC 49079).....	30
(E) Sexual Harassment Policies (EC 212.6 [b]).....	31
(F) School-wide Dress Code Relating to Gang-Related Apparel (EC 35183).....	34
(G) Procedure for Safe Ingress and Egress of Pupils, Parents, and Staff to and from School (EC 35294.2)	37
(H) A Safe and Orderly School Environment Conducive to Learning (EC 35294.2)	39
(I) School Discipline Rules and Consequences (EC 35291 and EC 35291.5)	41
(K) Hate Crime Reporting Procedures and Policies	42
(J) Procedures to Prepare for Active Shooters.....	44
Procedures for Preventing Acts of Bullying and Cyber-bullying.....	45
Emergency Contact Numbers	49
Safety Plan Review, Evaluation and Amendment Procedures	50
Alameda Science and Technology Institute Incident Command System	51
Incident Command Team Responsibilities.....	52
Types of Emergencies & Specific Procedures.....	59
Aircraft Crash	59
Animal Disturbance.....	59
Armed Assault on Campus	59
Biological or Chemical Release.....	59
Bomb Threat/ Threat Of violence	60
Disorderly Conduct	62
Earthquake	64
Explosion or Risk Of Explosion	64

Fire in Surrounding Area65

Fire on School Grounds65

Flooding67

Loss or Failure Of Utilities68

Motor Vehicle Crash68

Psychological Trauma.....68

Opioid Overdose69

Emergency Evacuation Map.....70

Comprehensive School Safety Plan Purpose

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

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

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

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

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

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

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

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

A copy of the Comprehensive School Safety Plan is available for review at Main Office.

Safety Plan Vision

The Alameda Unified School District is committed to providing a quality educational environment that is safe, secure, and peaceful. The primary goal of the District is to help each student develop to the maximum of his/her capacity and function as a responsible member of a democratic society. When parents, students and staff are aware of our mutual responsibilities to keep our community safe, we can effectively promote positive student participation in all of our schools.

The School Site Emergency Plan is designed for use as a school resource for prevention/mitigation, preparedness, response, and recovery planning and training as well as functioning as a template for meeting the requirements for the annual Safety Plan Process under Senate Bill 187, Education Code Section 35294, Statutes of 1998, and the National Incident Management System. It is designed to be a living document that is updated as necessary to meet site, District, and community needs, forms, and/or requirements—therefore, it should be maintained in hard copy and electronic form.

This document is NOT intended to be a “grab and go” guide in an actual emergency.

Components of the Comprehensive School Safety Plan (EC 32281)

Alameda Science and Technology Institute Safety Committee

Role Name

Principal Tracy Corbally

Office Manager Jasmina Balic

Health Clerk (P/T) Michele Johnson

Counselor Ripon Mann

Teacher Liliana Zell

Teacher Michael Hans

Teacher Anthony Long

Teacher Laurel McCoy

Teacher Jon Hallsted

Teacher Lynn Lebo-Planas

Teacher Aimee Craig

AUSD Liaison Vernon Walton

CoA Liaison Shuntel Nathaniel

Assessment of School Safety

Current Status of School Crime. Each school is required to assess the current status of school crime committed on the school campus and at school related functions. You may accomplish this by reviewing the following type of information: Local law enforcement crime data; suspension/expulsion data; behavior referrals; counseling referrals; attendance rates; SART/SARB data; CHK Survey data; SPSA data; property damage/vandalism data; or any other data pertinent to your assessment. Insert Aeries data here.

ASTI has little to no crime on our campus, a magnet school with 170 students and 10 staff members, located on a college campus.

We had 3 suspensions in 2022-23, and we have had no expulsions since the school opened in 2004. We have an active COST that meets twice per month, and we partner with two local organizations to provide 1-1 therapy for students. Staff have access to a behavior support referral form, which serves as a data capture tool as well. It is reviewed by the counselor and administrator, and referred to services or COST as warranted. Our attendance rates are above 97%%, so we focus site efforts on tardies, with progressive response including teacher contact to home, letter, a second letter, lunchtime reflective detention, parent meeting. Our CHKS survey data indicates that overall students feel safe on our campus, with minimal declines at 11th grade.

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

ASTI staff serve as a safety committee of the whole, and the principal collaborates with both AUSD and CoA to align drills and emergency responses. The school has radios networked to both AUSD and CoA. The principal, office manager and counselor are building monitors for CoA emergencies and drills, and pertinent CoA staff are included in the ASTI Share911 network. ASTI uses Marina Security along with CoA for campus supervision issues. The principal holds an annual Safety Assembly for students at the start of the school year and emails the safety pamphlet home for parents to review, translated into Chinese. Tier 1 approaches include universal instruction and RP responses; Tier 2 includes after school tutoring and study spaces, and tier 3 includes SSTs. The RISE (PBIS) Action Plan includes rebooting our student acknowledgement system, tier 2 art therapy groups, and rollouts and lessons in classes at the start of each semester, as well as activities and events run by Leadership class.

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

Child Abuse Reporting Procedures

With concern for the total well-being of each student, employees of the district shall report known or suspected incidences of child abuse in accordance with state law and district regulations. Our employees cooperate with the child protective agencies responsible for reporting, investigating and prosecuting cases of child abuse.

A. Definition of Child Abuse

"Child Abuse," as defined by law, pursuant to Penal Code 273 and 11165, includes:

1. Physical abuse resulting in a non-accidental physical injury.
2. Physical neglect, including both severe and general neglect, resulting in negligent treatment or maltreatment of a child.
3. Sexual abuse including both sexual assault and sexual exploitation.
4. Emotional abuse and emotional deprivation including willful cruelty or unjustifiable punishment.
5. Severe corporal punishment.

B. Legal Duty to Report

Mandated child abuse reporting is governed by the Child Abuse and Neglect Reporting Act, P.C. 11164. The intent and purpose of the law is to protect children from abuse. The definition of a child is any person under 18 years of age.

Within the scope of his or her employment, any childcare custodian who has knowledge of, observes, or reasonably suspects a child is a victim of child abuse, shall report the known or suspected abuse to a child protective agency by telephone and written report. Additionally, any suspicion of mental suffering inflicted on a child where his or her well-being is endangered in any way, will also be reported.

"Mandated Reporters" are those people defined by law as "childcare custodians," "medical practitioners" and "non-medical practitioners" and include virtually all school employees.

(Penal Code 11165.7 and 11165.8) The following school personnel are required to report: teachers, administrators, supervisors of child welfare and attendance, certificated student personnel employees, employees of a child care programs, preschool teachers, school psychologists, licensed nurses, counselors, para-educators instructional aides or other classified employees trained in child abuse reporting. Employees do not need to have their employer's permission to make a child abuse report.

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

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

3. Employees will report known or suspected child abuse to a child protective agency by telephone immediately or as soon as practically possible and in writing within 36 hours. The reporting duties are individual and cannot be delegated to another individual.
4. When two or more persons who are required to report and both have knowledge of suspected child abuse, and when there is agreement among them, the telephone report may be made by any one of them who is selected by mutual agreement, and a single report may be made and signed by the person selected. However, if any person who knows or should know that the person designated to report failed to do so, that person then has a duty to make the report.
5. The duty to report child abuse is an individual duty and no supervisor or administrator may impede or inhibit such reporting duties. Furthermore, no person making such a report shall be subject to any sanction. Any supervisor or administrator in violation (Section 11166) is guilty of an infraction punishable by a fine not to exceed five thousand dollars (\$5000).

C. Legal Responsibility and Liability

1. Mandated reporters have absolute immunity. School employees required to report are not civilly or criminally liable for filing a required or authorized report of known or suspected child abuse.
2. Any mandated reporter who fails to report an incident of known reasonably suspected child abuse or neglect as required by this section is guilty of a misdemeanor punishable by up to six months confinement in a county jail or by fine of one thousand dollars (\$1000) or by both that fine and punishment. The mandated reporter may also be held civilly liable for damages of any injury to the child after a failure to report.

D. Reporting Procedures

The person who first observes or learns about the abuse is to complete the "Suspected Child Abuse Report" form (BCIA 8572) and call the Child Abuse Reporting phone number. Call our hotline now at 510-259-1800, available 24 hours a day, 7 days a week or if it is an emergency call:

OR Immediately telephone the appropriate law enforcement agency (based upon where the abuse is suspected to have occurred). Jurisdiction, as to whether the county or the city responds, is determined by where the abuse took place.

a. City: Call the Alameda Police Department (510) 337-8340

3. Employees are not required to identify themselves to their employer when they make a child abuse report. If an employee wishes to waive his/her confidentiality rights he/she may wish to make photocopies of the "Suspected Child Abuse Report" form (SS8572) and forward a copy to the principal and to the Executive Director of Student and Family Support Services.

E. Victim Interviews

Upon request, a child protective agency representative may interview a suspected victim of child abuse, during school hours and on school premises, concerning a report of suspected child abuse that occurred within the child's home. The child shall be given the choice of being interviewed in private or in the presence of any adult school employee or volunteer aide selected by the child. A staff member or volunteer aide selected by a child may decline to present at the interview. If the selected person accepts, the principal or designee shall inform him/her, before the interview takes place, of the following legal requirements:

1. The purpose of the selected person's presence at the interview is to lend support to the child and enable him/her to be as comfortable as possible.
2. The selected person shall not participate in the interview.
3. The selected person shall not discuss the facts or circumstances of the case with the child.
4. The selected person is subject to the confidentiality requirements of Article 2.5 (Penal Code 11165 et seq.), a violation of which is punishable as specified by 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)

F. Release of Child to Peace Officer or to a Child Protective Services Worker

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

G. Staff Training

The Principal or designee shall provide training in child abuse identification and reporting for all certificated personnel, instructional and teacher aides, teacher assistants, para-educators and other classified employees. (Penal Code 11165.7) All employees trained in child abuse identification and reporting shall be given, as a part of that training, written notice of the child abuse reporting requirements and the employees' confidentiality rights. (Penal Code 11165.7). The absence of training does not excuse a mandated reporter from the duties imposed by the penal code.

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

Disaster Plan (See Appendix C-F)

Purpose of the Plan

This response plan is designed to assist school staff, students, parents and local agencies organize resources of the school and community to respond to a crisis situation while school is in session. Regulatory Authority State laws and regulations require school districts develop emergency plans and train staff in emergency response procedures. These include laws applicable to school staff and students as well as Cal/OSHA regulations specifically addressing the safety of district employees. The Katz Act [California Education Code, §35295-35297] requires schools plan for earthquakes and other emergencies. It also requires training in earthquake preparedness procedures for both certificated and classified staff. The Petris Bill [Government Code, §8607] requires school districts be prepared to utilize the Standardized Emergency Management System (SEMS) when responding to emergencies. This requires that principles of SEMS are incorporated in District plans; that the Incident Command System (ICS) are used at school sites; that all school personnel are trained in how the respective systems work and correlate; and that schools have drills and exercises in order to practice using the systems. This plan is designed and structured to ensure compliance with the mandates of state law as well as with Cal/OSHA's Emergency Action Plan Standard Title 8, California Code of Regulations §3220. This regulation requires each employer facility have an Emergency Action Plan which focuses on specific emergency contingencies, response personnel roles, and evacuation plans of each employer's site where employees work. Schools and school districts are included in this mandate. School Site Emergency Preparedness and Response Coordination Each principal shall supervise the planning, operating and testing of their respective school's Emergency Preparedness and Crisis Response Plan. Each principal will also ensure that all school staff and students are familiar with the basic elements of the District's Emergency Operations Plan, which will be utilized at the district office in the event of a major emergency or district-wide disaster. The principal must ensure that the Incident Command System are utilized by all staff personnel in the event of an emergency incident and shall serve as the Incident Commander at all school crises or emergencies.

Campus and Facility Site Preparedness Duties

This school and the District have designated specific persons to assume emergency position responsibilities in the event of a site emergency or District-wide disaster. The following information provides a breakdown of these responsibilities:

All School Staff:

- Become familiar with the school's emergency and evacuation procedures.
- Participate in First Aid and CPR training, as appropriate.

Annually each principal shall:

- Designate Staff Incident Command Structure Assignments.
- Update this site Emergency Preparedness and Crisis Response Plan.
- Ensure personnel are properly trained in their respective assignments.
- Conduct survey of personnel to determine CPR/First Aid/Disaster Preparedness/Medical Training.
- Survey parents to determine who may wish to volunteer during an extended emergency or disaster.
- Ensure needs of students and staff with disabilities are provided for in the event of an emergency.
- Designate primary and alternate locations for command post, evacuation, first aid, student release, and morgue.
- See that parents are informed of the plan and its effect upon students.
- Compile/maintain list of local emergency agencies including telephone numbers and addresses.
- Practice building evacuation plans including testing of warning systems, alarm signals, and communications methods.
- With Maintenance and Operations, complete a site and building hazard survey.
- Ensure all emergency equipment and supplies are in usable condition at all times.

Teachers:

- Teachers are responsible for the supervision of students in their charge.
- Understand emergency response procedures.
- Have planned activities for use during disasters to lessen possible tension.

School Office Managers or Designee:

- Organize and maintain the emergency first aid supplies and distribute back-up supplies.
- Assist principal in developing procedures to protect essential records.
- Ensure battery-operated AM/FM radio is available in working condition; know the call number and frequency of disaster information station.
- Maintain an up-to-date list of students and staff who require life sustaining medication.

School Custodians or designee:

- Assist principal in planning control procedures for different types of building damage.
- Routinely check that battery-operated equipment is in working condition.

Crisis Response

The primary goals of crisis response are to:

- Prevent a potentially chaotic situation from escalating into a catastrophic event.
- Help those affected to return, as quickly as possible, to a normal level of functioning.
- Decrease the potential long-term effects of the crisis.

Incident Command System (ICS)

The Incident Command System is an emergency response system used to manage an emergency incident at a specific facility or site. The ICS, as designated by the AUSD, will be used by this school as the formal emergency response structure. This is in contrast to the Standardized Emergency Management System (SEMS) which is used to manage resources at a district-wide level.

Foundations of Crisis Response

The primary foundation for any emergency or crisis response system is to ensure, as much as is humanly possible, the application of the three C's at all times.

These three C's are:

- Control – Control is the cornerstone of every crisis/emergency response. In emergency response this is initiated and maintained through the effective use of the Incident Command System.
- Communication - Communication is essential to maintaining effective coordination of all response actions. Ongoing communication must be maintained between response persons, school staff, and the command team.
- Coordination - Coordination is essential to ensure that the most effective and appropriate response actions are used throughout a response operation. Proper utilization of the Incident Command System will ensure that all response operations are coordinated from a central point and that no response action is taken at cross purposes to any other.

Insert link to REMS packet here

Public Agency Use of School Buildings for Emergency Shelters

If the Superintendent declares a District emergency during the school day, the District has a clear statement of policy governing its actions.

Alameda Unified School District Policy is as follows:

IN CASE OF A DECLARED EMERGENCY BY THE SUPERINTENDENT DURING SCHOOL HOURS, ALL STUDENTS WILL BE REQUIRED TO REMAIN AT SCHOOL OR AN ALTERNATE, SAFE SITE UNDER THE SUPERVISION OF DISTRICT PERSONNEL:

1. Until regular dismissal time and then released only if it is considered safe, OR
2. Until released to an adult authorized by the parent or legal guardian whose name appears on District records.

- a) If students are on their way to school they should proceed to school.
- b) If students are on their way home from school they are to continue home.

3. To provide this supervision and care, Alameda Unified School District personnel will be utilized under Title 1, Division 4, Chapter 8 Government Code and other legal statutes. The statute states that all public employees are designated disaster service workers when an emergency is declared. The District Superintendent, or designee, has the legal authority to declare an emergency in this District. The authority also extends to Alameda County to declare an emergency and impress public employees into service as disaster service workers.

4. Alameda Unified School District encourages the utilization of a buddy system at District sites wherein staff responsibilities for specific emergency functions are assigned to pairs of employees who could, with approval of the Site Manager, carry on legally required supervision and care requirements while allowing emergency home visits to assure welfare of their own families.

(C) School Suspension, Expulsion and Mandatory Expulsion Guidelines

Definitions

Suspension from school means removal of a student from ongoing instruction for adjustment purposes.

The teacher of any class from which a student is suspended pursuant to Section 48910 shall require the student to complete any assignments and tests missed during the suspension. The school will monitor and address the educational needs of the student that arise due to the loss of instructional time. (Education Code 48913). However, suspension does not mean any of the following: (Education Code 48925)

- Reassignment to another education program or class at the same school where the student will receive continuing instruction for the length of day prescribed by the Governing Board for students of the same grade level.
- Referral to a certificated employee designated by the principal to advise students.
- Removal from the class, but without reassignment to another class or program, for the remainder of the class period without sending the student to the principal or designee as provided in Education Code 48910. Removal from a particular class shall not occur more than once every five school days.

Referral means removal from classroom instruction for discipline reasons.

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

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

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

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

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

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

The District database is the Aeries Student Information System.

Restorative Practices (RP) is a continuum of practices by which schools build community through circles and other activities, where students learn to use affective statements and the process where all stakeholders affected by an injustice have an opportunity to discuss how they have been affected by the injustice and to decide what should be done to repair the harm.

Positive Behavioral Interventions and Supports (PBIS) is a framework for providing a range of systemic and individualized strategies for achieving important academic and behavioral outcomes while preventing problem behaviors.

Social and Emotional Learning (SEL) is a process through which children and adults develop the fundamental skills for life effectiveness. The five SEL competencies are: self-awareness, self-management, social awareness, relationship skills, and responsible decision-making.

Multi Tiered System of Support (MTSS) is a way of organizing instruction and intervention to help all students. The goal of the multi-tiered framework is to provide high-quality instruction and supports based on student need. This framework helps educators by providing information (data) to identify students needing additional support (academic and behavioral) and also identify students who may need special education services. MTSS includes three levels (or tiers) of instruction. Each tier has a set of evidence-based practices to meet the instructional goals.

Tier 1

For MTSS, a school must first establish its Tier 1 or universal supports. Universal supports are the instructional practices that help all students in a school. Once the universal supports are in place, staff can use assessment data to determine which students need additional supports.

Tiers 2 and 3

The intensity and duration of supports increase for Tiers 2 and 3. The appropriate level of support for each student is determined by assessment data.

Grounds for Suspension and Expulsion

The following is a list of grounds for which suspension and expulsion may be permitted or shall be imposed subject to the

restrictions and requirements herein:

- Caused, attempted to cause, or threatened to cause physical injury to another person or willfully used force or violence upon another person, except in self-defense (Education Code 48900(a))
- A student who aids or abets the infliction or attempted infliction of physical injury on another person, as defined in Penal Code 31, may be suspended, but not expelled. However, such a student may be suspended or expelled pursuant to Education Code 48900(a) when he/she has been adjudged by a juvenile court to have committed, as an aider or abettor, a crime of physical violence in which the victim suffered great or serious bodily injury. (Education Code 48900(t))
- 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))
- 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))
- 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))
- Committed or attempted to commit robbery or extortion (Education Code 48900(e))
- Caused or attempted to cause damage to school property or private property (Education Code 48900(f))
- Stole or attempted to steal school property or private property (Education Code 48900(g))
- 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))
- Committed an obscene act or engaged in habitual profanity or vulgarity (Education Code 48900(i))
- Unlawfully possessed, offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Health and Safety Code 11014.5 (Education Code 48900(j))

As provided in California Education Code section 48900(k), no student enrolled in grades T-Kindergarten through third grade may be suspended or expelled for disrupting school activities or willfully defying the authority of school personnel ("disruption and willful defiance") and no student in TK-12 may be expelled for willful disruption or defiance.

Effective July 1, 2019, no student enrolled in grades T-Kindergarten through twelve (TK-12) grades may be suspended or expelled for disrupting school activities or willfully defying the authority of school personnel. The Board will review data regarding suspensions for defiance in Grades 4 through 12 in August 2019 and January 2020. If, based on review of the data, it appears further steps should be undertaken to meet the goal of eliminating suspensions for defiance by July 1, 2019, the Board will direct the Superintendent to implement such additional measures to achieve the goal of no suspensions for defiance by July 1, 2020.

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

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

- 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.

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 (items #20-22 below), that has any of the effects described above on a reasonable student.

Electronic act means the transmission of a communication, 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.

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))

- 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)

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

- 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)

- 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)

- 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)

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

- While on school grounds
- While going to or coming from school
- During the lunch period, whether on or off the school campus
- During, going to, or coming from a school-sponsored activity

Teacher-Initiated Suspensions Pursuant to Section 48910

The Board desires the adoption of a Multi-Tiered System of Support which includes Positive Behavior Intervention Supports to facilitate a consistent approach for positive, pro-social behavior management (BP 5144). The District expects teachers to attempt interventions prior to initiating a suspension pursuant to Section 48910 except where suspension for a first offense is permitted or mandated by law, as described on pp. 8-9 below.

When removing a student from his/her class pursuant to Section 48910, 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 removed. (Education Code 48910)

The site administrator or designee shall ensure that site staff completed the following:

- The teacher completed the Teacher-Initiated Pupil Suspension Report and, starting in the 2019-20 school year, the office referral form.
- The teacher contacted the parent/guardian to request their participation in a parent-teacher conference regarding the suspension within 24 hours. 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)
- The site administrator or designee reviewed the office referral form and completed the in-school suspension form if warranted.
- The site administrator or designee contacted parent/guardian regarding the suspension.
- The site administrator or designee recorded the classroom interventions and referral in the District database.

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

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

The teacher of any class from which a student is suspended pursuant to Section 48910 shall require the student to complete any assignments and tests missed during the suspension. The school will monitor and address the educational needs of the student that arise due to the loss of instructional time. (Education Code 48913)

When suspending a student in Grades TK-3 from class for committing an obscene act or engaging in habitual profanity or vulgarity, the teacher of the class may require any parent/guardian who lives with the student to attend a portion of the school day in the class from which the student is being suspended, to assist in resolving the classroom behavior problems. (Education Code 48900.1) The teacher of the class may also require any parent/guardian who lives with the student to attend a portion of the school day in the class to assist in resolving classroom behavior problems.

When suspending a student in Grades 4-12 from class for committing an obscene act or engaging in habitual profanity or vulgarity, disrupting school activities, or otherwise willfully defying valid staff authority, the teacher of the class may require any parent/guardian who lives with the student to attend a portion of the school day in the class from which the student is being suspended, to assist in resolving the classroom behavior problems. (Education Code 48900.1)

When suspending a student in any grade from class for committing an obscene act, engaging in habitual profanity or vulgarity, the teacher of the class may require any parent/guardian who lives with the student to attend a portion of the school day in the class from which the student is being suspended, to assist in resolving the classroom behavior problems. (Education Code 48900.1) The teacher of the class may also require any parent/guardian who lives with the student to attend a portion of the school day in the class to assist in resolving classroom behavior problems.

Teachers should reserve the option of required parental attendance for cases in which they have determined that it is the best strategy to promote positive interaction between the teacher and the student and his/her parents/guardians and to improve the student's behavior.

Any teacher requiring parental attendance pursuant to this policy shall apply the policy uniformly to all students within the classroom. (Education Code 48900.1)

When a teacher makes this request, the principal shall send the parent/guardian a written notice that the parent/guardian's attendance is requested pursuant to law. (Education Code 48900.1)

The notice shall specify that the attendance may be on either the date the student is scheduled to return to class or within one week thereafter.

This notice shall also:

- Inform the parent/guardian when his/her presence is expected and by what means he/she may arrange an alternate date
- Ask the parent/guardian to meet with the principal after the visit and before leaving school, as required by Education Code 48900.1

At the meeting with the student's parent/guardian, the principal or designee shall explain the district's and school's discipline policies, including the disciplinary strategies that may be used to achieve proper student conduct.

When a parent/guardian does not respond to the request to attend school, the principal or designee shall contact him/her by telephone, mail, or other method that maintains the confidentiality of the student's records.

District regulations shall include procedures for implementing parental attendance requirements. Parents/guardians shall be notified of this policy prior to its implementation. (Education Code 48900.1)

Suspensions by Superintendent, Principal, or Designee

The Board does not support a zero tolerance approach to discipline except where mandated by law. Schools may not adopt zero tolerance policies that conflict with District discipline policies. The Board desires that schools will adopt, engage, and implement positive approaches to addressing problem behavior prior to initiating the suspension of a student.

Suspension for a first time offense is limited to certain serious offenses (listed below in permissible and mandatory categories) or where it can be documented that the presence of a student causes a danger to persons.

Defiance

As provided in California Education Code section 48900(k), no student enrolled in grades T-Kindergarten through third grade may be suspended or expelled for disrupting school activities or willfully defying the authority of school personnel ("disruption and willful defiance") and no student regardless of grade may be expelled for willful defiance or disruption.

Effective July 1, 2019, no student enrolled in grades T-Kindergarten through twelve (TK-12) grades may be suspended or expelled for disrupting school activities or willfully defying the authority of school personnel. Suspension and expulsion shall not be imposed for a violation of Education Code section 48900(k), including disruption of school activities or willful defiance. The District expects schools to develop appropriate interventions, for example, behavioral plans, restorative circles, or SEL groups for students who engage in a pattern of defiant behavior.

Defiance is when a student continues to disobey a school official, teacher, or administrator after having been taught the rules and expectations of the school and the student displays behavior that directly interferes with the rights of others to learn.

The Board will review data regarding suspensions for defiance in Grades 4 through 12 in August and January. If, based on review of the data, it appears further steps should be undertaken to meet the goal of eliminating suspensions for defiance, the Board will direct the Superintendent to implement such additional measures to achieve the goal of no suspensions for defiance by July 1, 2020.

Discipline and Intervention Matrix for Administrators

Attached to this Administrative Regulation is the discipline and intervention matrix aligned to the District's Multi-Tiered System of Support framework that models a progressive and holistic approach to discipline. As provided in the Board Policy, each school is responsible for adopting strategies, programs, and interventions within this framework to facilitate a positive approach to behavior management. Even if suspension is appropriate, administrators must first consider whether other interventions should be used.

Except where suspension for a first offense is permitted or mandatory (as described above), in-school and out-of-school suspension and other sanctions that result in a student's loss of instruction shall only be imposed when the principal or designee has determined that other means of correction that are consistent with District policies and procedures have failed to bring about proper conduct. (Education Code 48900.5)

As described in AR 5144, interventions and other alternatives to suspension should be attempted and evaluated prior to referral from the classroom. In addition, the principal or designee shall document the other means of correction used and retain them in the student's record. (Education Code 48900.5)

The Principal or designee shall complete the suspension form and record the suspension in the District's database.

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

A student may be suspended from school for not more than 20 school days in any school year unless, for purposes of adjustment, the student enrolls in or is transferred to another regular school, an opportunity school, or continuation school or class, in which case suspension shall not exceed 30 days in any school year. However, this restriction on the number of days of suspension does not apply when the suspension is extended pending an expulsion. (Education Code 48903, 48911, 48912)

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)

Suspensions shall be initiated according to the following procedures:

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 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. 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)

Administrative Actions: All requests for student suspension are to be processed by the principal or designee. All suspensions shall be recorded in the District database. 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)

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

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

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

Parent/Guardian Conference: Whenever a student is suspended, school officials may meet 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)

Although the parent/guardian is required to respond without delay to a request for a conference about his/her child's behavior, 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 readmission solely because the parent/guardian failed to attend the conference. (Education Code 48911)

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 Principal may, in writing, extend the suspension until such time as the Board has made a decision. (Education Code 48911)

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

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

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

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.

The student shall be responsible for contacting the school to receive assignments to be completed during the period of the suspension. The school shall make available all assignments and tests that the student will miss while suspended.

Suspension by the Board

The Board may suspend a student for any of the acts listed in "Grounds for Suspension and Expulsion" above and within the limits specified in "Suspensions by Superintendent, Principal, or Designee" above. (Education Code 48912)

The Board may suspend a student enrolled in a continuation school or class for a period not longer than the remainder of the semester if any of the acts listed in "Grounds for Suspension and Expulsion" occurred. The suspension shall meet the requirements of Education Code 48915. (Education Code 48912.5)

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

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

Supervised Suspension Classroom

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 a supervised suspension classroom in a separate classroom, building, or site for the entire period of suspension. The following conditions shall apply: (Education Code 48911.1)

The supervised suspension classroom shall be staffed in accordance with law and by certificated employees.

The student shall have access to appropriate counseling services.

The supervised suspension classroom shall promote completion of schoolwork and tests missed by the student during the suspension.

The student shall be responsible for contacting his/her teacher(s) to receive assignments to be completed in the supervised suspension classroom except where otherwise set out in the student's Individualized Education Program (IEP) or Section 504 plan. 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.

The Principal or designee shall complete the in-school suspension form and record the suspension in the District's database.

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

Involuntary Transfer

The District may not involuntarily transfer a student in Grades TK- 3rd grade to another school based on a finding of disruption of school activities or willful defiance of the authority of school personnel (California Education Code section 48900(k)).

Effective July 1, 2019, the District may not involuntarily transfer a student to another school based on a finding of disruption of school activities or willful defiance of the authority of school personnel (California Education Code section 48900(k)).

Involuntary transfers may only occur following a recommendation for expulsion and after a hearing before the District's Disciplinary Hearing Panel (DHP) consistent with the requirements in Education Code section 48918 and the notice and hearing procedures set forth below for expulsions. In addition, an involuntary transfer to a continuation school must be made pursuant to Education Code section 48432.5.

Expulsions

The Board shall expel, as required by law, any student found to have committed any offense listed below under "Mandatory Recommendation and Mandatory Expulsion" (see page 13). (Education Code 48915)

For all other grounds listed under "Grounds for Suspension and Expulsion," the Board shall order a student expelled upon the recommendation of the Superintendent, principal, or designee only if the Board makes a finding of either or both of the following: (Education Code 48915(b) and (e))

- That other means of correction have repeatedly failed to bring about proper conduct
- 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

Authority to Expel

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

The Board shall expel, as required by law, any student found to have committed any offense listed below under "Mandatory Recommendation and Mandatory Expulsion." (Education Code 48915)

For all other grounds listed above under "Grounds for Suspension and Expulsion," the Board shall order a student expelled upon the recommendation of the Superintendent, principal, or designee, only if the Board makes a finding of either or both of the following: (Education Code 48915(b) and (e))

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

Recommendation for Expulsion Expected Unless It Is Not Appropriate or Alternative Means of Correction Would Address the Conduct

Unless the Superintendent, principal, or designee 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(a))

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

- Possession of any knife as defined in Education Code 48915(g), explosive, or other dangerous object of no reasonable use to the student
- 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
- Robbery or extortion
- 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)

Mandatory Recommendation and Mandatory Expulsion

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

Possessing, as verified by a district employee, selling, or otherwise furnishing a firearm.

Possession of an imitation firearm, as defined in Education Code 48900(m), shall not be regarded as an offense requiring a mandatory recommendation for expulsion and mandatory expulsion. However, an administrator shall have discretion on a case-by-case basis to recommend expulsion for the possession of an imitation firearm.

Brandishing a knife as defined in Education Code 48915(g) at another person

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

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

Possessing an explosive as defined in 18 USC 921

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

Student's Right to Expulsion Hearing

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 one of the acts listed above under "Grounds for Suspension and Expulsion." (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))

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)

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

Have up to two adult support persons of his/her choosing present at the hearing at the time he/she testifies

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)

The rights of a complaining witness are further outlined in Administrative Regulation 5145.7 (Sexual Harassment).

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))

- The date and place of the hearing.
- A statement of the specific facts, charges, and offense upon which the proposed expulsion is based.
- A copy of district disciplinary rules which relate to the alleged violation.
- 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).
- 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 advisor.

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

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

- The right to inspect and obtain copies of all documents to be used at the hearing.
- The opportunity to confront and question all witnesses who testify at the hearing.
- 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

At least 10 days prior to a hearing to determine if a student who is a foster youth as defined under Education Code 48853.5 should be expelled for an offense not requiring a mandatory recommendation for expulsion, the Superintendent or designee shall notify the student's attorney and a representative of an appropriate county child welfare agency. If the hearing is pursuant to an offense requiring a mandatory expulsion recommendation, the Superintendent or designee may provide the same notification. The notice shall be provided by the most cost-effective method possible, including by email or a telephone call. (Education Code 48918.1)

Conduct of Expulsion Hearing

Closed Session: Notwithstanding the provisions of Government Code 54953 and Education Code 35145, the Board shall conduct a hearing to consider the expulsion of the student in a session closed to the public unless the student requests in writing at least five days prior to the hearing that the hearing be a public meeting. If such a request is made, the meeting shall be public unless another student's privacy rights would be violated. (Education Code 48918(c))

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))

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))

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))

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" 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.

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)

- Any complaining witness shall be given five days' notice before being called to testify.
- Any complaining witness shall be entitled to have up to two adult support persons, including, but not limited to, a parent/guardian or legal counsel, present during his/her testimony.
- Before a complaining witness testifies, support persons shall be admonished that the hearing is confidential.
- The person presiding over the hearing may remove a support person whom he/she finds is disrupting the hearing.
- If one or both support persons are also witnesses, the hearing shall be conducted in accordance with Penal Code 868.5.

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.

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.

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

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.

The person conducting the hearing may:

- Arrange the seating within the hearing room so as to facilitate a less intimidating environment for the complaining witness
- 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
- Permit one of the support persons to accompany the complaining witness to the witness stand

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. Alternatively, the Board may appoint an impartial administrative panel composed of three or more certificated personnel, none of whom shall be members of the Board or on the staff of the school in which the student is enrolled. (Education Code 48918(d))

A hearing conducted by the hearing officer or administrative panel shall conform to the same procedures applicable to a hearing conducted by the Board as specified above in "Conduct of Expulsion Hearing," including the requirement to issue its 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 expulsion referral was made, unless the parent, guardian, or responsible adult of the pupil requests another school placement in writing. Before the placement decision is made by the parent, guardian, or responsible adult, the superintendent of schools or the superintendent's designee shall consult with school district personnel, including the pupil's teachers, and the parent, guardian, or responsible adult regarding any other school placement options for the pupil in addition to the option to return to his or her classroom instructional program from which the expulsion referral was made. If the hearing officer or administrative panel finds that the pupil committed any of the acts specified in subdivision (c) of Section 48915, but does not recommend expulsion, the pupil shall be immediately reinstated and may be referred to his or her prior school or another comprehensive school, or, pursuant to the procedures set forth in Section 48432.5, a continuation school of the school district. The decision not to 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 for a period of one year. (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, the final action to expel shall be taken by the Board at a public meeting. (Education Code 48918(j))

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

Upon ordering an expulsion, the Board shall set a date when the student shall be reviewed for readmission to a school within the district. For a student expelled for 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)

- Periodic review, as well as assessment at the time of review, for readmission
- 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:

- The specific offense committed by the student for any of the causes for suspension or expulsion listed above under "Grounds for Suspension and Expulsion" (Education Code 48900.8)
- The fact that a description of readmission procedures will be made available to the student and his/her parent/guardian (Education Code 48916)
- Notice of the right to appeal the expulsion to the County Board of Education (Education Code 48918)
- Notice of the alternative educational placement to be provided to the student during the time of expulsion (Education Code 48918)
- Notice of the student's or parent/guardian's obligation to inform any new district in which the student seeks to enroll of the student's status with the expelling district, pursuant to Education Code 48915.1 (Education Code 48918)

Decision Not to Enforce Expulsion Order

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

- The student's pattern of behavior
- 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:

- 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)
- During the period when enforcement of the expulsion order is suspended, the student shall be on probationary status. (Education Code 48917)
- The suspension of the enforcement of an expulsion order may be revoked by the Board if the student commits any of the acts listed under "Grounds for Suspension and Expulsion" above or violates any of the district's rules and regulations governing student conduct. (Education Code 48917)
- 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)

- 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)

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))

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)

Right to 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)

The student shall submit 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 furnishment 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)

Post-Expulsion Placements

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

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

When the placement described above is not available and when the County Superintendent so certifies, students expelled for acts described in items #6-13 and #20-22 under "Grounds for Suspension and Expulsion" 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

Readmission procedures shall be as follows:

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

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)

If the Board denies the readmission of a student, the Board shall determine either to continue the student's placement in the alternative educational program initially selected or to place the student in another program that serves expelled students, including placement in a county community school. (Education Code 48916)

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 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)

Outcome Data

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

- The number of students recommended for expulsion
- The specific grounds for each recommended expulsion
- Whether the student was subsequently expelled
- Whether the expulsion order was suspended
- The type of referral made after the expulsion
- The disposition of the student after the end of the expulsion period

Public Reporting of Discipline Data

The Superintendent or designee shall ensure that the following data is publicly available on the District's public website twice annually, within 60 days after the completion of each semester:

- The aggregate number and rates of office referrals, teacher suspensions, supervised in-school and out-of-school suspensions, involuntary transfers, expulsion referrals, expulsions, on-campus citations, school-based arrests, and four-year graduation and drop-out rates, disaggregated by all subgroups, including race, gender, ethnicity, English Language Learner status, socio-economic status, foster youth, homeless youth, and disability and by offense for the district and by school-site.
- The number of instructional days and ADA funding lost to suspensions, transfers, and expulsions.
- The school sites to which students were transferred after the Disciplinary Review Hearing procedure or through any involuntary transfer process, whether they enrolled subsequently, and the outcomes for such students, including, but not limited to, graduation and drop-out rates.

In reporting such data, the privacy of individual students and teachers shall be protected. Data will not be disaggregated in any manner that could reveal student identity to the public or to knowledgeable members of the school community. The data shall be reported for the district as a whole and for each school-site.

The procedures shall also include requirements that appropriate district and school officials regularly review this data and take action to address disparities or disproportionate use of punitive discipline measures for particular subgroups.

Expungement of Student Disciplinary Records

As provided in Board Policy 5144.3, a student, parent, guardian, appointed advocate on behalf of the student, or Superintendent on behalf of a student may apply for expungement of student disciplines record which meet the criteria set forth in BP 5144.3.

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

Notice Regarding Student Offenses

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

Acts That Are Grounds for Suspension or Expulsion

The Superintendent or designee shall inform the teacher(s) of each student who, during the previous three school years, has engaged in or is reasonably suspected to have engaged in any act, except the possession or use of tobacco products, that would constitute a ground for suspension or expulsion as specified in AR 5144.1 - Suspension and Expulsion/Due Process. This information shall be based upon district records maintained in the ordinary course of business or records received from a law enforcement agency. (Education Code 49079)

Upon receiving a transfer student's record regarding acts committed by the student that resulted in suspension or expulsion, the Superintendent or designee shall inform the student's teacher(s) that the student was suspended from school or expelled from the former district and of the act that resulted in the suspension or expulsion. (Education Code 48201)

Information received by teacher(s) shall be received in confidence for the limited purpose for which it was provided and shall not be further disseminated by the teacher. (Education Code 48201, 49079)

Offenses Reported to the District by a Court

When informed by a court that a minor student has been found by the court to have committed any felony or any misdemeanor involving curfew, gambling, alcohol, drugs, tobacco products, carrying of weapons, a sex offense listed in Penal Code 290, assault or battery, larceny, vandalism, or graffiti, the Superintendent or designee shall expeditiously notify the school principal. (Welfare and Institutions Code 827)

The principal shall expeditiously disseminate this information to any counselor who directly supervises or reports on the student's behavior or progress and to any teacher or administrator directly supervising or reporting on the student's behavior or progress whom the principal thinks may need the information in order to work with the student appropriately, avoid being needlessly vulnerable, or protect others from vulnerability. (Welfare and Institutions Code 827)

Any court-initiated information that a teacher, counselor, or administrator receives shall be kept confidential and used only to rehabilitate the student and protect other students and staff. The information shall be further disseminated only when communication with the student, parent/guardian, law enforcement staff, and probation officer is necessary to rehabilitate the student or to protect students and staff. (Welfare and Institutions Code 827)

When a student is removed from school as a result of an offense, the Superintendent shall hold the court's information in a separate confidential file until the student is returned to the district. If the student is returned to a different district, the Superintendent shall transmit the information provided by the student's parole or probation officer to the superintendent of the new district of attendance. (Welfare and Institutions Code 827)

Any confidential file of court-initiated information shall be kept until the student becomes 18, graduates from high school, or is released from juvenile court jurisdiction, whichever occurs first, and shall then be destroyed. (Welfare and Institutions Code 827)

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

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

Definitions

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, regardless of whether or not the conduct is motivated by sexual desire. Conduct is considered to be sexual harassment when made against another person of the same or opposite sex in the work or educational setting under any of the following conditions: (Education Code 212.5; Government Code 12940; 2 CCR 11034)

- Submission to the conduct is made explicitly or implicitly a term or condition of the individual's employment.
- Submission to or rejection of the conduct is used as the basis for an employment decision affecting the individual.
- The conduct has the purpose or effect of having a negative impact upon the individual's work performance or of creating an intimidating, hostile, or offensive work environment.
- 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. For purposes of applying the complaint procedures specified in Title IX of the Education Amendments of 1972, sexual harassment is defined as any of the following forms of conduct that occurs in an education program or activity in which a district school exercises substantial control over the context and respondent: (34 CFR 106.30, 106.44)
- A district employee conditioning the provision of a district aid, benefit, or service on the student's participation in unwelcome sexual conduct
- Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the district's education program or activity

Sexual assault, dating violence, domestic violence, or stalking as defined in 20 USC 1092 or 34 USC 12291

Examples of Sexual Harassment

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

- 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
- Unwelcome visual conduct such as drawings, pictures, graffiti, or gestures; sexually explicit emails; displaying sexually suggestive objects
- 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

Title IX Coordinator/Compliance Officer

The district designates the following individual(s) as the responsible employee(s) to coordinate its efforts to comply with Title IX of the Education Amendments of 1972 in accordance with AR 4119.12/4219.12/4319.12 - Title IX Sexual Harassment Complaint Procedures, as well as to oversee, investigate, and resolve sexual harassment complaints processed under AR 4030 - Nondiscrimination in Employment.

The Title IX Coordinator(s) may be contacted at:

Asst. Superintendent of Educational Services
2060 Challenger Drive
Alameda, CA 94501
(510) 337-7095
kzazo@alamedaunified.org

Training

Every two years, the Superintendent or designee shall ensure that supervisory employees receive at least two hours, and nonsupervisory employees receive at least one hour, of classroom or other effective interactive training and education regarding sexual harassment. All newly hired employees and employees promoted to a supervisory position 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)

Such training may be completed by employees individually or as part of a group presentation, may be completed in shorter segments as long as the applicable hourly requirement is met, and may be provided in conjunction with other training provided to the employees. The training shall be presented by trainers or educators with knowledge and expertise in the prevention of harassment, discrimination, and retaliation. (Government Code 12950.1)

The district's sexual harassment training and education program shall include, but is not limited to, the following: (Government Code 12950.1; 2 CCR 11024)

- Information and practical guidance regarding federal and state laws concerning the prohibition, prevention, and correction of sexual harassment
- The types of conduct that constitute sexual harassment
- Remedies available for victims in civil actions, and potential employer/individual exposure/liability
- Strategies to prevent harassment in the workplace

- Supervisors' obligation to report sexual harassment, discrimination, and retaliation of which they become aware
- 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
- The limited confidentiality of the complaint process
- Resources for victims of unlawful harassment, such as to whom they should report any alleged harassment
- Steps necessary to take appropriate remedial measures to correct harassing behavior, which includes the district's obligation to conduct an effective workplace investigation of a harassment complaint
- What to do if the supervisor is personally accused of harassment
- The essential elements of the district's anti-harassment policy, and how to use the policy if a harassment complaint is filed

Employees shall receive a copy of the district's sexual harassment policy and administrative regulations, which they shall read and acknowledge that they have received. Information, including practical examples, of harassment based on gender identity, gender expression, and sexual orientation. Prevention of abusive conduct, including a review of the definition and elements of abusive conduct pursuant to Government Code 12950.1, the negative effects that abusive conduct has on the victim and other in the workplace, the detrimental consequences of this conduct on employee productivity and morale, and that a single act does not constitute abusive conduct unless the act is severe or egregious.

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

The Superintendent or designee shall notify employees that the district does not discriminate on the basis of sex as required by Title IX, that the Title IX nondiscrimination requirement extends to employment, and that inquiries about the application of Title IX to the district may be referred to the district's Title IX Coordinator and/or to the Assistant Secretary for Civil Rights, U.S. Department of Education. (34 CFR 106.8)

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

A copy of the Board policy and this administrative regulation shall:

- 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 (Education Code 231.5)
- 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 (Education Code 231.5)
- Appear in any school or district publication that sets forth the school's or district's comprehensive rules, regulations, procedures, and standards of conduct (Education Code 231.5)
- Be posted, along with the name or title and contact information of the Title IX Coordinator, in a prominent location on the district's web site (34 CFR 106.8)

- Be included, along with the name or title and contact information of the Title IX Coordinator, in any handbook provided to employees or employee organizations (34 CFR 106.8)

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

- The illegality of sexual harassment
- The definition of sexual harassment under applicable state and federal law
- A description of sexual harassment, with examples
- The district's complaint process available to the employee
- The legal remedies and complaint process available through DFEH and the Equal Employment Opportunity Commission (EEOC)
- Directions on how to contact DFEH and the EEOC

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, the DFEH poster on discrimination in employment and the illegality of sexual harassment and the DFEH poster regarding transgender rights. (Government Code 12950)

Complaint Procedures

All complaints and allegations of sexual harassment by and against employees shall be investigated and resolved in accordance with law and district procedures. The Title IX Coordinator shall review the allegations to determine the applicable procedure for responding to the complaint. All complaints that meet the definition of sexual harassment under Title IX shall be investigated and resolved in accordance with AR 4119.12/4219.12/4319.12 - Title IX Sexual Harassment Complaint Procedures. Other sexual harassment complaints shall be investigated and resolved pursuant to AR 4030 - Nondiscrimination in Employment.

If sexual harassment is found following an investigation, the Title IX Coordinator, or designee in consultation with the Coordinator, shall take prompt action to stop the sexual harassment, prevent recurrence, and address any continuing effects.

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

Basic Principles:

All students are encouraged to dress in a manner that is comfortable and conducive to an active school day.

Students should be able to wear clothing without fear of or actual unnecessary discipline or body shaming.

The student dress code should serve to support all students to develop a body-positive self-image.

All items listed in the "must wear" and "may wear" categories below must meet these basic principles.

Students MUST Wear:

- Top
- Bottom
- Shoes

Clothing that covers specific body parts (genitals, buttocks, and areolae/nipples) with opaque material. Courses or specific class activities that include attire as part of the curriculum may include assignment-specific dress, but should not focus on covering students' bodies or promoting culturally-specific attire. Activity specific shoe requirements are permitted (Examples include but are not limited to physical education and shop class).

Students MAY Choose to Wear:

- Sun-protective clothing, including but not limited to hats, for outdoor use during the school day. (Education Code 35183.5)
- Hats, including religious headwear
- Hooded shirts/jackets (over head is allowed)*

Teachers may direct students to remove/adjust the position of hats/hoods over the head in class during the administration of a test/exam, to address headphone/earbud use issues, or to enable visual identification of a student's face. This does NOT apply to any headwear worn for religious reasons.

Students CANNOT Wear:

- Clothing that includes violent language or images
- Clothing that includes images or language depicting drugs or alcohol (or any illegal item or activity) or the use of same
- Clothing that includes hate speech, profanity, pornography
- Clothing that includes images or language that create a hostile or intimidating environment based on any protected class
- Visible underwear or bathing suits of similar design - Visible waistbands or straps on undergarments worn under other clothing are not a violation
- Helmets, hoods, or other headgear that obscures a student's identity (except as a religious observance).

A student's face must be clearly visible when taking their school photo for identification purposes. This may require the removal of a hood and/or hat. No grade of a student participating in a physical education class shall be adversely affected if the student does not wear standardized physical education apparel because of circumstances beyond the student's control. (Education Code 49066)

Training and Enforcement:

- All staff should be trained to understand the purpose/spirit of the code, the actual code, and how to enforce with the least impact on student learning and self-confidence.
- All staff must enforce the district dress code consistently, once it is adopted. All staff should not have discretion to vary the requirements in ways that lead to discriminatory enforcement.
- All staff should be trained and able to use student/body-positive language to explain the code and to address code violations.
- Enforcement should be consistent with a school's overall discipline plan. Failure to comply with the student dress code should be enforced consistently with comparable behavior and conduct violations, including access to a student advocate or ombudsperson and appeals process.

- Enforcement for students should be limited to safety and non-violence/non-discrimination and will not include messages based on body maturity.
- Violations should be treated as minor on the continuum of school rule violations.
- Students should never be removed from a classroom for a dress code violation unless they are violating the 'Students Cannot Wear' and 'Students MUST Wear' sections of the dress code. Loss of class time should be avoided or kept to a minimum.
- Students should never be forced to wear extra school clothing (that isn't their own) when they are in violation of the code. Students should be presented with a variety of options to rectify the situation. This could include but is not limited to: personal on-site clothing, school-offered clothing, and delivery of alternate clothing.
- Parents/guardians should never be called during the school day to bring alternative clothing for the student to wear for the remainder of the day unless by student request.
- No student should be disproportionately affected by dress code enforcement because of gender, race, body size, or body maturity.
- Students should not be shamed or required to display their body in front of others (students, parents, or staff) in school. "Shaming" includes but is not limited to kneeling or bending over to check attire fit, measuring/commenting on straps, skirt length, or cleavage, asking students to account for their attire in the classroom, and directing students to correct a dress code violation during instructional time.

Evaluation:

The Superintendent or designee shall annually review the effectiveness of this policy and determine, as appropriate, if any further review or revision is required.

Gang-Related Apparel

At individual schools that have a dress code prohibiting gang-related apparel at school or school activities, the principal, staff, and parents/guardians participating in the development of the school safety plan shall define "gang-related apparel" and shall limit this definition to apparel that reasonably could be determined to threaten the health and safety of the school environment if it were worn or displayed on a school campus. (Education Code 32282)

Because gang-related symbols are constantly changing, definitions of gang-related apparel shall be reviewed at least once each semester and updated whenever related information is received. As necessary, the school shall collaborate with law enforcement agencies to update definitions of gang-related apparel.

Uniforms

In schools that require a schoolwide uniform, the principal, staff, and parents/guardians of the school shall jointly select the specific uniform to be worn. (Education Code 35183)

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

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

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

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

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

EVACUATION PROCEDURES

EVACUATION ALARM SYSTEM

A crisis or emergency may warrant an evacuation of the school building(s). Once notified of an emergency situation, the Incident Commander, will carry out the initial response actions delineated in the Emergency Preparedness and Crisis Response Plan. In consultation with members of the Incident Command Team, the principal will determine whether an evacuation is warranted or is the safest action given the character of the emergency. Incident Command Team members will immediately assume their designated response duties as activated by the Incident Commander. The Disaster Response Officer will ensure, during the evacuation itself, that all evacuation assistance personnel are operative and performing their respective duties as assigned. When a decision is made to evacuate, the Assembly /Shelter and Care Team leader will immediately report to the assembly area and inspect the area for hazards. The Assembly /Shelter and Care Team leader will notify the Disaster Response Officer immediately if the area is safe. If not, the Assembly /Shelter and Care Team will advise that the evacuation be done to the alternate assembly location. This evacuation may be a partial evacuation of only portions of the building in a localized emergency [e.g., a small chemical spill] or it may be a general evacuation of all building. When an evacuation is ordered, students and staff will be notified according to the site's Preparedness and Crisis Response REMS packet. If deemed appropriate and safe, the school's fire alarm will sound in the event of a general building evacuation. If neither mechanical system is operable, the Incident Commander will utilize office, custodial or student personnel to notify classrooms of the need to evacuate.

COORDINATING THE EVACUATION

Upon receiving the order to evacuate, staff will assume their designated positions in the school. They will then monitor the evacuation procedures and assure that all persons have left the building. Staff are also responsible to ensure that all disabled persons in the building are assisted as necessary.

1. Take emergency backpack, and attendance information.
2. Teachers evacuate with current class. If evacuation occurs outside of a class period: Return to previous class
3. Upon exit lock door to indicate room is all clear and lock door. Keep unlocked if victim is inside.
4. Check with buddy teacher. Assist/evacuate both classes if needed.
5. If on prep or don't have a class: move to nearest evacuation area and assist
6. Check common areas while evacuating.
7. Evacuate to primary location via assigned route, adjust as needed.
8. At evacuation location, line up, and take attendance.
9. List missing students on Share 911
10. Stay with class unless you are released to assume other duties.
11. Release from drill will be PA announcement/bell
12. Communicate with your students and maintain control.

EVACUATION ASSEMBLY AREAS

When ordered to evacuate, students and staff will follow the evacuation route prescribed for their respective areas and exit the building in an orderly and controlled manner. Any volunteers or visitors to the classroom should be advised to go with the classroom to the assembly area. ALL students and staff must report to the assembly area and remain there until the Incident Command Team, via the Assembly/Shelter and Care Team, notifies them it is clear to return to the building. Under no circumstances are students to leave the area unless released by the teacher in strict accordance with the school's Student Release Procedures as outlined in the site's Preparedness and Crisis Response Cliff Notes. This will not be done unless it is authorized by the Incident Command Team. Teachers MUST take a head count of all persons under their care to ensure that all students, volunteers and visitors are present. This will be reported to the Assembly /Shelter and Care Team as outlined in the site's Preparedness and Crisis Response Cliff Notes.. If someone is deemed missing, the teacher is to immediately report this fact to the Assembly /Shelter and Care Team as outlined in the site's Preparedness and Crisis REMS packet.

ACCESS CONTROL PERSONNEL

Whenever an evacuation is called, the designated Security/Traffic response team (designated prior to an emergency) will automatically assume duties as traffic controllers to prevent unauthorized public vehicles or persons access to the school campus and building(s). They will function according to the duties delineation shown in the Emergency Preparedness and Crisis Response Plan.

STUDENT EARLY DISMISSAL AND EMERGENCY SCHOOL CLOSURE

During school hours, all students are considered under the care and supervision of school staff. In all circumstances, and especially in the event of emergency incidents or circumstances, the safety of the students and the school staff is of paramount importance. All actions taken shall bear in mind the safety and well-being of both students and school employees. Thus, in the event of a major emergency incident or disaster during school hours, school will not be dismissed without the expressed and clear authorization of the District Superintendent or a designee, and children will remain under the supervision of school authorities. Students will only be released from school and District responsibility in strict accordance with the procedures outlined in the District's Early Release Policy as described below. Parents/guardians or designated emergency contacts who come to the school to pick up students must properly identify themselves in order for their children to be released.

RELEASE OF STUDENTS FROM SCHOOL

AUSD and this school want to reunite parents with their children at the earliest time possible after an emergency situation or major disaster event. However, if it is not possible for parents to pick up their children or make arrangements for others to do so, students will be held at the school or other area until such time as they can be safely released. Each year the school will notify all parents of the procedure for reuniting parents with children in the event of an emergency at school. Parents are encouraged to print out and complete data confirmation each year and update their emergency contacts. In the event students are held at a school, they may be released only to the student's own parent(s) or a person authorized beforehand by the parent. As a part of annual registration, sites collect emergency contact information in AERIES. From AERIES, Emergency Cards shall be printed and used for this purpose. It is recommended sites print copies for teachers to have on hand in their emergency packs along with roll information. Office shall also print out the Emergency Student List or Emergency Cards and Parents or others must check with this school's Student Release team at the emergency Student Release Location prior to pick up of their children. Teachers will release students according to the procedure outlined under the Emergency Student Release Procedures described below.

EMERGENCY RELEASE PLAN PROCEDURES

Teachers will utilize the following procedures to properly release students from their care to a parent, legal guardian or person authorized in writing to pick up the student:

1. At time of emergency, students remain with their current classes. Teacher takes roll on an Accountability Form and await direction from Incident Commander via Student Release team.
2. Incident Command will communicate with district office for dismissal directive. Students will report to (first period or other) classes, upon Student Release team directive.
3. Students will be released only to authorized adults listed on the Emergency Card or Emergency Student List. Adults picking up students must sign Student Release Log and indicate destination. Unless otherwise directed by Incident Commander via Student Release officer, a runner takes message to teacher with name of student being released and name of adult picking up student. Teacher double-checks sign-out sheet, stamps/marks student and releases.
4. Students may go home with people listed on Emergency Card or Emergency Student List if parent can't be reached.
5. Periodically, as students are released, remaining students will be consolidated.
7. Teacher takes attendance after each consolidation, informs Assembly/Shelter and Care team as well as the Student Release team, and keeps all documentation.

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

Component:

Component I: The Social Climate, People, and Programs

Element:

Identify proposed changes to or the addition of curriculum, strategies and programs that ensure a safe and orderly environment. Continue to strengthen key components of MTSS as they pertain to school culture and student mental health/wellbeing.

Opportunity for Improvement:

Continue MTSS alignment with post-pandemic needs and resources, with focus on:

- Tier 1 Build school culture via bonding events and programs run through the Leadership class. Collaborate with student leaders on the events calendar and events curriculum.
- Tier 2 Build an art therapy group run by one of our parentered therapists
- Tier 1 Continue the RISE PBIS program of student recognition and curriculum across content areas.
- Tier 3 Use COST to utilize the resource of 1-1 therapeutic support for students

Objectives	Action Steps	Resources	Lead Person	Evaluation
Rebuild School Culture	Revise and develop bonding events to connect students between grade levels	ASB funds, Student Leadership previous events/calendars	Anthony Long/Tracy Corbally	End of year student survey to capture Deltas and Pluses and inform next year; ongoing formative assessments of events by students
RISE PBIS Program	Tiered Fidelity Inventory and map out annual events and benchmarks, meet once monthly in committee including student rep, counselor, advisor, admin; reboot RISE rewards program	Parent donations for RISE rewards, staff collaboration, Intervention Lead support	Ripon Mann/Cassie Ferguson/Tracy Corbally	TFI, formative team assessments
COST-- Maximize 1-1 therapeutic support for students	Secured confidential meeting space and schedule for 2 therapists to work 3 days; coordinate with partners AFS and KCCEB to refer and follow up on students to maintain wraparound support for students	KCCEB and AFS therapists; support from COA to provide the space	Ripon Mann/Tracy Corbally/Christina Yu/Kelvin Arenas	COST team notes

Component:

Component II: Physical Environment

Element:

Identify proposed changes to or the addition of strategies and programs that ensure a safe and orderly environment. Re-establish safety measures, protocol and procedures for postpandemic in person school in our new campus setting.

COA Map: https://drive.google.com/file/d/1nU_78MI_KozjxfRaJ0QdkbdnCKvzodMB/view?usp=sharing

ASTI Site Map: <https://drive.google.com/file/d/1zMXDXBqJutCwY5k4vKr0QRAAIBHCg6y6/view?usp=sharing>

Opportunity for Improvement:

Goal:

- Align ASTI/AUSD safety protocol with host college COA/Peralta
- reestablish drills procedures and practice with new technologies

Objectives	Action Steps	Resources	Lead Person	Evaluation
align safety protocol with COA	Admin attends COA & AUSD safety trainings & committee meetings with AUSD representatives, shared communication technology (radios, share911) with COA and AUSD, Marina Security patrols and communication, alert college to drills schedule, refined and align intruder protocol, participate in college-wide staging drill TBD	Share911, radios, intercom security staff	Tracy Corbally/Vernon Walton/Diana Bajrami/Shuntel Nathaniel	Ongoing formative as COA is replacing some staff members who left
Continue drill procedures with new technologies	Create and implement drills calendar, including fire, earthquake, lockdown, shelter in place. Collaborative drill with AUSD & COA. Both schools use ALICE protocol. Utilize intercom, share911, radios for broadcast and integration of Marina Security/police/emergency as needed, Marina Security patrolling ASTI campus on their rounds	share911, radios, intercom, security staff	Tracy Corbally/Vernon Walton	Drills calendar complete, posted to sharepoint, implemented with formative assessment during and after each drill.

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

Alameda Science and Technology Institute Student Conduct Code

ALAMEDA UNIFIED SCHOOL DISTRICT DISCIPLINE AND INTERVENTION PROTOCOL

Alameda Unified School District is committed to creating a safe and positive school culture in which all students feel included, supported, and respected. We want to help eliminate inequality in the use of punitive consequences and provide each child with excellent teachers who are equipped to promote academic and social emotional growth in all students. AUSD takes a positive approach to student behavior and the use of restorative practices to minimize the need for punitive consequences and maximize instructional time for every student. We recognize the importance of developing the social and emotional health of all youth and adults in our organization.

The following chart indicates the types of disciplinary action that may apply to each type of infraction. In each instance, an opportunity to teach appropriate behavior through the use of intervention, restorative practices and a corrective action is stated. Each situation or violation involving student conduct should be individualized and the least punitive action based on the violation should be taken. The administrator shall, however, determine whether a specific infraction warrants the corrective action described on the chart. Corrective action taken by the administrator shall take place after progressive discipline interventions by the school fail to bring about proper conduct. These corrective measures are intended to assist in teaching appropriateness and responsibility, while maintaining consistent student discipline on campus.

See Link to discipline matrix: <https://docs.google.com/document/d/1YyzYC48Eq5WsTycFdS35jhrGP4G3nALhYghgdznwzuQ/edit#>

Conduct Code Procedures

(K) Hate Crime Reporting Procedures and Policies

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

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

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

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

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

As necessary, the district shall provide counseling, guidance, and support to students who are victims of hate motivated behavior and to students who exhibit such behavior.

When appropriate, students who engage in hate-motivated behavior shall be disciplined.

The Superintendent or designee shall provide staff with training that:

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

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

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

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

Complaints

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

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

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

(J) Procedures to Prepare for Active Shooters

When responding to a situation that requires our school to go into lockdown (this may include, but is not limited to, an active shooter in the building), the ALICE (Alert, Lockdown, Inform, Counter, Evacuate) protocol will be followed.

ALERT

Purpose: To use clear, concise language to indicate presence and location of active shooter or other harmful individual.

Indicate lockdown and the harmful presence and/or location of threat. For example, "LOCKDOWN, There is an active shooter in the Computer Lab," or "LOCKDOWN, an armed gunman is walking through the first floor long hallway."

Anyone can alert the school community to such a situation. Do not wait for or rely on Administration or the front office staff to make the announcement. If a staff or faculty member undoubtedly sees or is notified of a harmful individual inside the school building, he or she has the authority to alert the rest of the school community of a lockdown. Some ways to alert include: the PA system, Using the classroom phone to activate LOCKDOWN, yelling, using share 911. Faculty and staff must use any means available to them to alert the school community and to spread the word. This may be a team effort where a group of individuals work together to inform everyone. If the opportunity to escape presents itself, you should do so and report to the predetermined Rally Point.

LOCKDOWN

Purpose: To allow for an aggressive use of current technology and procedures.

A traditional lockdown procedure is the first best option when in a high-risk area (or near the harmful individual). If you do not know if you are in a high-risk area, assume you are high risk and proceed to lockdown. If remaining in lockdown remains the best option, all members of the school community should work together to protect themselves.

First, close and lock classroom doors. Use belt or backpack strap to secure door handle if possible.

Create a barricade between you and students in the classroom and the intruder on the outside; use desks, chairs, shelves, cabinets and other pieces of furniture to block entry and to provide more time for survival (have smaller items near at hand in event intruder enters the room)

Gather in the area furthest from the entry point to the room; greater distance means greater safety.

Taking attendance and maintaining order are not the priority.

INFORM

Purpose: To continually communicate the shooter's whereabouts using direct and clear language. (Use Share 911 and the PA system)

By communicating with the school community, all members can make well-informed judgment calls and can be aggressive in protecting themselves. Students, faculty and staff should use every opportunity to alert others and to communicate the whereabouts of the harmful individual.

The use of share 911, phones (school or cell), yelling, and PA system are encouraged to communicate the whereabouts and will keep the intruder off balance. Working together to make informed decisions will put the intruder at a disadvantage.

COUNTER

Purpose: To apply skills to distract, confuse and gain control.

Counter is an absolute last resort. If one finds himself in close proximity to the intruder (no chance to flee or safely get away), he should apply the following counter movements to increase chances of survival:

- Throw objects at the intruder
- Distract the intruder by noise and/or movement
- Run away in a zig zag pattern
- Swarm the intruder
- Flight or fight but do not freeze
- Turn chaos into an advantage
- Use body weight and gravity to gain control

EVACUATE

Purpose: To remove as many people as possible from the danger zone to minimize targets of opportunity.

If you know the intruder's whereabouts and you are not in a high-risk area, you should Evacuate to the school's Rally Point. Only people on the first floor should exit through the windows if necessary. People on the 2nd and 3rd floors should not evacuate through windows as this may cause harm and use the safest stairwell then exit the school to the Rally Point.

REUNIFICATION

Purpose: To reunify students with their parent/guardians in a safe location

Procedures for Preventing Acts of Bullying and Cyber-bullying

Definitions:

Bullying is an unwanted, aggressive behavior that involves a real or perceived imbalance of power between individuals with the intent to cause emotional or physical harm. Bullying can be physical, verbal, or social/relational and involves repetition or potential repetition of a deliberate act.

Cyberbullying includes the electronic creation or transmission of harassing communications, direct threats, or other harmful texts, sounds, or images. Cyberbullying also includes breaking into another person's electronic account or assuming that person's online identity in order to damage that person's reputation.

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

- Physical bullying that inflicts harm upon a person's body or possessions, such as hitting, kicking, pinching, spitting, tripping, pushing, taking or breaking someone's possessions, or making cruel or rude hand gestures
- Verbal bullying that includes saying or writing hurtful things, such as teasing, name-calling, inappropriate sexual comments, taunting, or threats to cause harm
- Social/relational bullying that harms a person's reputation or relationships, such as leaving a person out of an activity on purpose, influencing others not to be friends with someone, spreading rumors, or embarrassing someone in public
- Cyberbullying, such as sending demeaning or hateful text messages or emails, sending rumors by email or by posting on social networking sites, or posting embarrassing photos, videos, web site, or fake profiles

Measures to Prevent Bullying:

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

- Ensuring that each school establishes clear rules for student conduct and implements strategies to promote a positive, collaborative school climate
- Providing to students, through student handbooks and other age-appropriate means, information about district and school rules related to bullying, mechanisms available for reporting incidents or threats, and the consequences for engaging in bullying
- Encouraging students to notify school staff when they are being bullied or when they suspect that another student is being bullied, and providing means by which students may report threats or incidents confidentially and anonymously

- Conducting an assessment of bullying incidents at each school and, if necessary, increasing supervision and security in areas where bullying most often occurs, such as classrooms, playgrounds, hallways, restrooms, and cafeterias
- Annually notifying district employees that, pursuant to Education Code 234.1, any school staff who witnesses an act of bullying against a student has a responsibility to immediately intervene to stop the incident when it is safe to do so

Staff Development:

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

The Superintendent or designee shall provide training to teachers and other school staff to raise their awareness about the legal obligation of the district and its employees to prevent discrimination, harassment, intimidation, and bullying of district students. Such training shall be designed to provide staff with the skills to:

- Discuss the diversity of the student body and school community, including their varying immigration experiences
- Discuss bullying prevention strategies with students, and teach students to recognize the behavior and characteristics of bullying perpetrators and victims
- Identify the signs of bullying or harassing behavior
- Take immediate corrective action when bullying is observed
- Report incidents to the appropriate authorities, including law enforcement in instances of criminal behavior

Student Instruction:

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

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

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

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

Reporting and Filing of Complaints:

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

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

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

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

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

Discipline/Corrective Actions:

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

When appropriate based on the severity or pervasiveness of the bullying, the Superintendent or designee shall notify the parents/guardians of victims and perpetrators and may contact law enforcement.

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

(Education Code 48900.9)

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

Emergency Contact Numbers

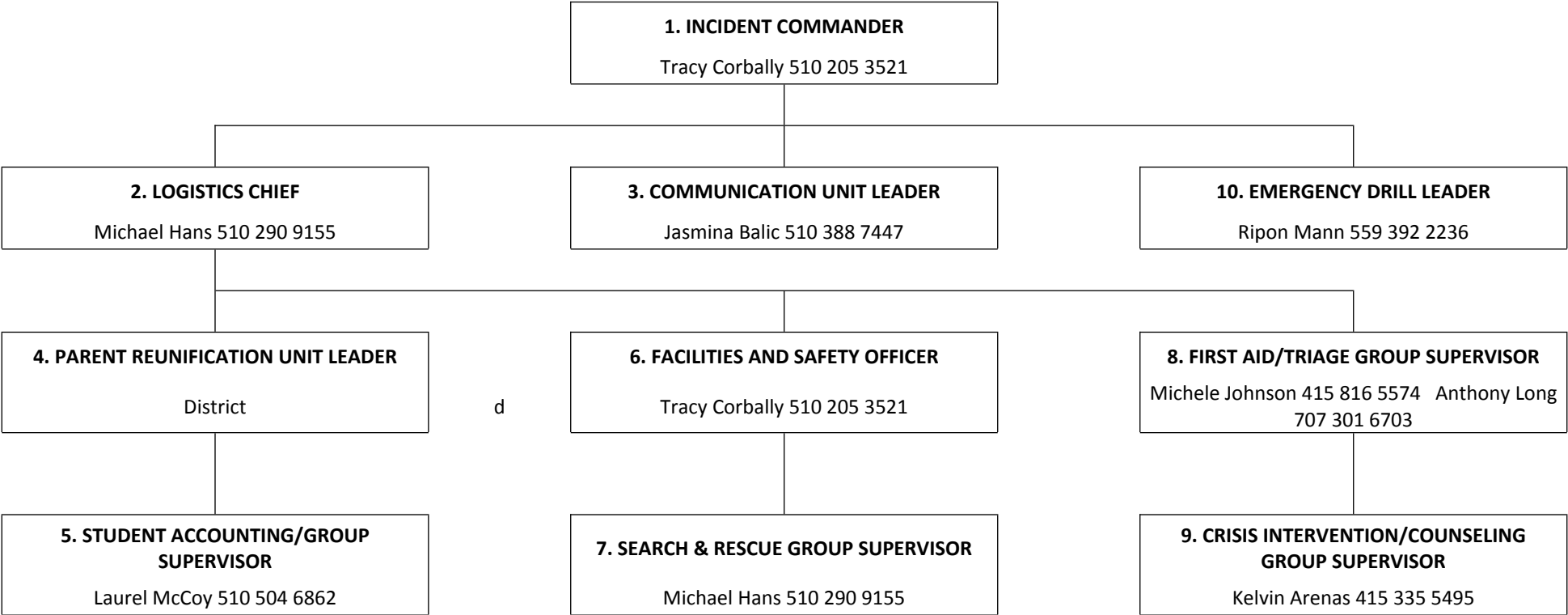
Utilities, Responders and Communication Resources

Type	Vendor	Number	Comments
City Services	City of Alameda	510-747-7400	
Other	County of Alameda	510-208-9770	
Law Enforcement/Fire/Paramedic	APD Non-Emergency	510-337-8340	
Law Enforcement/Fire/Paramedic	POLICE DEPARTMENT 911	911	
Other	Hazardous Materials Unit	510-567-6702	
Other	HEALTH DEPARTMENT - Alameda County	510-267-8000	
Local Hospitals	Alameda Hospital (Emergency Room)	510-522-3700	
American National Red Cross	RED CROSS	510-595-4400	
Law Enforcement/Fire/Paramedic	Marina Campus Security (CoA/PCCD)	510-466-7236	

Safety Plan Review, Evaluation and Amendment Procedures

Activity Description (i.e. review steps, meetings conducted, approvals, etc)	Date and Time	Attached Document (description and location)
Faculty Meeting Emergency response training with all staff	9.18.2023	Emergency response training with all staff
Faculty Meeting Review of Safety Plan and procedures, roles and responsibilities, maps and evacuation routes	10.23.2023	Review of Safety Plan and procedures, roles and responsibilities, maps and evacuation routes
Drills	Ongoing- see attached schedule	Drill Schedule
CoA Safety Meetings	TBD	COA Invitation/Agenda Sample
Student Campus Safety & Mental Health Assembly	9.8.2023	Student Handout
School Site Council Review of Safety Plans	10.25.2023	SSC Agenda
Intruder Response Protocol Created with AUSD & CoA	Fall 2022	Intruder Protocol
School Site Council Approval of Safety Plan	10.25.2023	SSC Minutes

Alameda Science and Technology Institute Incident Command System



Incident Command Team Responsibilities

Standardized Emergency Response Management System Overview

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

SITE ORGANIZATION DURING A DECLARED EMERGENCY COMMAND POST PERSONNEL AND DUTIES

If notified of a Declared Emergency from the Superintendent's Office, OR if the site suffers a severe disaster, the Site Manager shall immediately implement the plans and procedures in the Site Emergency Plan.

The Site Manager or Incident Commander shall:

- A. Activate alarm/Broadcast Alert on Share911 and PA to notify staff
- B. Activate Command Post and 2-way radio
- C. Activate Emergency Teams
- D. Assess total school situation
- E. Make initial site assessment report on Share911 to District Emergency Operations Center.
- F. Check to see that Site Emergency Teams are operating
- G. Assign messengers to needed areas
- H. Request help from 911 or Emergency Operations Center as required
- I. Secure information from Emergency Teams Update Site Status Reports - Report to the Emergency Operations Center
- J. Reassign team members to other duties as required when they finish initial assignment duties
- K. Personally address these items:
 - 1. Is campus secure?
 - 3. Are utilities off or secure?
 - 4. Are signs directing adults to release area up?
 - 5. Are traffic controllers needed?
 - 6. Is First Aid Center functioning?
 - 7. Have buildings been searched for victims?
 - 8. Is the student release program set up and operational?

Logistics Chief: The Site Office Manager shall:

- A. Report immediately to the Command Post with:

1. Master keys
2. Current roster of students and staff
3. Emergency forms and documents
4. Office supplies to assist unit leads

B. Assume responsibilities as directed by Site Manager

The Site Clerical Staff shall:

A. Team up with other personnel as a member of a Site Emergency Team, otherwise:

B. Report to the Site Command Post and assume responsibilities as directed by the Site Manager

The Attendance Clerk shall:

A. Keep a current file of all students release information from forms parents are required to fill out authorizing listed persons to pick up their children in case of a severe emergency. The Attendance Clerk will take these records to the Student Release Area in the Cafeteria and give them to the Student Release Team to use.

The Site Custodians shall:

A. Check the condition of the utilities and connecting pipes and lines and if necessary, turn them off.

B. Check the site completely for:

1. Fire and electrical hazards
2. Chemical hazards (Chlorine storage)
3. Other hazards

C. Notify Site Manager of hazards and services needed

D. Barricade hazardous areas using whatever materials handy

E. When site is secure, report to the Command Post for direction

F. Open emergency container and provide emergency sanitation areas if toilets are unavailable

Directions for the Instructional Staff During a Declared Emergency

Teachers and Para Professionals shall:

A. Respond immediately to emergency signals requiring specific actions and check in on Share911

B. If signal is one to Leave Building, know if signal is for:

1. Fire evacuation

2. Earthquake evacuation
3. Chemical spill evacuation

Evacuate Accordingly!

A. When leaving building:

1. Take emergency backpack
2. Require students to be silent in order to hear instructions
3. Close doors to classroom
4. Go directly to pre-assigned location

B. Check with nearby classrooms when evacuating. If there are seriously injured persons who cannot be moved, assign one teacher to remain and the other to evacuate the rest of the students. Report on Share911

C. Teachers shall provide First Aid to the best of their ability to students under their supervision until the emergency First Aid station is activated. Students with major injuries are to remain in the classroom supervised by a teacher or aide. Students with minor injuries are to be cared for after evacuation.

D. Upon reaching evacuation destination, teachers shall:

1. Take roll
2. List missing students on Share 911 and on paper
3. Give list to Assembly Area Team members
4. Calm students. Remind them of District policies about remaining at school
5. Monitor warmth and protection of students. Move if necessary

E. If assigned to a Site Emergency Team, transfer your students to paired teacher to supervise, report immediately to the Command Post for supplies and begin implementation of Team responsibilities.

USE REMS TO ESTABLISH YOUR EMERGENCY SITE TEAM

Note: Contact listing is intended to be shared with team members to enhance communication in the event of a critical incident. It is recommended that the Principal and Designee establish an intranet list server to further enhance communications. The personal information listed is intended for team members. Please type name and number under each assignment.

REMS Team Members Primary Contact/Cell number Secondary Contact/Cell number

Incident Commander:

Establishes an Incident Command Center, lists incident objectives and designates the following positions to perform the following duties.

Logistics Chief:

Supports each unit leader with where to find the necessary tools to support the team fulfilling their duties.

Report immediately to the Command Post with:

- Master keys
- Current roster of students and staff
- Emergency forms and documents
- Office supplies to assist unit leads
- Computers and walkie talkies
- Assume responsibilities as directed by Site Manager

Communication Unit Leader:

Works with the incident commander to communicate out important information to all supervisors and the public.

Report immediately to the Command Post with:

- Computer
- Office supplies

Parent Reunification Unit Leader:

Reunification refers to getting students reunited with their parents or guardians in an efficient and orderly manner. Reunification can be an enormous challenge and takes a lot of planning.

The Student Release Team is responsible for:

- Setting up secure reunion area
- Checking student emergency cards for authorized releases
- Completing release logs
- Coordinating with the Public Information Office on external messages

Student Accounting/Group Supervisor:

Evacuation, shelter, and student care in an emergency is one of the most important tasks faced by schools. It includes student accounting, protection from weather, providing for sanitation needs, and providing for food and water and releasing of students to their guardians.

The Evacuation/Shelter/Care Team is responsible for:

- Accounting for the whereabouts of all students, staff, and volunteers
- Setting up secure assembly area
- Managing sheltering and sanitation operations
- Managing student feeding and hydration
- Coordinating with the Student Release Team
- Coordinating with the Logistics Section to secure the needed space and supplies

Search & Rescue Group Supervisor:

Search & Rescue Teams search the entire school facility, entering only after they have checked the outside for signs of structural damage and determined that it is safe to enter. Search & Rescue Teams are responsible for ensuring that all students and staff evacuate the building (or, if it is unsafe to move the persons, that their locations are documented so that professional responders can locate them easily and extricate them).

Search & Rescue Teams are also responsible for:

- Using Share 911 to identify where injuries may exist
- Obtaining injury and missing student reports from teachers
- Moving injured members from building if emergency responders are unable to do so
- Identifying and marking unsafe areas
- Conducting initial damage assessment

First Aid/Triage Group Supervisor:

First Aid Teams provide triage and treatment for students and other disaster victims. First Aid Teams are responsible for setting up first aid area for students, assessing and treating injuries, and completing master injury report.

First Aid Teams are responsible for:

- Setting up a first aid area for students
- Assessing and treating injuries
- Completing master injury report

Note: The Logistics Section Medical Unit provides care to responders. The Operations Section First Aid Team is dedicated to students or other disaster victims.

Crisis Intervention/ Counseling Group Supervisor:

The Crisis Intervention Team is responsible for assisting students and school personnel who are unable to cope with the fears and psychological trauma associated with emergencies and disasters.

This includes:

- Assessing need for onsite mental health support
- Determining need for outside agency assistance
- Providing onsite intervention/counseling
- Monitoring well-being of school emergency team, staff, and students, and reporting all findings to the Operations Section Chief

Facilities and Safety Officer:

The Facilities & Security Response Team is responsible for:

- Locating all utilities and turning them off, if necessary
- Securing and isolating fire/HazMat
- Opening Emergency Trailer
- Assessing and notifying officials of fire/HazMat
- Conducting perimeter control

Emergency Drill Leader:

The Emergency Drill Leader is responsible for:

- Training staff
- Coordinating and running all required drills
- Monitoring participations
- Reviewing after action reports
- Reporting to the incident commander

LIST SEARCH TEAM DUTY DESCRIPTIONS

EXAMPLE: If assignment is SEARCH TEAM:

Take heavy gloves, flashlight, hard hat and masking tape (no entry) from Emergency Backpack.

Leave Emergency Backpack and students with designated teacher (see previous page).

Report to INCIDENT COMMAND CENTER near gate in lower yard meet with search team partner(s).

Receive directions for search instructions from Search team supervisor.

LIST WHO WILL BE:

SEARCH TEAM #1 Aimee Cole, Ripon Mann

SEARCH TEAM #2 Jon Hallstead, Lynn Lebo-Planas

LIST FIRST AID FUNCTION

EXAMPLE: Minimize injuries and loss of life: provide temporary care of injured students.

Set up desk at picnic tables behind multipurpose room (or if unsafe here, on blacktop near multipurpose room).

Organize supplies and treatment area.

Help with wounded.

Keep Check Out Station informed.

Request additional help (ambulances, etc.) through Check Out Station.

Look up emergency information if necessary.

LIST WHO WILL BE:

TREATMENT Anthony Long/Michele Johnson

TRIAGE Anthony Long/Michele Johnson

RECORDER Laurel McCoy

List the things you will have to accomplish and assign to operations section or logistics section.

Examples:

Set up table, chairs and sign "Incident Command Center"

Set up operations table, logistics table.

Set up a first aid station

Put traffic cones in the street, blocking off access to the parking lot entry drive

Set up people to handle the check out of students. Display signs A-L, M-Z. Have emergency card information forms out.

Record finding of search teams

List any unaccounted for students and those in First Aid or in need of first aid.

Keep track of the walkie-talkies

Listen to radio

Use runners as necessary to retrieve information and students

Organize parent line-up and announce using bullhorn to parents that students have been evacuated

Assist in calming and organizing parents

Provide pen and paper for non-English speaking students to write their name

Communicate to District Personnel

INCIDENT COMMAND POST – Located in office

The Site Manager or designee is the final authority at each school. He/she must be available for all decisions, information and authority during the time the schools are isolated.

Therefore, the Site Manager and the Command Post should be housed in a central area, i.e., the front of the school, where the manager is available to radio, telephone, emergency equipment or personnel and parents.

The Command Post will begin to operate immediately after a disaster.

This is where the record keeping, communication, and major decision making will take place. The Site Manager or Incident commander will be here.

In addition, a separate Student Release Area will be established to coordinate the release of students to authorized adults. Student release area will be in the bike cage (if inaccessible at the end of the parking lot behind the second gate.

Emergency Release Information Forms are needed at the Release Area to document the release of all students.

While the Command Post is functioning, The First Aid and Search/Assessment Teams will carry out their functions and provide information to the Incident commander about the:

1. Condition of students
2. Condition of staff
3. Condition of facilities

Management

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

Planning & Intelligence

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

Operations

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

Logistics

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

Finance & Administration

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

Types of Emergencies & Specific Procedures

Aircraft Crash

FALLEN AIRCRAFT

DEFINITION/DESCRIPTION

If an aircraft falls near the school, the principal will determine which emergency action, if any, will be taken. Local fire and police departments will be responding also. All students and staff should be kept at a safe distance to protect them from possible explosions and/or fire.

IMMEDIATE ACTION

Principal

- Determine which Action, if any, should be implemented.
- Where necessary, tell teachers they may need to take immediate action for the safety of students without waiting for directions from the principal.
- Determine, if possible, whether the aircraft is military, commercial or private. Contact the local police to determine appropriate action and refer all members of the press to the Emergency Operations Center.

Principal's Secretary

- Respond to calls.
- Assist principal as needed.
- Refer all members of the press to the Emergency Operations Center.

Teachers

- Follow principal's direction as to appropriate Action.
- Depending on the nature of the accident you may need to take Action DROP or Action TAKE COVER to protect students from a possible explosion and/or fire.

FOLLOW UP ACTION

Principal

- Provide up-to-date information to staff and students as it becomes available and arrange school site meetings to make assignments and determine plans.
- Coordinate activities of the school site team.
- Maintain contact with Emergency Operations Center and Superintendent's office.
- Arrange after-school staff meetings to debrief and clarify events.

Teachers

- Read bulletins/announcements as provided by the principal.
- Refer all media to the principal's office.
- Cooperate with the school site team to provide follow-up as appropriate.
- Refer for counseling students who may be at risk.
- Return to normal instructional activities as soon as possible.

Animal Disturbance

If a rabid or vicious animal is at or in the vicinity of the school, the Animal Control Center should be notified immediately. Teachers shall be notified Shelter In Place. Students outside of the building will be quietly and cautiously sent into the nearest building and secured in a room behind closed doors. Notify the Superintendent's Office.

Armed Assault on Campus

Follow A.L.I.C.E Procedures

Biological or Chemical Release

CHEMICAL SPILL

1. An announcement will be made to either Shelter in Place or evacuate the building and gather in the Assembly Area, depending on the situation.
2. The announcement will be made by the P.A. system, or if this fails to operate, messenger will alert classes.
3. If the Assembly Area is not safe, students will be evacuated to Lincoln Park, depending on the area of the spill and direction of the wind.

CHEMICAL ACCIDENT

1. DEFINITION/DESCRIPTION

Chemical accidents of disaster magnitude would include tank truck accidents involving large quantities of toxic gases or toxic liquids. This type of accident will likely be reported by an outside source unless the accident has occurred immediately adjacent to the school site.

2. IMMEDIATE ACTION

Principal

- a) Receive information about/review situation to determine if evacuation routes are safe (move crosswind to avoid fumes).
- b) Determine which action should be implemented.
- c) Sound alarm for appropriate action.
- d) Notify/maintain contact with Superintendent/Emergency Operations Center.
- e) Determine what further action to take.

Teachers

- a) Implement appropriate action, using alternate evacuation route if required.
- b) Maintain control of students.
- c) Take roll. Report students who are absent.
- d) Notify principal of any problems in/around area
- e) Notify principal of need for first aid, as appropriate.

Custodian

- a) Review situation to assess extent of spill, wind direction and proximity to building.
- b) Report findings to principal.
- c) Be prepared to direct fire/police department to spill site.
- d) Assist in spill clean-up or containment, as appropriate.

3. FOLLOW UP ACTION

Principal

- a) Determine, in coordination with M.O.F./Fire Department, whether buildings are habitable.
- b) Notify staff/students of any modification in schedule.
- c) Work with Emergency Operations Center to publicize information regarding accident.
- d) Arrange school site meeting to provide information to staff.

Principal's Secretary

- a) Screen all calls. Refer public to Emergency Operations Center.
- b) Refer media to Emergency Operations Center.
- c) Prepare necessary bulletins.

Teachers

- a) Read bulletins/announcements as provided by principal.
- b) Refer all media to principal's office.
- c) Cooperate with school site team to provide follow-up, as appropriate.
- d) Refer for counseling students who may be at risk.
- e) Return to normal instructional activities as soon as possible.

Bomb Threat/ Threat Of violence

1. DEFINITION/DESCRIPTION

A bomb threat will typically be received in writing or by telephone call. Responses will generally be the same with the initial exception of a person receiving a telephone threat. A copy of the Bomb Threat Checklist should be readily available for every administrative phone responder.

2. IMMEDIATE ACTION – Telephone Threat

Person Receiving Call

- a) Keep the caller on the line. Delay the caller with such statements as: “I’m sorry, I did not understand you. What did you say?”
- b) Use Bomb Threat Checklist (see form at the end of this “Bomb Threat” section). Get as much information as possible from the caller.
- c) Immediately after caller hangs up, report all information to principal.

All Office Personnel

Immediately search your work area for foreign or suspicious objects or packages. If one is found, DO NOT TOUCH OR MOVE IT!!

IMMEDIATE ACTION – Written Threat

Person Receiving Written Message

Give the message to the principal immediately upon identification.

Principal

- a) Receive/review all information about bomb threat.
- b) Determine which action should be taken.
- c) Initiate non-electronic evacuation procedure; i.e. runner or bullhorn, since electronic warnings could activate any device, being sure all evacuation routes are clear.
- d) Notify Superintendent/Police/Fire Department.
- e) Direct search of office complex, evacuation site and classrooms.
- f) Determine what further action should be taken.

Teachers

- a) Implement appropriate action, using alternate evacuation route if required.
- b) Maintain control of students.
- c) Take roll. Report students who are absent.
- d) Notify principal of any problems in or around area.
- e) Hold students until designated evacuation area has been searched and declared safe, and then conduct students to the cleared area.

Teachers assigned to the designated evacuation area will remain with the pupils; personnel who are assigned to search teams will report to the principal for briefing.

If notification of a threat is received and immediate evacuation is not ordered, teachers will search their classrooms for any unidentifiable objects. If nothing is found, resume instruction until the evacuation order is received.

Custodians

- a) Under the direction of the principal, immediately proceed with a thorough search of designated evacuation area (or other area large enough to contain the students) to provide a safe place for students evacuated from the buildings.
- b) Search, as required, to determine that no explosive is hidden in a book, clothes locker or restroom.

3. FOLLOW UP ACTION

Principal

- a) Determine, in coordination with M.O.F. and Fire Department, whether buildings are habitable.
- b) Notify staff/students of any modification in schedule, via special bulletin or telephone tree.
- c) Work with Emergency Operations Center to put messages on TV, radio and telephone system regarding any modifications in schedule.
- d) Arrange school site meeting to discuss plan.

Principal’s Secretary

- a) Screen all calls. Refer calls to Emergency Operations Center.
- b) Prepare necessary bulletins.

Teachers

- a) Read bulletins/announcements as provided by principal.
- b) Refer all media to principal's office.
- c) Cooperate with school site team to provide follow-up as appropriate.
- d) Refer for counseling students who may be at risk.
- e) Return to normal instructional activities as soon as possible.

EXPLOSION OR THREAT OF EXPLOSION

1. DEFINITION/DESCRIPTION

An explosion at the school, or the threat of an explosion, may be caused by leaking gas or a faulty boiler within a school building.

2. IMMEDIATE ACTION – EXPLOSION

Principal

Sound the school alarm.

Notify the Superintendent or Assistant Superintendent.

Notify utility companies of a break or suspected break.

Notify fire and police departments and direct further action as required.

Notify teachers of proper action (DROP or LEAVE BUILDING).

Teachers

Command DROP is given. Instruct students to react in the same manner on their own to this type of catastrophe in case it occurs when the teacher is temporarily not present.

If the explosion occurred within the building, or threatened the building, immediately implement Action LEAVE BUILDING.

Move to an area of safety and maintain control of students.

Notify principal of students needing first aid as necessary.

Fight incipient fires without endangering life.

Take roll. Report absent students to principal.

Students and staff should not return to the school until Fire Department officials declare the area safe.

IMMEDIATE ACTION - THREAT OF EXPLOSION:

Principal

Sound the school fire alarm, or silent evacuation if electronic means could set off explosion. This will automatically implement Action LEAVE BUILDING.

Follow procedures for principal -- 'c' and 'd' above.

Teacher

Follow procedures for teachers -- 'c' through 'g' above.

Disorderly Conduct

CIVIL DISOBEDIENCE/MENACING INDIVIDUALS

1. DEFINITION/DESCRIPTION

Civil disobedience is defined as any assemblage on the school premises by unauthorized persons whose purpose and conduct is inimical to the orderly conduct of the school and the laws relating to the conduct of schools and the welfare of students.

WARNING: The presence of unauthorized individuals or an alert of an impending visitation. When this condition has been reported to the principal or authority in charge, he shall transmit the warning to all classes by the public address system. If the PA system is inoperable, a messenger will be sent to each classroom.

2. IMMEDIATE ACTION

The major plan of action will be to protect all personnel from undue exposure to danger. Every effort must be made to keep classes within their rooms. The following specific steps will be taken to implement the plan of action:

Principal or Designee

- a) Transmit a Shelter in Place alert to all staff members.

- b) Call the local law enforcement agencies to provide protection and to handle arrests.
- c) Make certain that a specific crime is committed before requesting arrests.
- d) School civil disobedience crimes involving arrest are listed in the Criminal Code Procedure and include the following:
 - 1. Disturbing the Peace
 - 2. Trespassing
 - 3. Loitering Around the School Grounds
- e) The principal should make an announcement to the demonstrators similar to the following:
"I am the principal of this school. You are interfering with the orderly process of education in this school. I request that you leave. If you do not leave, I shall ask for your arrest. You are causing a disturbance."

Teachers

- a) Keep students within their locked classrooms until further notice, regardless of the bells and schedules.
- b) Lock classroom doors.
- c) Remain in charge of your class, utilizing the best judgment in occupying the students within the classroom.
- d) Precaution should be taken to protect personnel from flying glass in case of broken windows. Drapes, venetian blinds, or jalousies should be closed.
- e) Where there is evidence of a potential problem, all P.E. classes will immediately return to the locker rooms.

Custodians

Lock and secure all exterior doors.

3. FOLLOW UP ACTION

Principal

- a) Determine, in coordination with M.O.F., whether building(s) is/are habitable.
- b) Notify staff/students of any modification in schedule, via special bulletin or telephone tree.
- c) Work with Communications director to put messages regarding any modifications in schedule.
- d) Arrange school site meeting to discuss plan.

Principal's Secretary

- a) Screen all calls. Refer public to Director of Communications
- b) Refer media to Director of Communications
- c) Prepare necessary communication to community.

Teachers

- a) Read announcements as provided by principal.
- b) Refer all media to principal's office.
- c) Cooperate with school site team to provide follow-up, as appropriate.
- d) Refer for counseling students who may be at risk.
- e) Return to normal instructional activities as soon as possible.

Earthquake

Although the probability of an earthquake occurring is lower than most other emergency types, the potential for injuries and damage from one is high. It is essential that students and staff remain aware of the following basic actions:

This section removed from posted plan for security purposes. If you wish to see the full plan, contact the school principal for an appointment.

If an earthquake or other situation warrants, drop to the floor, take protective position under desks or furniture with backs to windows and hands covering head and face. Stay in position until directed to evacuate or take other protective action. If outside, move away from buildings and trees and take protective position. When situation permits, proceed to the designated assembly point. Standby: Alert students in your area to stand by for further information. Make whatever assessment of the situation is possible. Render emergency first aid as required. If inside, stay inside during ground shaking. In classrooms or offices, move away from windows, shelves and heavy objects or furniture that may fall. Take cover under a safe table, desk or counter. At the teacher's command, students should take the DROP position.

If a "shelter" (table, desk, etc.) is not available, move to an inside wall or corner, turn away from windows, kneel alongside wall, and bend head close to knees, with elbows firmly behind neck protecting face. If notebooks or jackets are handy, hold these overhead for added protection from flying glass and ceilings debris. Remain in sheltered position for at least 60 seconds or until directed to move by an adult. If in halls, on stairways, or other areas where no cover is available, students must follow the directions of the nearest teacher or school employee.

If in the library, immediately move away from windows and bookshelves and take appropriate cover. In the science lab or shops, all burners should be extinguished (if possible) before taking cover. Stay clear of hazardous chemicals that may spill. The duration of ground shaking depends on a number of factors, including the severity of the earthquake. Advise students to anticipate shorter or longer episodes of ground shaking during actual earthquakes and their aftershocks.

EARTHQUAKE HAZARDS COMMONLY FOUND IN SCHOOL BUILDINGS:

- Glass that shatters or flies around
- Objects stored above head-level on shelves, walls, and ceilings (such as unused projectors, books, science equipment, boxes)
- Objects that block movement to safe places (books on floors, tipped desks and bookcases)
- Cabinets without latches
- Objects stored on wheels
- Open shelving without a lip or restraining wire
- Free standing cabinets
- Blocked exits
- Objects in hallways that block movement (glass, tables, locker contents)

SETTLING DOWN AFTER THE FIRST SHOCK:

- After the first shock, teachers will evacuate the classrooms, being alert to the possibility of aftershocks.
- When leaving the classroom, teachers should make every effort to take with them the roll book and emergency supplies.
- Announce that no student is to return to the room unless directed to do so.
- Teachers will take classes to pre-arranged places on the campus.
- Teachers and students will remain in designated areas until re-entry to the building has been approved or they are directed to move elsewhere.
- School will remain open indefinitely until every student has been released to parents or to an authorized person.
- Do not light any fires after the earthquake because of possible gas leaks.
- If possible, notify utility companies of any break or suspected breaks in service.

THE GREAT SHAKEOUT EARTHQUAKE DRILLS

All AUSD schools are encouraged to participate in the annual Great ShakeOut Earthquake Drills. See <https://www.shakeout.org/index.html> for more information.

Explosion or Risk Of Explosion

EXPLOSION OR THREAT OF EXPLOSION

DEFINITION/DESCRIPTION

An explosion at the school, or the threat of an explosion, may be caused by leaking gas or a faulty boiler within a school building.

IMMEDIATE ACTION – EXPLOSION

Principal

- a) Sound the school alarm and report on Share911.
- b) Notify teachers of proper action (DROP or LEAVE BUILDING).

Teachers

- a) Command DROP is given. Instruct students to react in the same manner on their own to this type of catastrophe in case it occurs when the teacher is temporarily not present.
- b) If the explosion occurred within the building, or threatened the building, immediately implement Action LEAVE BUILDING.
- c) Move to an area of safety, and maintain control of students.
- d) Use Share911 to report students absent, found or needing first aid as necessary.
- e) Fight incipient fires without endangering life.
- g) Students and staff should not return to the school until Fire Department officials declare the area safe.

IMMEDIATE ACTION - THREAT OF EXPLOSION:

Principal

Sound the school fire alarm, or silent evacuation if electronic means could set off explosion. This will automatically implement Action LEAVE BUILDING.

Follow procedures for principal -- 'c' and 'd' above.

Teacher

Follow procedures for teachers -- 'c' through 'g' above.

Fire in Surrounding Area

Follow shelter in place procedures

Fire on School Grounds

DEFINITION/DESCRIPTION: A fire detected in or adjacent to any building at the school site.

IMMEDIATE ACTION

Principal or Site Safety Coordinator

- View fire or take report to determine that evacuation routes are safe.
- Notify teachers of alternate route if necessary.
- Sound school fire alarm and report on Share911.
- Determine what further action to take (i.e. send students/staff home).

Teachers

- Implement Action LEAVE BUILDING, using alternate route in necessary.
- Maintain control of students at a safe distance from the fire and fire fighting equipment.
- Take roll upon arrival at designated area. students.
- Remain with students in designated area until notified of next action.
- Notify principal of any hazards observed in/around area through Share911.
- Notify principal of need for first aid as appropriate through Share911.

Custodians

- View fire to identify location and extent.
- Report findings to principal.
- Fight incipient fire without endangering life.
- Be prepared to direct fire department to fire site.
- Shut off gas/water as appropriate.
- Shut off electricity after all necessary use of P.A. system is complete.

FOLLOW-UP ACTION

Principal

- Determine, in coordination with M.O.F. and Fire Department whether buildings) is/are habitable.
- Notify staff/students of any modification in schedule, via Share911 and special bulletin or telephone tree.
- Work with Director of Communications to put messages on TV, radio and communication system regarding any modifications in schedule
- Arrange school site meeting to discuss plan.

Principal's Secretary

- Screen all calls.
- Refer media to Director of Communication.
- Prepare necessary communications to community.

Teachers

- Read announcements as provided by principal.
- Refer all media to principal's office.
- Cooperate with school site team to provide follow-up as appropriate.
- Refer for counseling students who may be at risk.
- Return to normal instructional activities as soon as possible.

Flooding

DESCRIPTION/DEFINITION

There should be some thought and preparation for this eventuality should any sources around the school create flooding. Flooding may be the secondary effect of another disaster, such as an earthquake.

IMMEDIATE ACTION

Principal

- View flood or take report to determine that evacuation routes are safe.
- Broadcast Alert on Share911 and PA as appropriate.
- Determine what further action to take.

Teachers

- Implement appropriate Action in response to principal direction.
- Take roll upon arrival at evacuation area. Report absent students, needs for first aid and any hazards observed in/around area to principal through Share911.
- Maintain control of students at evacuation area.

Custodians

- View flood to identify location and extent.
- Report findings to principal.
- Be prepared to direct M.O.F./City to flood site/source.
- If flooding is result of school site damage, turn off water.

Follow up Plan

Principal

- Determine, in coordination with M.O.F. and Fire Department whether buildings) is/are habitable.
- Notify staff/students of any modification in schedule, via Share911 and special bulletin or telephone tree.
- Work with Director of Communications to put messages on TV, radio and communication system regarding any modifications in schedule
- Arrange school site meeting to discuss plan.

Principal's Secretary

- Screen all calls.
- Refer media to the Director of Communication.
- Prepare necessary communications to the community.

Teachers

- Read announcements as provided by the principal.
- Refer all media to the principal's office.
- Cooperate with the school site team to provide follow-up as appropriate.
- Refer for counseling students who may be at risk.
- Return to normal instructional activities as soon as possible.

Loss or Failure Of Utilities

UTILITIES LOSS OR FAILURE

CALL MOF - They will call the appropriate public works system based on the loss or failure.

LOSS OF ELECTRICAL POWER:

Consult Alameda Power

LOSS of GAS

PG&E

WATER EMERGENCY:

East Bay Municipal Utility District, colloquially referred to as "East Bay Mud

PHONE ISSUES:

Contact Technology Information Services to report phone issues.

ADDITIONAL INFORMATION:

Contact Maintenance, Operations & Facilities at extension if any utility will be off for an extended period of time.

Notify the superintendent of the situation.

If necessary, make appropriate arrangements with Maintenance and Operations for temporary communications, water delivery and portable rest rooms.

In the event of an extended outage, consult with the cafeteria manager. The cafeteria manager will consult with Food and Nutritional Services.

If an extended outage is likely, provide an update to keep parents/guardians informed.

Motor Vehicle Crash

Step1: Respond to the injured party and determine if first aid or CPR should be provided

Step 2: If 911 needs to be called have another person call while you deliver first aid or CPR

Step 3: Send another person to notify others and get any emergency equipment or information that would be helpful to the emergency

Step 4: When safe to do so, activate share 911 to communicate to staff if an ambulance is on its way

Step 5: Designate staff to the appropriate gate/entrance to help emergency services get in close proximity to injured party

Step 6: Staff are required to complete and turn in an Accident Report to administration for any injuries to any one on campus

Step 7: Accident forms need to be sent to the business office

Psychological Trauma

The sudden death, serious injury to a student or staff member either through natural causes, accidents or as the result of an act of violence, such as school shooting, missing students (known or suspected abduction), physical assault, sexual assault, non-natural or non-accidental causes or other unexpected events are, without question, a crisis. Responding to these kinds of crisis situations in a timely and effective manner is as critical as dealing with an earthquake or a fire.

1. Contact Student Services to request the District Crisis Intervention Team immediately following a serious injury, accident or death of a student or staff member.

2. Work with your school psychologist and or counselors to determine identification of short- and long-term interventions for students or staff traumatized by the event.
3. Work with the Superintendent's office to formulate a public statement.
4. Discuss the crisis in a factual manner in follow up meetings and/or communications.
5. Be sensitive to latent behavior problems that are trauma-related.

A general message will be prepared and whenever possible parents will be contacted first in order to be the first adults to provide the information and support their children. All staff will be debriefed and supported. Activities to best meet the needs of the community will be provided aimed at providing counseling, a way for all to process (writing, drawing, and sharing). Activities such as games, music and reading may be planned over a short period of time to reduce anxiety and work demands. Follow and close monitoring for students and staff to insure latent reactions and responses.

Opioid Overdose

Step (1) Call 911 An overdose is a medical emergency. It is important to have trained medical professionals assess the condition of the overdose victim. Even though Naloxone can reverse the overdose, there may be other health problems of which the responder may not be aware. In addition, people who survive any type of overdose are at risk of experiencing other health complications because of the overdose. Getting someone examined by a medical professional is an important part of reducing the harms associated with overdosing.

It is important for trained staff to remember that Naloxone only works if there are opioids involved with the overdose. It cannot reverse an overdose from benzodiazepines, meth, cocaine, or alcohol.

Step (2) Administer Naloxone (Narcan)

Open the Naloxone blister pack; do not push the plunger.

With the victim's head tilted slightly back, place two (2) fingers over the top of the medication with your thumb securing it from the bottom.

Insert the atomizer fully and gently into their nostril

Push the plunger forward with the thumb and deliver spray of medication. (There is no need to plug the opposing nostril).

Place the person to their side (recovery position).

If the individual is still not responding within two (2) minutes, give a second dose in the opposite nostril.

Follow Up

If the victim is a student, contact parent/guardian per school policy.

Complete an Accident/Injury Report

Facilitate a debriefing with responding staff

Consider a plan of care for the students' safe return to school

Emergency Evacuation Map

https://drive.google.com/file/d/1nU_78MI_KozjxfRaJ0QdkbdnCKvzodMB/view?usp=sharing

Comprehensive School Safety Plan

**2023-24
School Year**

School: Bay Farm School
CDS Code: 01 61119 6110779
District: Alameda Unified School District
Address: 200 Aughinbaugh Way
Alameda, CA 94502
Date of Adoption: 2/28/24
Date of Update: 2/15/24
Date of Review:
- with Staff 2/26/24
- with Law Enforcement
- with Fire Authority

Table of Contents

Comprehensive School Safety Plan Purpose.....	4
Safety Plan Vision.....	4
Components of the Comprehensive School Safety Plan (EC 32281).....	6
(A) Child Abuse Reporting Procedures (EC 35294.2 [a] [2]; PC 11166).....	6
(B) Disaster Procedures (EC 35295-35297; GC 8607 and 3100).....	9
(C) School Suspension, Expulsion and Mandatory Expulsion Guidelines	11
(D) Procedures to Notify Teachers of Dangerous Pupils (EC 49079).....	31
(E) Sexual Harassment Policies (EC 212.6 [b]).....	32
(F) School-wide Dress Code Relating to Gang-Related Apparel (EC 35183).....	35
(G) Procedure for Safe Ingress and Egress of Pupils, Parents, and Staff to and from School (EC 35294.2)	38
(H) A Safe and Orderly School Environment Conducive to Learning (EC 35294.2)	40
(I) School Discipline Rules and Consequences (EC 35291 and EC 35291.5)	43
(K) Hate Crime Reporting Procedures and Policies	44
(J) Procedures to Prepare for Active Shooters.....	46
Procedures for Preventing Acts of Bullying and Cyber-bullying.....	47
Emergency Contact Numbers	51
Safety Plan Review, Evaluation and Amendment Procedures	52
Bay Farm School Incident Command System.....	53
Incident Command Team Responsibilities.....	54
Types of Emergencies & Specific Procedures.....	61
Aircraft Crash	61
Animal Disturbance.....	61
Armed Assault on Campus	61
Biological or Chemical Release.....	61
Bomb Threat/ Threat Of violence	62
Disorderly Conduct	64
Earthquake	66
Explosion or Risk Of Explosion	66

Fire in Surrounding Area67

Fire on School Grounds67

Flooding68

Loss or Failure Of Utilities69

Motor Vehicle Crash70

Psychological Trauma.....70

Opioid Overdose71

Emergency Evacuation Map.....72

Comprehensive School Safety Plan Purpose

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

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

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

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

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

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

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

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

A copy of the Comprehensive School Safety Plan is available for review at Bay Farm School, 200 Aughinbaugh Way, Alameda, CA 94502.

Safety Plan Vision

The Alameda Unified School District is committed to providing a quality educational environment that is safe, secure, and peaceful. The primary goal of the District is to help each student develop to the maximum of his/her capacity and function as a responsible member of a democratic society. When parents, students and staff are aware of our mutual responsibilities to keep our community safe, we can effectively promote positive student participation in all of our schools.

The School Site Emergency Plan is designed for use as a school resource for prevention/mitigation, preparedness, response, and recovery planning and training as well as functioning as a template for meeting the requirements for the annual Safety Plan Process under Senate Bill 187, Education Code Section 35294, Statutes of 1998, and the National Incident Management System. It is designed to be a living document that is updated as necessary to meet site, District, and community needs, forms, and/or requirements—therefore, it should be maintained in hard copy and electronic form.

This document is NOT intended to be a “grab and go” guide in an actual emergency.

Components of the Comprehensive School Safety Plan (EC 32281)

Bay Farm School Safety Committee

Katherine Crawford, Principal
Scott Slez, Safety Lead & PE Teacher
Pat Lewis, Safety Committee & 2nd Grade Teacher
Rich Mendez, Head Custodian

Assessment of School Safety

Current Status of School Crime: There has been no crime reported to law enforcement in the 2021-2022 school year, or to date in the 2023-2024 school year.

Bay Farm Culture Data
Total Enrollment 572
Chronic Absence 9.8%
Average Daily Attendance 95.6%
Suspension Rate 0.3%
Office Discipline Referral Rate 6.3%

California Healthy Kids Survey Data 2022 - 2023

5th grade had a 10% decrease from 2022 in response to feeling harassed at school. 78% reported that adults at school care about them. Student perceived safety is above the state average as well as Low Violence Victimization.
7th grade-91% of students report that they "Feel a Part of the School"; 45% reported feeling harassed or bullied at school (an increase of 14% from prior year), Over 70% of students reported "No Fear of Getting Beaten Up"

SPSA Information: If we increase students' sense of belonging and connection to caring adults and peers, student behavior on the playground and in the classroom will improve leading to a reduction of MDD (minor discipline data referrals). We hypothesize that improving staff capacity with culturally responsive practices will support student connection and sense of belonging.

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

Here is the PBIS Action Plan to promote campus climate and safety .

<https://docs.google.com/document/d/1gpw8MdNeKIKbuZk4wCfOX698iW45qJWZk825LuPWm2E/edit?usp=sharing>

We have a positive and inclusive school climate and culture grounded in PBIS (Positive Behavior Intervention and Support); reteaching behavior expectations in the classroom and through grade level assemblies. Our PBIS work has been recognized with a Gold Award in 2022 and a Platinum award in 2024 from the State of California.
Through recent bond measures, gates and fencing have been installed to secure the campus during the instructional day.

Safety Committee Mission: To create a plan so all people on campus know and understand safety procedures from any place on campus and trust the procedures will be followed through with integrity. We have multiple trainings and drill practices throughout the school year. We work in collaboration with the district, local law enforcement and the fire department to continually monitor and improve our safety protocols.

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

Child Abuse Reporting Procedures

With concern for the total well-being of each student, employees of the district shall report known or suspected incidences of child abuse in accordance with state law and district regulations. Our employees cooperate with the child protective agencies responsible for reporting, investigating and prosecuting cases of child abuse.

A. Definition of Child Abuse

"Child Abuse," as defined by law, pursuant to Penal Code 273 and 11165, includes:

1. Physical abuse resulting in a non-accidental physical injury.
2. Physical neglect, including both severe and general neglect, resulting in negligent treatment or maltreatment of a child.
3. Sexual abuse including both sexual assault and sexual exploitation.
4. Emotional abuse and emotional deprivation including willful cruelty or unjustifiable punishment.
5. Severe corporal punishment.

B. Legal Duty to Report

Mandated child abuse reporting is governed by the Child Abuse and Neglect Reporting Act, P.C. 11164. The intent and purpose of the law is to protect children from abuse. The definition of a child is any person under 18 years of age.

Within the scope of his or her employment, any childcare custodian who has knowledge of, observes, or reasonably suspects a child is a victim of child abuse, shall report the known or suspected abuse to a child protective agency by telephone and written report. Additionally, any suspicion of mental suffering inflicted on a child where his or her well-being is endangered in any way, will also be reported.

"Mandated Reporters" are those people defined by law as "childcare custodians," "medical practitioners" and "non-medical practitioners" and include virtually all school employees.

(Penal Code 11165.7 and 11165.8) The following school personnel are required to report: teachers, administrators, supervisors of child welfare and attendance, certificated student personnel employees, employees of a child care programs, preschool teachers, school psychologists, licensed nurses, counselors, para-educators instructional aides or other classified employees trained in child abuse reporting. Employees do not need to have their employer's permission to make a child abuse report.

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

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

3. Employees will report known or suspected child abuse to a child protective agency by telephone immediately or as soon as practically possible and in writing within 36 hours. The reporting duties are individual and cannot be delegated to another individual.
4. When two or more persons who are required to report and both have knowledge of suspected child abuse, and when there is agreement among them, the telephone report may be made by any one of them who is selected by mutual agreement, and a single report may be made and signed by the person selected. However, if any person who knows or should know that the person designated to report failed to do so, that person then has a duty to make the report.
5. The duty to report child abuse is an individual duty and no supervisor or administrator may impede or inhibit such reporting duties. Furthermore, no person making such a report shall be subject to any sanction. Any supervisor or administrator in violation (Section 11166) is guilty of an infraction punishable by a fine not to exceed five thousand dollars (\$5000).

C. Legal Responsibility and Liability

1. Mandated reporters have absolute immunity. School employees required to report are not civilly or criminally liable for filing a required or authorized report of known or suspected child abuse.
2. Any mandated reporter who fails to report an incident of known reasonably suspected child abuse or neglect as required by this section is guilty of a misdemeanor punishable by up to six months confinement in a county jail or by fine of one thousand dollars (\$1000) or by both that fine and punishment. The mandated reporter may also be held civilly liable for damages of any injury to the child after a failure to report.

D. Reporting Procedures

The person who first observes or learns about the abuse is to complete the "Suspected Child Abuse Report" form (BCIA 8572) and call the Child Abuse Reporting phone number Call our hotline now at 510-259-1800, available 24 hours a day, 7 days a week or if it is an emergency call:

OR Immediately telephone the appropriate law enforcement agency (based upon where the abuse is suspected to have occurred). Jurisdiction, as to whether the county or the city responds, is determined by where the abuse took place.

a. City: Call the Alameda Police Department (510) 337-8340

3. Employees are not required to identify themselves to their employer when they make a child abuse report. If an employee wishes to waive his/her confidentiality rights he/she may wish to make photocopies of the "Suspected Child Abuse Report" form (SS8572) and forward a copy to the principal and to the Executive Director of Student and Family Support Services.

E. Victim Interviews

Upon request, a child protective agency representative may interview a suspected victim of child abuse, during school hours and on school premises, concerning a report of suspected child abuse that occurred within the child's home. The child shall be given the choice of being interviewed in private or in the presence of any adult school employee or volunteer aide selected by the child. A staff member or volunteer aide selected by a child may decline to present at the interview. If the selected person accepts, the principal or designee shall inform him/her, before the interview takes place, of the following legal requirements:

1. The purpose of the selected person's presence at the interview is to lend support to the child and enable him/her to be as comfortable as possible.
2. The selected person shall not participate in the interview.
3. The selected person shall not discuss the facts or circumstances of the case with the child.
4. The selected person is subject to the confidentiality requirements of Article 2.5 (Penal Code 11165 et seq.), a violation of which is punishable as specified by 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)

F. Release of Child to Peace Officer or to a Child Protective Services Worker

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

G. Staff Training

The Principal or designee shall provide training in child abuse identification and reporting for all certificated personnel, instructional and teacher aides, teacher assistants, para-educators and other classified employees. (Penal Code 11165.7) All employees trained in child abuse identification and reporting shall be given, as a part of that training, written notice of the child abuse reporting requirements and the employees' confidentiality rights. (Penal Code 11165.7). The absence of training does not excuse a mandated reporter from the duties imposed by the penal code.

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

Disaster Plan (See Appendix C-F)

Purpose of the Plan

This response plan is designed to assist school staff, students, parents and local agencies organize resources of the school and community to respond to a crisis situation while school is in session. Regulatory Authority State laws and regulations require school districts develop emergency plans and train staff in emergency response procedures. These include laws applicable to school staff and students as well as Cal/OSHA regulations specifically addressing the safety of district employees. The Katz Act [California Education Code, §35295-35297] requires schools plan for earthquakes and other emergencies. It also requires training in earthquake preparedness procedures for both certificated and classified staff. The Petris Bill [Government Code, §8607] requires school districts be prepared to utilize the Standardized Emergency Management System (SEMS) when responding to emergencies. This requires that principles of SEMS are incorporated in District plans; that the Incident Command System (ICS) are used at school sites; that all school personnel are trained in how the respective systems work and correlate; and that schools have drills and exercises in order to practice using the systems. This plan is designed and structured to ensure compliance with the mandates of state law as well as with Cal/OSHA's Emergency Action Plan Standard Title 8, California Code of Regulations §3220. This regulation requires each employer facility have an Emergency Action Plan which focuses on specific emergency contingencies, response personnel roles, and evacuation plans of each employer's site where employees work. Schools and school districts are included in this mandate. School Site Emergency Preparedness and Response Coordination Each principal shall supervise the planning, operating and testing of their respective school's Emergency Preparedness and Crisis Response Plan. Each principal will also ensure that all school staff and students are familiar with the basic elements of the District's Emergency Operations Plan, which will be utilized at the district office in the event of a major emergency or district-wide disaster. The principal must ensure that the Incident Command System are utilized by all staff personnel in the event of an emergency incident and shall serve as the Incident Commander at all school crises or emergencies.

Campus and Facility Site Preparedness Duties

This school and the District have designated specific persons to assume emergency position responsibilities in the event of a site emergency or District-wide disaster. The following information provides a breakdown of these responsibilities:

All School Staff:

- Become familiar with the school's emergency and evacuation procedures.
- Participate in First Aid and CPR training, as appropriate.

Annually each principal shall:

- Designate Staff Incident Command Structure Assignments.
- Update this site Emergency Preparedness and Crisis Response Plan.
- Ensure personnel are properly trained in their respective assignments.
- Conduct survey of personnel to determine CPR/First Aid/Disaster Preparedness/Medical Training.
- Survey parents to determine who may wish to volunteer during an extended emergency or disaster.
- Ensure needs of students and staff with disabilities are provided for in the event of an emergency.
- Designate primary and alternate locations for command post, evacuation, first aid, student release, and morgue.
- See that parents are informed of the plan and its effect upon students.
- Compile/maintain list of local emergency agencies including telephone numbers and addresses.
- Practice building evacuation plans including testing of warning systems, alarm signals, and communications methods.
- With Maintenance and Operations, complete a site and building hazard survey.
- Ensure all emergency equipment and supplies are in usable condition at all times.

Teachers:

- Teachers are responsible for the supervision of students in their charge.
- Understand emergency response procedures.
- Have planned activities for use during disasters to lessen possible tension.

School Office Managers or Designee:

- Organize and maintain the emergency first aid supplies and distribute back-up supplies.
- Assist principal in developing procedures to protect essential records.
- Ensure battery-operated AM/FM radio is available in working condition; know the call number and frequency of disaster information station.
- Maintain an up-to-date list of students and staff who require life sustaining medication.

School Custodians or designee:

- Assist principal in planning control procedures for different types of building damage.
- Routinely check that battery-operated equipment is in working condition.

Crisis Response

The primary goals of crisis response are to:

- Prevent a potentially chaotic situation from escalating into a catastrophic event.
- Help those affected to return, as quickly as possible, to a normal level of functioning.
- Decrease the potential long-term effects of the crisis.

Incident Command System (ICS)

The Incident Command System is an emergency response system used to manage an emergency incident at a specific facility or site. The ICS, as designated by the AUSD, will be used by this school as the formal emergency response structure. This is in contrast to the Standardized Emergency Management System (SEMS) which is used to manage resources at a district-wide level.

Foundations of Crisis Response

The primary foundation for any emergency or crisis response system is to ensure, as much as is humanly possible, the application of the three C's at all times.

These three C's are:

- Control – Control is the cornerstone of every crisis/emergency response. In emergency response this is initiated and maintained through the effective use of the Incident Command System.
- Communication - Communication is essential to maintaining effective coordination of all response actions. Ongoing communication must be maintained between response persons, school staff, and the command team.
- Coordination - Coordination is essential to ensure that the most effective and appropriate response actions are used throughout a response operation. Proper utilization of the Incident Command System will ensure that all response operations are coordinated from a central point and that no response action is taken at cross purposes to any other.

Insert link to REMS packet here

Public Agency Use of School Buildings for Emergency Shelters

If the Superintendent declares a District emergency during the school day, the District has a clear statement of policy governing its actions.

Alameda Unified School District Policy is as follows:

IN CASE OF A DECLARED EMERGENCY BY THE SUPERINTENDENT DURING SCHOOL HOURS, ALL STUDENTS WILL BE REQUIRED TO REMAIN AT SCHOOL OR AN ALTERNATE, SAFE SITE UNDER THE SUPERVISION OF DISTRICT PERSONNEL:

1. Until regular dismissal time and then released only if it is considered safe, OR
2. Until released to an adult authorized by the parent or legal guardian whose name appears on District records.

- a) If students are on their way to school they should proceed to school.
- b) If students are on their way home from school they are to continue home.

3. To provide this supervision and care, Alameda Unified School District personnel will be utilized under Title 1, Division 4, Chapter 8 Government Code and other legal statutes. The statute states that all public employees are designated disaster service workers when an emergency is declared. The District Superintendent, or designee, has the legal authority to declare an emergency in this District. The authority also extends to Alameda County to declare an emergency and impress public employees into service as disaster service workers.

4. Alameda Unified School District encourages the utilization of a buddy system at District sites wherein staff responsibilities for specific emergency functions are assigned to pairs of employees who could, with approval of the Site Manager, carry on legally required supervision and care requirements while allowing emergency home visits to assure welfare of their own families.

(C) School Suspension, Expulsion and Mandatory Expulsion Guidelines

Definitions

Suspension from school means removal of a student from ongoing instruction for adjustment purposes.

The teacher of any class from which a student is suspended pursuant to Section 48910 shall require the student to complete any assignments and tests missed during the suspension. The school will monitor and address the educational needs of the student that arise due to the loss of instructional time. (Education Code 48913). However, suspension does not mean any of the following: (Education Code 48925)

- Reassignment to another education program or class at the same school where the student will receive continuing instruction for the length of day prescribed by the Governing Board for students of the same grade level.
- Referral to a certificated employee designated by the principal to advise students.
- Removal from the class, but without reassignment to another class or program, for the remainder of the class period without sending the student to the principal or designee as provided in Education Code 48910. Removal from a particular class shall not occur more than once every five school days.

Referral means removal from classroom instruction for discipline reasons.

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

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

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

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

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

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

The District database is the Aeries Student Information System.

Restorative Practices (RP) is a continuum of practices by which schools build community through circles and other activities, where students learn to use affective statements and the process where all stakeholders affected by an injustice have an opportunity to discuss how they have been affected by the injustice and to decide what should be done to repair the harm.

Positive Behavioral Interventions and Supports (PBIS) is a framework for providing a range of systemic and individualized strategies for achieving important academic and behavioral outcomes while preventing problem behaviors.

Social and Emotional Learning (SEL) is a process through which children and adults develop the fundamental skills for life effectiveness. The five SEL competencies are: self-awareness, self-management, social awareness, relationship skills, and responsible decision-making.

Multi Tiered System of Support (MTSS) is a way of organizing instruction and intervention to help all students. The goal of the multi-tiered framework is to provide high-quality instruction and supports based on student need. This framework helps educators by providing information (data) to identify students needing additional support (academic and behavioral) and also identify students who may need special education services. MTSS includes three levels (or tiers) of instruction. Each tier has a set of evidence-based practices to meet the instructional goals.

Tier 1

For MTSS, a school must first establish its Tier 1 or universal supports. Universal supports are the instructional practices that help all students in a school. Once the universal supports are in place, staff can use assessment data to determine which students need additional supports.

Tiers 2 and 3

The intensity and duration of supports increase for Tiers 2 and 3. The appropriate level of support for each student is determined by assessment data.

Grounds for Suspension and Expulsion

The following is a list of grounds for which suspension and expulsion may be permitted or shall be imposed subject to the

restrictions and requirements herein:

- Caused, attempted to cause, or threatened to cause physical injury to another person or willfully used force or violence upon another person, except in self-defense (Education Code 48900(a))
- A student who aids or abets the infliction or attempted infliction of physical injury on another person, as defined in Penal Code 31, may be suspended, but not expelled. However, such a student may be suspended or expelled pursuant to Education Code 48900(a) when he/she has been adjudged by a juvenile court to have committed, as an aider or abettor, a crime of physical violence in which the victim suffered great or serious bodily injury. (Education Code 48900(t))
- 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))
- 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))
- 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))
- Committed or attempted to commit robbery or extortion (Education Code 48900(e))
- Caused or attempted to cause damage to school property or private property (Education Code 48900(f))
- Stole or attempted to steal school property or private property (Education Code 48900(g))
- 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))
- Committed an obscene act or engaged in habitual profanity or vulgarity (Education Code 48900(i))
- Unlawfully possessed, offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Health and Safety Code 11014.5 (Education Code 48900(j))

As provided in California Education Code section 48900(k), no student enrolled in grades T-Kindergarten through third grade may be suspended or expelled for disrupting school activities or willfully defying the authority of school personnel ("disruption and willful defiance") and no student in TK-12 may be expelled for willful disruption or defiance.

Effective July 1, 2019, no student enrolled in grades T-Kindergarten through twelve (TK-12) grades may be suspended or expelled for disrupting school activities or willfully defying the authority of school personnel. The Board will review data regarding suspensions for defiance in Grades 4 through 12 in August 2019 and January 2020. If, based on review of the data, it appears further steps should be undertaken to meet the goal of eliminating suspensions for defiance by July 1, 2019, the Board will direct the Superintendent to implement such additional measures to achieve the goal of no suspensions for defiance by July 1, 2020.

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

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

- 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.

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 (items #20-22 below), that has any of the effects described above on a reasonable student.

Electronic act means the transmission of a communication, 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.

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))

- 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)

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

- 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)

- 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)

- 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)

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

- While on school grounds
- While going to or coming from school
- During the lunch period, whether on or off the school campus
- During, going to, or coming from a school-sponsored activity

Teacher-Initiated Suspensions Pursuant to Section 48910

The Board desires the adoption of a Multi-Tiered System of Support which includes Positive Behavior Intervention Supports to facilitate a consistent approach for positive, pro-social behavior management (BP 5144). The District expects teachers to attempt interventions prior to initiating a suspension pursuant to Section 48910 except where suspension for a first offense is permitted or mandated by law, as described on pp. 8-9 below.

When removing a student from his/her class pursuant to Section 48910, 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 removed. (Education Code 48910)

The site administrator or designee shall ensure that site staff completed the following:

- The teacher completed the Teacher-Initiated Pupil Suspension Report and, starting in the 2019-20 school year, the office referral form.
- The teacher contacted the parent/guardian to request their participation in a parent-teacher conference regarding the suspension within 24 hours. 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)
- The site administrator or designee reviewed the office referral form and completed the in-school suspension form if warranted.
- The site administrator or designee contacted parent/guardian regarding the suspension.
- The site administrator or designee recorded the classroom interventions and referral in the District database.

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

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

The teacher of any class from which a student is suspended pursuant to Section 48910 shall require the student to complete any assignments and tests missed during the suspension. The school will monitor and address the educational needs of the student that arise due to the loss of instructional time. (Education Code 48913)

When suspending a student in Grades TK-3 from class for committing an obscene act or engaging in habitual profanity or vulgarity, the teacher of the class may require any parent/guardian who lives with the student to attend a portion of the school day in the class from which the student is being suspended, to assist in resolving the classroom behavior problems. (Education Code 48900.1) The teacher of the class may also require any parent/guardian who lives with the student to attend a portion of the school day in the class to assist in resolving classroom behavior problems.

When suspending a student in Grades 4-12 from class for committing an obscene act or engaging in habitual profanity or vulgarity, disrupting school activities, or otherwise willfully defying valid staff authority, the teacher of the class may require any parent/guardian who lives with the student to attend a portion of the school day in the class from which the student is being suspended, to assist in resolving the classroom behavior problems. (Education Code 48900.1)

When suspending a student in any grade from class for committing an obscene act, engaging in habitual profanity or vulgarity, the teacher of the class may require any parent/guardian who lives with the student to attend a portion of the school day in the class from which the student is being suspended, to assist in resolving the classroom behavior problems. (Education Code 48900.1) The teacher of the class may also require any parent/guardian who lives with the student to attend a portion of the school day in the class to assist in resolving classroom behavior problems.

Teachers should reserve the option of required parental attendance for cases in which they have determined that it is the best strategy to promote positive interaction between the teacher and the student and his/her parents/guardians and to improve the student's behavior.

Any teacher requiring parental attendance pursuant to this policy shall apply the policy uniformly to all students within the classroom. (Education Code 48900.1)

When a teacher makes this request, the principal shall send the parent/guardian a written notice that the parent/guardian's attendance is requested pursuant to law. (Education Code 48900.1)

The notice shall specify that the attendance may be on either the date the student is scheduled to return to class or within one week thereafter.

This notice shall also:

- Inform the parent/guardian when his/her presence is expected and by what means he/she may arrange an alternate date
- Ask the parent/guardian to meet with the principal after the visit and before leaving school, as required by Education Code 48900.1

At the meeting with the student's parent/guardian, the principal or designee shall explain the district's and school's discipline policies, including the disciplinary strategies that may be used to achieve proper student conduct.

When a parent/guardian does not respond to the request to attend school, the principal or designee shall contact him/her by telephone, mail, or other method that maintains the confidentiality of the student's records.

District regulations shall include procedures for implementing parental attendance requirements. Parents/guardians shall be notified of this policy prior to its implementation. (Education Code 48900.1)

Suspensions by Superintendent, Principal, or Designee

The Board does not support a zero tolerance approach to discipline except where mandated by law. Schools may not adopt zero tolerance policies that conflict with District discipline policies. The Board desires that schools will adopt, engage, and implement positive approaches to addressing problem behavior prior to initiating the suspension of a student.

Suspension for a first time offense is limited to certain serious offenses (listed below in permissible and mandatory categories) or where it can be documented that the presence of a student causes a danger to persons.

Defiance

As provided in California Education Code section 48900(k), no student enrolled in grades T-Kindergarten through third grade may be suspended or expelled for disrupting school activities or willfully defying the authority of school personnel ("disruption and willful defiance") and no student regardless of grade may be expelled for willful defiance or disruption.

Effective July 1, 2019, no student enrolled in grades T-Kindergarten through twelve (TK-12) grades may be suspended or expelled for disrupting school activities or willfully defying the authority of school personnel. Suspension and expulsion shall not be imposed for a violation of Education Code section 48900(k), including disruption of school activities or willful defiance. The District expects schools to develop appropriate interventions, for example, behavioral plans, restorative circles, or SEL groups for students who engage in a pattern of defiant behavior.

Defiance is when a student continues to disobey a school official, teacher, or administrator after having been taught the rules and expectations of the school and the student displays behavior that directly interferes with the rights of others to learn.

The Board will review data regarding suspensions for defiance in Grades 4 through 12 in August and January. If, based on review of the data, it appears further steps should be undertaken to meet the goal of eliminating suspensions for defiance, the Board will direct the Superintendent to implement such additional measures to achieve the goal of no suspensions for defiance by July 1, 2020.

Discipline and Intervention Matrix for Administrators

Attached to this Administrative Regulation is the discipline and intervention matrix aligned to the District's Multi-Tiered System of Support framework that models a progressive and holistic approach to discipline. As provided in the Board Policy, each school is responsible for adopting strategies, programs, and interventions within this framework to facilitate a positive approach to behavior management. Even if suspension is appropriate, administrators must first consider whether other interventions should be used.

Except where suspension for a first offense is permitted or mandatory (as described above), in-school and out-of-school suspension and other sanctions that result in a student's loss of instruction shall only be imposed when the principal or designee has determined that other means of correction that are consistent with District policies and procedures have failed to bring about proper conduct. (Education Code 48900.5)

As described in AR 5144, interventions and other alternatives to suspension should be attempted and evaluated prior to referral from the classroom. In addition, the principal or designee shall document the other means of correction used and retain them in the student's record. (Education Code 48900.5)

The Principal or designee shall complete the suspension form and record the suspension in the District's database.

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

A student may be suspended from school for not more than 20 school days in any school year unless, for purposes of adjustment, the student enrolls in or is transferred to another regular school, an opportunity school, or continuation school or class, in which case suspension shall not exceed 30 days in any school year. However, this restriction on the number of days of suspension does not apply when the suspension is extended pending an expulsion. (Education Code 48903, 48911, 48912)

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)

Suspensions shall be initiated according to the following procedures:

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 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. 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)

Administrative Actions: All requests for student suspension are to be processed by the principal or designee. All suspensions shall be recorded in the District database. 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)

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

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

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

Parent/Guardian Conference: Whenever a student is suspended, school officials may meet 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)

Although the parent/guardian is required to respond without delay to a request for a conference about his/her child's behavior, 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 readmission solely because the parent/guardian failed to attend the conference. (Education Code 48911)

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 Principal may, in writing, extend the suspension until such time as the Board has made a decision. (Education Code 48911)

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

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

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

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.

The student shall be responsible for contacting the school to receive assignments to be completed during the period of the suspension. The school shall make available all assignments and tests that the student will miss while suspended.

Suspension by the Board

The Board may suspend a student for any of the acts listed in "Grounds for Suspension and Expulsion" above and within the limits specified in "Suspensions by Superintendent, Principal, or Designee" above. (Education Code 48912)

The Board may suspend a student enrolled in a continuation school or class for a period not longer than the remainder of the semester if any of the acts listed in "Grounds for Suspension and Expulsion" occurred. The suspension shall meet the requirements of Education Code 48915. (Education Code 48912.5)

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

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

Supervised Suspension Classroom

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 a supervised suspension classroom in a separate classroom, building, or site for the entire period of suspension. The following conditions shall apply: (Education Code 48911.1)

The supervised suspension classroom shall be staffed in accordance with law and by certificated employees.

The student shall have access to appropriate counseling services.

The supervised suspension classroom shall promote completion of schoolwork and tests missed by the student during the suspension.

The student shall be responsible for contacting his/her teacher(s) to receive assignments to be completed in the supervised suspension classroom except where otherwise set out in the student's Individualized Education Program (IEP) or Section 504 plan. 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.

The Principal or designee shall complete the in-school suspension form and record the suspension in the District's database.

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

Involuntary Transfer

The District may not involuntarily transfer a student in Grades TK- 3rd grade to another school based on a finding of disruption of school activities or willful defiance of the authority of school personnel (California Education Code section 48900(k)).

Effective July 1, 2019, the District may not involuntarily transfer a student to another school based on a finding of disruption of school activities or willful defiance of the authority of school personnel (California Education Code section 48900(k)).

Involuntary transfers may only occur following a recommendation for expulsion and after a hearing before the District's Disciplinary Hearing Panel (DHP) consistent with the requirements in Education Code section 48918 and the notice and hearing procedures set forth below for expulsions. In addition, an involuntary transfer to a continuation school must be made pursuant to Education Code section 48432.5.

Expulsions

The Board shall expel, as required by law, any student found to have committed any offense listed below under "Mandatory Recommendation and Mandatory Expulsion" (see page 13). (Education Code 48915)

For all other grounds listed under "Grounds for Suspension and Expulsion," the Board shall order a student expelled upon the recommendation of the Superintendent, principal, or designee only if the Board makes a finding of either or both of the following: (Education Code 48915(b) and (e))

- That other means of correction have repeatedly failed to bring about proper conduct
- 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

Authority to Expel

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

The Board shall expel, as required by law, any student found to have committed any offense listed below under "Mandatory Recommendation and Mandatory Expulsion." (Education Code 48915)

For all other grounds listed above under "Grounds for Suspension and Expulsion," the Board shall order a student expelled upon the recommendation of the Superintendent, principal, or designee, only if the Board makes a finding of either or both of the following: (Education Code 48915(b) and (e))

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

Recommendation for Expulsion Expected Unless It Is Not Appropriate or Alternative Means of Correction Would Address the Conduct

Unless the Superintendent, principal, or designee 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(a))

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

- Possession of any knife as defined in Education Code 48915(g), explosive, or other dangerous object of no reasonable use to the student
- 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
- Robbery or extortion
- 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)

Mandatory Recommendation and Mandatory Expulsion

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

Possessing, as verified by a district employee, selling, or otherwise furnishing a firearm.

Possession of an imitation firearm, as defined in Education Code 48900(m), shall not be regarded as an offense requiring a mandatory recommendation for expulsion and mandatory expulsion. However, an administrator shall have discretion on a case-by-case basis to recommend expulsion for the possession of an imitation firearm.

Brandishing a knife as defined in Education Code 48915(g) at another person

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

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

Possessing an explosive as defined in 18 USC 921

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

Student's Right to Expulsion Hearing

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 one of the acts listed above under "Grounds for Suspension and Expulsion." (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))

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)

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

Have up to two adult support persons of his/her choosing present at the hearing at the time he/she testifies

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)

The rights of a complaining witness are further outlined in Administrative Regulation 5145.7 (Sexual Harassment).

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))

- The date and place of the hearing.
- A statement of the specific facts, charges, and offense upon which the proposed expulsion is based.
- A copy of district disciplinary rules which relate to the alleged violation.
- 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).
- 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 advisor.

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

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

- The right to inspect and obtain copies of all documents to be used at the hearing.
- The opportunity to confront and question all witnesses who testify at the hearing.
- 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

At least 10 days prior to a hearing to determine if a student who is a foster youth as defined under Education Code 48853.5 should be expelled for an offense not requiring a mandatory recommendation for expulsion, the Superintendent or designee shall notify the student's attorney and a representative of an appropriate county child welfare agency. If the hearing is pursuant to an offense requiring a mandatory expulsion recommendation, the Superintendent or designee may provide the same notification. The notice shall be provided by the most cost-effective method possible, including by email or a telephone call. (Education Code 48918.1)

Conduct of Expulsion Hearing

Closed Session: Notwithstanding the provisions of Government Code 54953 and Education Code 35145, the Board shall conduct a hearing to consider the expulsion of the student in a session closed to the public unless the student requests in writing at least five days prior to the hearing that the hearing be a public meeting. If such a request is made, the meeting shall be public unless another student's privacy rights would be violated. (Education Code 48918(c))

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))

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))

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))

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" 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.

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)

- Any complaining witness shall be given five days' notice before being called to testify.
- Any complaining witness shall be entitled to have up to two adult support persons, including, but not limited to, a parent/guardian or legal counsel, present during his/her testimony.
- Before a complaining witness testifies, support persons shall be admonished that the hearing is confidential.
- The person presiding over the hearing may remove a support person whom he/she finds is disrupting the hearing.
- If one or both support persons are also witnesses, the hearing shall be conducted in accordance with Penal Code 868.5.

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.

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.

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

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.

The person conducting the hearing may:

- Arrange the seating within the hearing room so as to facilitate a less intimidating environment for the complaining witness
- 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
- Permit one of the support persons to accompany the complaining witness to the witness stand

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. Alternatively, the Board may appoint an impartial administrative panel composed of three or more certificated personnel, none of whom shall be members of the Board or on the staff of the school in which the student is enrolled. (Education Code 48918(d))

A hearing conducted by the hearing officer or administrative panel shall conform to the same procedures applicable to a hearing conducted by the Board as specified above in "Conduct of Expulsion Hearing," including the requirement to issue its 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 expulsion referral was made, unless the parent, guardian, or responsible adult of the pupil requests another school placement in writing. Before the placement decision is made by the parent, guardian, or responsible adult, the superintendent of schools or the superintendent's designee shall consult with school district personnel, including the pupil's teachers, and the parent, guardian, or responsible adult regarding any other school placement options for the pupil in addition to the option to return to his or her classroom instructional program from which the expulsion referral was made. If the hearing officer or administrative panel finds that the pupil committed any of the acts specified in subdivision (c) of Section 48915, but does not recommend expulsion, the pupil shall be immediately reinstated and may be referred to his or her prior school or another comprehensive school, or, pursuant to the procedures set forth in Section 48432.5, a continuation school of the school district. The decision not to 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 for a period of one year. (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, the final action to expel shall be taken by the Board at a public meeting. (Education Code 48918(j))

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

Upon ordering an expulsion, the Board shall set a date when the student shall be reviewed for readmission to a school within the district. For a student expelled for 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)

- Periodic review, as well as assessment at the time of review, for readmission
- 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:

- The specific offense committed by the student for any of the causes for suspension or expulsion listed above under "Grounds for Suspension and Expulsion" (Education Code 48900.8)
- The fact that a description of readmission procedures will be made available to the student and his/her parent/guardian (Education Code 48916)
- Notice of the right to appeal the expulsion to the County Board of Education (Education Code 48918)
- Notice of the alternative educational placement to be provided to the student during the time of expulsion (Education Code 48918)
- Notice of the student's or parent/guardian's obligation to inform any new district in which the student seeks to enroll of the student's status with the expelling district, pursuant to Education Code 48915.1 (Education Code 48918)

Decision Not to Enforce Expulsion Order

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

- The student's pattern of behavior
- 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:

- 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)
- During the period when enforcement of the expulsion order is suspended, the student shall be on probationary status. (Education Code 48917)
- The suspension of the enforcement of an expulsion order may be revoked by the Board if the student commits any of the acts listed under "Grounds for Suspension and Expulsion" above or violates any of the district's rules and regulations governing student conduct. (Education Code 48917)
- 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)

- 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)

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))

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)

Right to 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)

The student shall submit 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 furnishment 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)

Post-Expulsion Placements

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

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

When the placement described above is not available and when the County Superintendent so certifies, students expelled for acts described in items #6-13 and #20-22 under "Grounds for Suspension and Expulsion" 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

Readmission procedures shall be as follows:

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

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)

If the Board denies the readmission of a student, the Board shall determine either to continue the student's placement in the alternative educational program initially selected or to place the student in another program that serves expelled students, including placement in a county community school. (Education Code 48916)

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 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)

Outcome Data

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

- The number of students recommended for expulsion
- The specific grounds for each recommended expulsion
- Whether the student was subsequently expelled
- Whether the expulsion order was suspended
- The type of referral made after the expulsion
- The disposition of the student after the end of the expulsion period

Public Reporting of Discipline Data

The Superintendent or designee shall ensure that the following data is publicly available on the District's public website twice annually, within 60 days after the completion of each semester:

- The aggregate number and rates of office referrals, teacher suspensions, supervised in-school and out-of-school suspensions, involuntary transfers, expulsion referrals, expulsions, on-campus citations, school-based arrests, and four-year graduation and drop-out rates, disaggregated by all subgroups, including race, gender, ethnicity, English Language Learner status, socio-economic status, foster youth, homeless youth, and disability and by offense for the district and by school-site.
- The number of instructional days and ADA funding lost to suspensions, transfers, and expulsions.
- The school sites to which students were transferred after the Disciplinary Review Hearing procedure or through any involuntary transfer process, whether they enrolled subsequently, and the outcomes for such students, including, but not limited to, graduation and drop-out rates.

In reporting such data, the privacy of individual students and teachers shall be protected. Data will not be disaggregated in any manner that could reveal student identity to the public or to knowledgeable members of the school community. The data shall be reported for the district as a whole and for each school-site.

The procedures shall also include requirements that appropriate district and school officials regularly review this data and take action to address disparities or disproportionate use of punitive discipline measures for particular subgroups.

Expungement of Student Disciplinary Records

As provided in Board Policy 5144.3, a student, parent, guardian, appointed advocate on behalf of the student, or Superintendent on behalf of a student may apply for expungement of student disciplines record which meet the criteria set forth in BP 5144.3.

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

Notice Regarding Student Offenses

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

Acts That Are Grounds for Suspension or Expulsion

The Superintendent or designee shall inform the teacher(s) of each student who, during the previous three school years, has engaged in or is reasonably suspected to have engaged in any act, except the possession or use of tobacco products, that would constitute a ground for suspension or expulsion as specified in AR 5144.1 - Suspension and Expulsion/Due Process. This information shall be based upon district records maintained in the ordinary course of business or records received from a law enforcement agency. (Education Code 49079)

Upon receiving a transfer student's record regarding acts committed by the student that resulted in suspension or expulsion, the Superintendent or designee shall inform the student's teacher(s) that the student was suspended from school or expelled from the former district and of the act that resulted in the suspension or expulsion. (Education Code 48201)

Information received by teacher(s) shall be received in confidence for the limited purpose for which it was provided and shall not be further disseminated by the teacher. (Education Code 48201, 49079)

Offenses Reported to the District by a Court

When informed by a court that a minor student has been found by the court to have committed any felony or any misdemeanor involving curfew, gambling, alcohol, drugs, tobacco products, carrying of weapons, a sex offense listed in Penal Code 290, assault or battery, larceny, vandalism, or graffiti, the Superintendent or designee shall expeditiously notify the school principal. (Welfare and Institutions Code 827)

The principal shall expeditiously disseminate this information to any counselor who directly supervises or reports on the student's behavior or progress and to any teacher or administrator directly supervising or reporting on the student's behavior or progress whom the principal thinks may need the information in order to work with the student appropriately, avoid being needlessly vulnerable, or protect others from vulnerability. (Welfare and Institutions Code 827)

Any court-initiated information that a teacher, counselor, or administrator receives shall be kept confidential and used only to rehabilitate the student and protect other students and staff. The information shall be further disseminated only when communication with the student, parent/guardian, law enforcement staff, and probation officer is necessary to rehabilitate the student or to protect students and staff. (Welfare and Institutions Code 827)

When a student is removed from school as a result of an offense, the Superintendent shall hold the court's information in a separate confidential file until the student is returned to the district. If the student is returned to a different district, the Superintendent shall transmit the information provided by the student's parole or probation officer to the superintendent of the new district of attendance. (Welfare and Institutions Code 827)

Any confidential file of court-initiated information shall be kept until the student becomes 18, graduates from high school, or is released from juvenile court jurisdiction, whichever occurs first, and shall then be destroyed. (Welfare and Institutions Code 827)

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

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

Definitions

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, regardless of whether or not the conduct is motivated by sexual desire. Conduct is considered to be sexual harassment when made against another person of the same or opposite sex in the work or educational setting under any of the following conditions: (Education Code 212.5; Government Code 12940; 2 CCR 11034)

- Submission to the conduct is made explicitly or implicitly a term or condition of the individual's employment.
- Submission to or rejection of the conduct is used as the basis for an employment decision affecting the individual.
- The conduct has the purpose or effect of having a negative impact upon the individual's work performance or of creating an intimidating, hostile, or offensive work environment.
- 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. For purposes of applying the complaint procedures specified in Title IX of the Education Amendments of 1972, sexual harassment is defined as any of the following forms of conduct that occurs in an education program or activity in which a district school exercises substantial control over the context and respondent: (34 CFR 106.30, 106.44)
- A district employee conditioning the provision of a district aid, benefit, or service on the student's participation in unwelcome sexual conduct
- Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the district's education program or activity

Sexual assault, dating violence, domestic violence, or stalking as defined in 20 USC 1092 or 34 USC 12291

Examples of Sexual Harassment

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

- 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
- Unwelcome visual conduct such as drawings, pictures, graffiti, or gestures; sexually explicit emails; displaying sexually suggestive objects
- 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

Title IX Coordinator/Compliance Officer

The district designates the following individual(s) as the responsible employee(s) to coordinate its efforts to comply with Title IX of the Education Amendments of 1972 in accordance with AR 4119.12/4219.12/4319.12 - Title IX Sexual Harassment Complaint Procedures, as well as to oversee, investigate, and resolve sexual harassment complaints processed under AR 4030 - Nondiscrimination in Employment.

The Title IX Coordinator(s) may be contacted at:

Asst. Superintendent of Educational Services
2060 Challenger Drive
Alameda, CA 94501
(510) 337-7095
kzazo@alamedaunified.org

Training

Every two years, the Superintendent or designee shall ensure that supervisory employees receive at least two hours, and nonsupervisory employees receive at least one hour, of classroom or other effective interactive training and education regarding sexual harassment. All newly hired employees and employees promoted to a supervisory position 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)

Such training may be completed by employees individually or as part of a group presentation, may be completed in shorter segments as long as the applicable hourly requirement is met, and may be provided in conjunction with other training provided to the employees. The training shall be presented by trainers or educators with knowledge and expertise in the prevention of harassment, discrimination, and retaliation. (Government Code 12950.1)

The district's sexual harassment training and education program shall include, but is not limited to, the following: (Government Code 12950.1; 2 CCR 11024)

- Information and practical guidance regarding federal and state laws concerning the prohibition, prevention, and correction of sexual harassment
- The types of conduct that constitute sexual harassment
- Remedies available for victims in civil actions, and potential employer/individual exposure/liability
- Strategies to prevent harassment in the workplace

- Supervisors' obligation to report sexual harassment, discrimination, and retaliation of which they become aware
- 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
- The limited confidentiality of the complaint process
- Resources for victims of unlawful harassment, such as to whom they should report any alleged harassment
- Steps necessary to take appropriate remedial measures to correct harassing behavior, which includes the district's obligation to conduct an effective workplace investigation of a harassment complaint
- What to do if the supervisor is personally accused of harassment
- The essential elements of the district's anti-harassment policy, and how to use the policy if a harassment complaint is filed

Employees shall receive a copy of the district's sexual harassment policy and administrative regulations, which they shall read and acknowledge that they have received. Information, including practical examples, of harassment based on gender identity, gender expression, and sexual orientation. Prevention of abusive conduct, including a review of the definition and elements of abusive conduct pursuant to Government Code 12950.1, the negative effects that abusive conduct has on the victim and other in the workplace, the detrimental consequences of this conduct on employee productivity and morale, and that a single act does not constitute abusive conduct unless the act is severe or egregious.

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

The Superintendent or designee shall notify employees that the district does not discriminate on the basis of sex as required by Title IX, that the Title IX nondiscrimination requirement extends to employment, and that inquiries about the application of Title IX to the district may be referred to the district's Title IX Coordinator and/or to the Assistant Secretary for Civil Rights, U.S. Department of Education. (34 CFR 106.8)

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

A copy of the Board policy and this administrative regulation shall:

- 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 (Education Code 231.5)
- 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 (Education Code 231.5)
- Appear in any school or district publication that sets forth the school's or district's comprehensive rules, regulations, procedures, and standards of conduct (Education Code 231.5)
- Be posted, along with the name or title and contact information of the Title IX Coordinator, in a prominent location on the district's web site (34 CFR 106.8)

- Be included, along with the name or title and contact information of the Title IX Coordinator, in any handbook provided to employees or employee organizations (34 CFR 106.8)

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

- The illegality of sexual harassment
- The definition of sexual harassment under applicable state and federal law
- A description of sexual harassment, with examples
- The district's complaint process available to the employee
- The legal remedies and complaint process available through DFEH and the Equal Employment Opportunity Commission (EEOC)
- Directions on how to contact DFEH and the EEOC

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, the DFEH poster on discrimination in employment and the illegality of sexual harassment and the DFEH poster regarding transgender rights. (Government Code 12950)

Complaint Procedures

All complaints and allegations of sexual harassment by and against employees shall be investigated and resolved in accordance with law and district procedures. The Title IX Coordinator shall review the allegations to determine the applicable procedure for responding to the complaint. All complaints that meet the definition of sexual harassment under Title IX shall be investigated and resolved in accordance with AR 4119.12/4219.12/4319.12 - Title IX Sexual Harassment Complaint Procedures. Other sexual harassment complaints shall be investigated and resolved pursuant to AR 4030 - Nondiscrimination in Employment.

If sexual harassment is found following an investigation, the Title IX Coordinator, or designee in consultation with the Coordinator, shall take prompt action to stop the sexual harassment, prevent recurrence, and address any continuing effects.

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

Basic Principles:

All students are encouraged to dress in a manner that is comfortable and conducive to an active school day.

Students should be able to wear clothing without fear of or actual unnecessary discipline or body shaming.

The student dress code should serve to support all students to develop a body-positive self-image.

All items listed in the "must wear" and "may wear" categories below must meet these basic principles.

Students MUST Wear:

- Top
- Bottom
- Shoes

Clothing that covers specific body parts (genitals, buttocks, and areolae/nipples) with opaque material. Courses or specific class activities that include attire as part of the curriculum may include assignment-specific dress, but should not focus on covering students' bodies or promoting culturally-specific attire. Activity specific shoe requirements are permitted (Examples include but are not limited to physical education and shop class).

Students MAY Choose to Wear:

- Sun-protective clothing, including but not limited to hats, for outdoor use during the school day. (Education Code 35183.5)
- Hats, including religious headwear
- Hooded shirts/jackets (over head is allowed)*

Teachers may direct students to remove/adjust the position of hats/hoods over the head in class during the administration of a test/exam, to address headphone/earbud use issues, or to enable visual identification of a student's face. This does NOT apply to any headwear worn for religious reasons.

Students CANNOT Wear:

- Clothing that includes violent language or images
- Clothing that includes images or language depicting drugs or alcohol (or any illegal item or activity) or the use of same
- Clothing that includes hate speech, profanity, pornography
- Clothing that includes images or language that create a hostile or intimidating environment based on any protected class
- Visible underwear or bathing suits of similar design - Visible waistbands or straps on undergarments worn under other clothing are not a violation
- Helmets, hoods, or other headgear that obscures a student's identity (except as a religious observance).

A student's face must be clearly visible when taking their school photo for identification purposes. This may require the removal of a hood and/or hat. No grade of a student participating in a physical education class shall be adversely affected if the student does not wear standardized physical education apparel because of circumstances beyond the student's control. (Education Code 49066)

Training and Enforcement:

- All staff should be trained to understand the purpose/spirit of the code, the actual code, and how to enforce with the least impact on student learning and self-confidence.
- All staff must enforce the district dress code consistently, once it is adopted. All staff should not have discretion to vary the requirements in ways that lead to discriminatory enforcement.
- All staff should be trained and able to use student/body-positive language to explain the code and to address code violations.
- Enforcement should be consistent with a school's overall discipline plan. Failure to comply with the student dress code should be enforced consistently with comparable behavior and conduct violations, including access to a student advocate or ombudsperson and appeals process.

- Enforcement for students should be limited to safety and non-violence/non-discrimination and will not include messages based on body maturity.
- Violations should be treated as minor on the continuum of school rule violations.
- Students should never be removed from a classroom for a dress code violation unless they are violating the 'Students Cannot Wear' and 'Students MUST Wear' sections of the dress code. Loss of class time should be avoided or kept to a minimum.
- Students should never be forced to wear extra school clothing (that isn't their own) when they are in violation of the code. Students should be presented with a variety of options to rectify the situation. This could include but is not limited to: personal on-site clothing, school-offered clothing, and delivery of alternate clothing.
- Parents/guardians should never be called during the school day to bring alternative clothing for the student to wear for the remainder of the day unless by student request.
- No student should be disproportionately affected by dress code enforcement because of gender, race, body size, or body maturity.
- Students should not be shamed or required to display their body in front of others (students, parents, or staff) in school. "Shaming" includes but is not limited to kneeling or bending over to check attire fit, measuring/commenting on straps, skirt length, or cleavage, asking students to account for their attire in the classroom, and directing students to correct a dress code violation during instructional time.

Evaluation:

The Superintendent or designee shall annually review the effectiveness of this policy and determine, as appropriate, if any further review or revision is required.

Gang-Related Apparel

At individual schools that have a dress code prohibiting gang-related apparel at school or school activities, the principal, staff, and parents/guardians participating in the development of the school safety plan shall define "gang-related apparel" and shall limit this definition to apparel that reasonably could be determined to threaten the health and safety of the school environment if it were worn or displayed on a school campus. (Education Code 32282)

Because gang-related symbols are constantly changing, definitions of gang-related apparel shall be reviewed at least once each semester and updated whenever related information is received. As necessary, the school shall collaborate with law enforcement agencies to update definitions of gang-related apparel.

Uniforms

In schools that require a schoolwide uniform, the principal, staff, and parents/guardians of the school shall jointly select the specific uniform to be worn. (Education Code 35183)

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

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

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

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

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

EVACUATION PROCEDURES

EVACUATION ALARM SYSTEM

A crisis or emergency may warrant an evacuation of the school building(s). Once notified of an emergency situation, the Incident Commander, will carry out the initial response actions delineated in the Emergency Preparedness and Crisis Response Plan. In consultation with members of the Incident Command Team, the principal will determine whether an evacuation is warranted or is the safest action given the character of the emergency. Incident Command Team members will immediately assume their designated response duties as activated by the Incident Commander. The Disaster Response Officer will ensure, during the evacuation itself, that all evacuation assistance personnel are operative and performing their respective duties as assigned. When a decision is made to evacuate, the Assembly /Shelter and Care Team leader will immediately report to the assembly area and inspect the area for hazards. The Assembly /Shelter and Care Team leader will notify the Disaster Response Officer immediately if the area is safe. If not, the Assembly /Shelter and Care Team will advise that the evacuation be done to the alternate assembly location. This evacuation may be a partial evacuation of only portions of the building in a localized emergency [e.g., a small chemical spill] or it may be a general evacuation of all building. When an evacuation is ordered, students and staff will be notified according to the site's Preparedness and Crisis Response REMS packet. If deemed appropriate and safe, the school's fire alarm will sound in the event of a general building evacuation. If neither mechanical system is operable, the Incident Commander will utilize office, custodial or student personnel to notify classrooms of the need to evacuate.

COORDINATING THE EVACUATION

Upon receiving the order to evacuate, staff will assume their designated positions in the school. They will then monitor the evacuation procedures and assure that all persons have left the building. Staff are also responsible to ensure that all disabled persons in the building are assisted as necessary.

1. Take emergency backpack, and attendance information.
2. Teachers evacuate with current class. If evacuation occurs outside of a class period: Return to previous class
3. Upon exit lock door to indicate room is all clear and lock door. Keep unlocked if victim is inside.
4. Check with buddy teacher. Assist/evacuate both classes if needed.
5. If on prep or don't have a class: move to nearest evacuation area and assist
6. Check common areas while evacuating.
7. Evacuate to primary location via assigned route, adjust as needed.
8. At evacuation location, line up, and take attendance.
9. List missing students on Share 911
10. Stay with class unless you are released to assume other duties.
11. Release from drill will be PA announcement/bell
12. Communicate with your students and maintain control.

EVACUATION ASSEMBLY AREAS

When ordered to evacuate, students and staff will follow the evacuation route prescribed for their respective areas and exit the building in an orderly and controlled manner. Any volunteers or visitors to the classroom should be advised to go with the classroom to the assembly area. ALL students and staff must report to the assembly area and remain there until the Incident Command Team, via the Assembly/Shelter and Care Team, notifies them it is clear to return to the building. Under no circumstances are students to leave the area unless released by the teacher in strict accordance with the school's Student Release Procedures as outlined in the site's Preparedness and Crisis Response Cliff Notes. This will not be done unless it is authorized by the Incident Command Team. Teachers MUST take a head count of all persons under their care to ensure that all students, volunteers and visitors are present. This will be reported to the Assembly /Shelter and Care Team as outlined in the site's Preparedness and Crisis Response Cliff Notes.. If someone is deemed missing, the teacher is to immediately report this fact to the Assembly /Shelter and Care Team as outlined in the site's Preparedness and Crisis REMS packet.

ACCESS CONTROL PERSONNEL

Whenever an evacuation is called, the designated Security/Traffic response team (designated prior to an emergency) will automatically assume duties as traffic controllers to prevent unauthorized public vehicles or persons access to the school campus and building(s). They will function according to the duties delineation shown in the Emergency Preparedness and Crisis Response Plan.

STUDENT EARLY DISMISSAL AND EMERGENCY SCHOOL CLOSURE

During school hours, all students are considered under the care and supervision of school staff. In all circumstances, and especially in the event of emergency incidents or circumstances, the safety of the students and the school staff is of paramount importance. All actions taken shall bear in mind the safety and well-being of both students and school employees. Thus, in the event of a major emergency incident or disaster during school hours, school will not be dismissed without the expressed and clear authorization of the District Superintendent or a designee, and children will remain under the supervision of school authorities. Students will only be released from school and District responsibility in strict accordance with the procedures outlined in the District's Early Release Policy as described below. Parents/guardians or designated emergency contacts who come to the school to pick up students must properly identify themselves in order for their children to be released.

RELEASE OF STUDENTS FROM SCHOOL

AUSD and this school want to reunite parents with their children at the earliest time possible after an emergency situation or major disaster event. However, if it is not possible for parents to pick up their children or make arrangements for others to do so, students will be held at the school or other area until such time as they can be safely released. Each year the school will notify all parents of the procedure for reuniting parents with children in the event of an emergency at school. Parents are encouraged to print out and complete data confirmation each year and update their emergency contacts. In the event students are held at a school, they may be released only to the student's own parent(s) or a person authorized beforehand by the parent. As a part of annual registration, sites collect emergency contact information in AERIES. From AERIES, Emergency Cards shall be printed and used for this purpose. It is recommended sites print copies for teachers to have on hand in their emergency packs along with roll information. Office shall also print out the Emergency Student List or Emergency Cards and Parents or others must check with this school's Student Release team at the emergency Student Release Location prior to pick up of their children. Teachers will release students according to the procedure outlined under the Emergency Student Release Procedures described below.

EMERGENCY RELEASE PLAN PROCEDURES

Teachers will utilize the following procedures to properly release students from their care to a parent, legal guardian or person authorized in writing to pick up the student:

1. At time of emergency, students remain with their current classes. Teacher takes roll on an Accountability Form and await direction from Incident Commander via Student Release team.
2. Incident Command will communicate with district office for dismissal directive. Students will report to (first period or other) classes, upon Student Release team directive.
3. Students will be released only to authorized adults listed on the Emergency Card or Emergency Student List. Adults picking up students must sign Student Release Log and indicate destination. Unless otherwise directed by Incident Commander via Student Release officer, a runner takes message to teacher with name of student being released and name of adult picking up student. Teacher double-checks sign-out sheet, stamps/marks student and releases.
4. Students may go home with people listed on Emergency Card or Emergency Student List if parent can't be reached.
5. Periodically, as students are released, remaining students will be consolidated.
6. Teacher takes attendance after each consolidation, informs Assembly/Shelter and Care team as well as the Student Release team, and keeps all documentation.

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

Component:

Component I: The Social Climate, People, and Programs

Element:

Identify proposed changes to or the addition of curriculum, strategies and programs that ensure a safe and orderly environment.

Opportunity for Improvement:

Goal: Improve Student/Family/Community Involvement

Objectives	Action Steps	Resources	Lead Person	Evaluation
Faculty Involvement - all staff monitor and track minor discipline & give input to schoolwide incentive program	Provide 2-3 additional staff presentations on structure of PBIS and COST systems. Provide bi-yearly surveys to staff on incentive and discipline systems.	Staff Meetings	Culture & Climate Lead	AERIES Data tracking with support from district PBIS lead; Staff Meeting Agendas
Student/Family/Community Involvement	Publish yearly calendar of Events Have a weekly PBIS section in the Principal Newsletter (assign to PBIS committee member) Invite 2 ES and 2 MS students to join the PBIS Team Have parent representation on PBIS Team Provide opportunity for MS to assist stations in Hour of Play	PBIS Meetings, Site Newsletter (The Wave)	C&C Lead & Principal	Culture & Climate Meeting Agendas, The Wave Newsletter
Ability for teachers to request assistance for struggling students	More training needed on what COST is, and train/offer time for entering referrals into Aeries.	Staff Meetings	Intervention Lead	Staff Meeting Agendas
Tier 2 Critical Features	Formalize robust pre and post assessment structure for all T2 groups	COST Team and adopted intervention programs	Instructional Coach and Intervention Lead	Intervention Tracking Spreadsheet
Professional Development around Behavior	The Sped team, counselor, behaviorist, Intervention Lead participate in training around basic behavior theory. Toolbox has provided some resources.	CPI Training; Toolbox Program	Site Behaviorist	Certification of training
Increase Implementation of Toolbox	Create and implement timeline for teaching Refine program for middle school	Toolbox Manual	C&C Lead	Training Timeline Review;

Objectives	Action Steps	Resources	Lead Person	Evaluation
Increase Culturally & Linguistically Responsive Practices	Book Study & Professional Development	Culturally and Linguistically Responsive Teaching and Learning – Classroom Practices for Student Success, Grades K-12 (2nd Edition) PD Provided by AUSD Office of Equity	Principal and Instructional Coach	Class Walkthroughs and CHKS

Component:

Component II: Physical Environment

Element:

Updated yearly in coordination with district office, APD & AFD.

Opportunity for Improvement:

Goal: Secure campus that allows for safe egress when needed

Objectives	Action Steps	Resources	Lead Person	Evaluation
Secure physical campus during the school day	Refine Gate locking and unlocking timing and procedures	MOF	Principal & Head Custodian	Drills and security alerts
Improve ability to leave campus safely in an ALICE response	Change gate so that campus can be exited safely throughout school day	MOF	Principal & Office Manager	Completion of project
Entire Campus Rekeyed	Install "Columbine" Locks on all classroom doors	MOF	MOF	Completion of Project

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

Bay Farm School Student Conduct Code

ALAMEDA UNIFIED SCHOOL DISTRICT DISCIPLINE AND INTERVENTION PROTOCOL

Alameda Unified School District is committed to creating a safe and positive school culture in which all students feel included, supported, and respected. We want to help eliminate inequality in the use of punitive consequences and provide each child with excellent teachers who are equipped to promote academic and social emotional growth in all students. AUSD takes a positive approach to student behavior and the use of restorative practices to minimize the need for punitive consequences and maximize instructional time for every student. We recognize the importance of developing the social and emotional health of all youth and adults in our organization.

The following chart indicates the types of disciplinary action that may apply to each type of infraction. In each instance, an opportunity to teach appropriate behavior through the use of intervention, restorative practices and a corrective action is stated. Each situation or violation involving student conduct should be individualized and the least punitive action based on the violation should be taken. The administrator shall, however, determine whether a specific infraction warrants the corrective action described on the chart. Corrective action taken by the administrator shall take place after progressive discipline interventions by the school fail to bring about proper conduct. These corrective measures are intended to assist in teaching appropriateness and responsibility, while maintaining consistent student discipline on campus.

See Link to discipline matrix: <https://docs.google.com/document/d/1YyzYC48Eq5WsTycFdS35jhrGP4G3nALhYghgdznwzuQ/edit#>

Conduct Code Procedures

Bay Farm PBIS Staff Handbook: <https://docs.google.com/presentation/d/11mgCAsDBoulgNLMFLZ0EExrRIUQghRRei0gh-A7FVal/edit?usp=sharing>

AUSD District Student Conduct Policy

The Board of Education believes that all students have the right to be educated in a positive learning environment free from disruptions. Students shall be expected to exhibit appropriate conduct that does not infringe upon the rights of others or interfere with the school program while on school grounds, while going to or coming from school, while at school activities, and while on district transportation.

Conduct is considered appropriate when students are diligent in study, careful with school property, courteous, and respectful toward their teachers, other staff, students, and volunteers.

Prohibited student conduct includes but is not limited to:

- (1) Conduct that endangers students, staff, or others
- (2) Conduct that disrupts the orderly classroom or school environment
- (3) Harassment of students or staff (such as bullying, cyberbullying, intimidation, hazing or initiation activity, ridicule, extortion, or any other verbal, written, or physical conduct that causes or threatens to cause bodily harm or emotional suffering) in accordance with the section entitled "Bullying/Cyberbullying" below

"Cyberbullying" includes the transmission of communications, posting of harassing messages, direct threats, social cruelty, or other harmful texts, sounds, or images on the Internet, social networking sites, or other digital technologies using a telephone, computer, or any wireless communication device. Cyberbullying also includes breaking into another person's electronic account and assuming that person's identity in order to damage that person's reputation or friendships.

- (1) Damage to or theft of property belonging to students, staff, or the district
 - (2) Possession or use of a laser pointer, unless used for a valid instructional or other school-related purpose
- Prior to bringing a laser pointer on school premises, students shall first obtain permission from the principal or designee. The principal or designee shall determine whether the requested use of the laser pointer is for a valid instructional or other school related purpose.

- (1) Use of profane, vulgar, or abusive language
- (2) Plagiarism or dishonesty in schoolwork or on tests
- (3) Inappropriate attire
- (4) Tardiness or unexcused absence from school
- (5) Failure to remain on school premises in accordance with school rules
- (6) Possession, use, or being under the influence of tobacco, alcohol, or other prohibited drug in violation of school rules

Employees are expected to provide appropriate supervision to enforce standards of conduct and, if they observe or receive a report of a violation of these standards, to immediately intervene or call for assistance. If an employee believes a matter has not been resolved, he/she shall refer the matter to his/her supervisor or administrator for further investigation.

Students who violate district or school rules and regulations may be subject to discipline including but not limited to suspension, expulsion, transfer to alternative programs, or denial of participation in extracurricular or cocurricular activities in accordance with Board policy and administrative regulation. The Superintendent or designee shall notify local law enforcement as appropriate.

Students also may be subject to discipline for any off-campus conduct during non-school hours which 1) poses a threat or danger to the safety of students, staff, or district property or 2) substantially disrupts the educational program of the district or any other district in accordance with law, Board policy, or administrative regulation.

(K) Hate Crime Reporting Procedures and Policies

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

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

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

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

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

As necessary, the district shall provide counseling, guidance, and support to students who are victims of hate-motivated behavior and to students who exhibit such behavior.

When appropriate, students who engage in hate-motivated behavior shall be disciplined.

The Superintendent or designee shall provide staff with training that:

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

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

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

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

Complaints

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

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

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

(J) Procedures to Prepare for Active Shooters

When responding to a situation that requires our school to go into lockdown (this may include, but is not limited to, an active shooter in the building), the ALICE (Alert, Lockdown, Inform, Counter, Evacuate) protocol will be followed.

ALERT

Purpose: To use clear, concise language to indicate presence and location of active shooter or other harmful individual.

Indicate lockdown and the harmful presence and/or location of threat. For example, "LOCKDOWN, There is an active shooter in the Computer Lab," or "LOCKDOWN, an armed gunman is walking through the first floor long hallway."

Anyone can alert the school community to such a situation. Do not wait for or rely on Administration or the front office staff to make the announcement. If a staff or faculty member undoubtedly sees or is notified of a harmful individual inside the school building, he or she has the authority to alert the rest of the school community of a lockdown. Some ways to alert include: the PA system, Using the classroom phone to activate LOCKDOWN, yelling, using share 911. Faculty and staff must use any means available to them to alert the school community and to spread the word. This may be a team effort where a group of individuals work together to inform everyone. If the opportunity to escape presents itself, you should do so and report to the predetermined Rally Point.

LOCKDOWN

Purpose: To allow for an aggressive use of current technology and procedures.

A traditional lockdown procedure is the first best option when in a high-risk area (or near the harmful individual). If you do not know if you are in a high-risk area, assume you are high risk and proceed to lockdown. If remaining in lockdown remains the best option, all members of the school community should work together to protect themselves.

First, close and lock classroom doors. Use belt or backpack strap to secure door handle if possible.

Create a barricade between you and students in the classroom and the intruder on the outside; use desks, chairs, shelves, cabinets and other pieces of furniture to block entry and to provide more time for survival (have smaller items near at hand in event intruder enters the room)

Gather in the area furthest from the entry point to the room; greater distance means greater safety.

Taking attendance and maintaining order are not the priority.

INFORM

Purpose: To continually communicate the shooter's whereabouts using direct and clear language. (Use Share 911 and the PA system)

By communicating with the school community, all members can make well-informed judgment calls and can be aggressive in protecting themselves. Students, faculty and staff should use every opportunity to alert others and to communicate the whereabouts of the harmful individual.

The use of share 911, phones (school or cell), yelling, and PA system are encouraged to communicate the whereabouts and will keep the intruder off balance. Working together to make informed decisions will put the intruder at a disadvantage.

COUNTER

Purpose: To apply skills to distract, confuse and gain control.

Counter is an absolute last resort. If one finds himself in close proximity to the intruder (no chance to flee or safely get away), he should apply the following counter movements to increase chances of survival:

- Throw objects at the intruder
- Distract the intruder by noise and/or movement
- Run away in a zig zag pattern
- Swarm the intruder
- Flight or fight but do not freeze
- Turn chaos into an advantage
- Use body weight and gravity to gain control

EVACUATE

Purpose: To remove as many people as possible from the danger zone to minimize targets of opportunity.

If you know the intruder's whereabouts and you are not in a high-risk area, you should Evacuate to the school's Rally Point. Only people on the first floor should exit through the windows if necessary. People on the 2nd and 3rd floors should not evacuate through windows as this may cause harm and use the safest stairwell then exit the school to the Rally Point.

REUNIFICATION

Purpose: To reunify students with their parent/guardians in a safe location

Procedures for Preventing Acts of Bullying and Cyber-bullying

Definitions:

Bullying is an unwanted, aggressive behavior that involves a real or perceived imbalance of power between individuals with the intent to cause emotional or physical harm. Bullying can be physical, verbal, or social/relational and involves repetition or potential repetition of a deliberate act.

Cyberbullying includes the electronic creation or transmission of harassing communications, direct threats, or other harmful texts, sounds, or images. Cyberbullying also includes breaking into another person's electronic account or assuming that person's online identity in order to damage that person's reputation.

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

- Physical bullying that inflicts harm upon a person's body or possessions, such as hitting, kicking, pinching, spitting, tripping, pushing, taking or breaking someone's possessions, or making cruel or rude hand gestures
- Verbal bullying that includes saying or writing hurtful things, such as teasing, name-calling, inappropriate sexual comments, taunting, or threats to cause harm
- Social/relational bullying that harms a person's reputation or relationships, such as leaving a person out of an activity on purpose, influencing others not to be friends with someone, spreading rumors, or embarrassing someone in public
- Cyberbullying, such as sending demeaning or hateful text messages or emails, sending rumors by email or by posting on social networking sites, or posting embarrassing photos, videos, web site, or fake profiles

Measures to Prevent Bullying:

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

- Ensuring that each school establishes clear rules for student conduct and implements strategies to promote a positive, collaborative school climate
- Providing to students, through student handbooks and other age-appropriate means, information about district and school rules related to bullying, mechanisms available for reporting incidents or threats, and the consequences for engaging in bullying
- Encouraging students to notify school staff when they are being bullied or when they suspect that another student is being bullied, and providing means by which students may report threats or incidents confidentially and anonymously

- Conducting an assessment of bullying incidents at each school and, if necessary, increasing supervision and security in areas where bullying most often occurs, such as classrooms, playgrounds, hallways, restrooms, and cafeterias
- Annually notifying district employees that, pursuant to Education Code 234.1, any school staff who witnesses an act of bullying against a student has a responsibility to immediately intervene to stop the incident when it is safe to do so

Staff Development:

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

The Superintendent or designee shall provide training to teachers and other school staff to raise their awareness about the legal obligation of the district and its employees to prevent discrimination, harassment, intimidation, and bullying of district students. Such training shall be designed to provide staff with the skills to:

- Discuss the diversity of the student body and school community, including their varying immigration experiences
- Discuss bullying prevention strategies with students, and teach students to recognize the behavior and characteristics of bullying perpetrators and victims
- Identify the signs of bullying or harassing behavior
- Take immediate corrective action when bullying is observed
- Report incidents to the appropriate authorities, including law enforcement in instances of criminal behavior

Student Instruction:

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

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

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

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

Reporting and Filing of Complaints:

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

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

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

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

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

Discipline/Corrective Actions:

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

When appropriate based on the severity or pervasiveness of the bullying, the Superintendent or designee shall notify the parents/guardians of victims and perpetrators and may contact law enforcement.

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

(Education Code 48900.9)

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

Emergency Contact Numbers

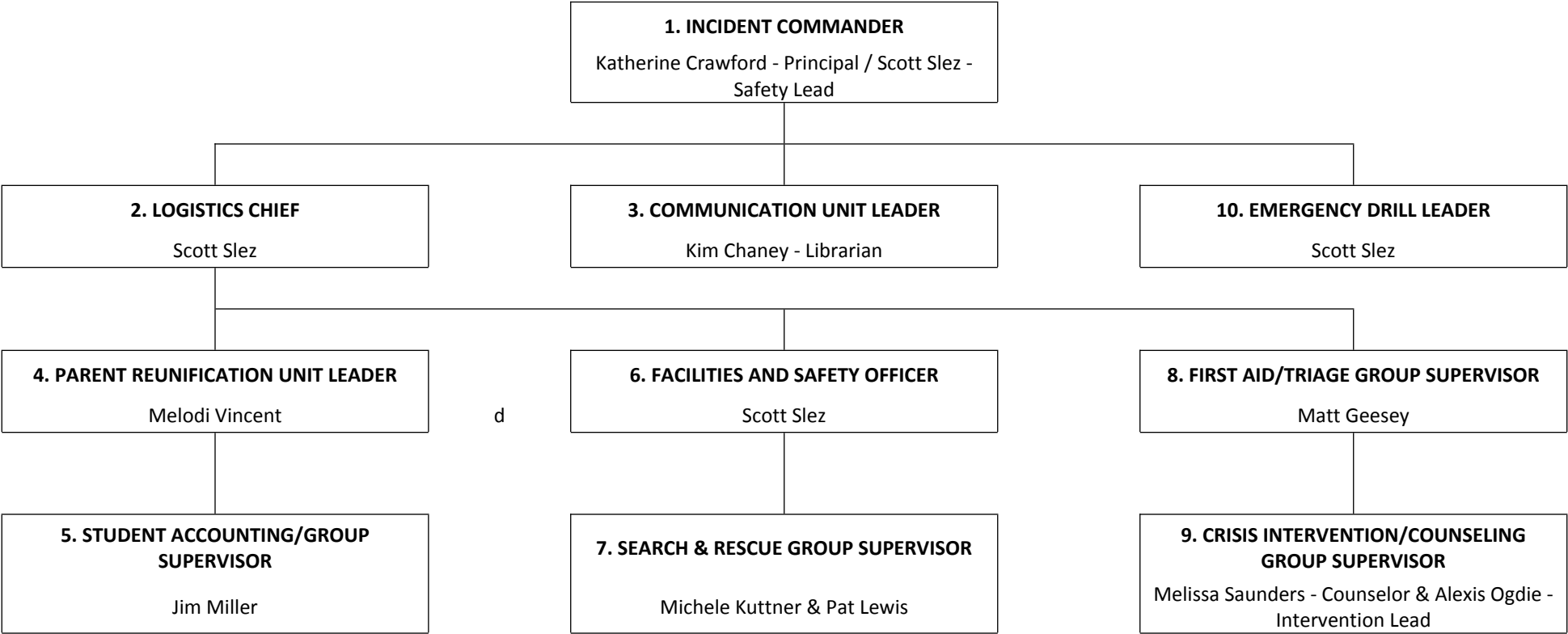
Utilities, Responders and Communication Resources

Type	Vendor	Number	Comments
City Services	City of Alameda	510-747-7400	
Other	County of Alameda	510-208-9770	
Law Enforcement/Fire/Paramedic	APD Non-Emergency	510-337-8340	
Law Enforcement/Fire/Paramedic	POLICE DEPARTMENT 911	911	
Other	Hazardous Materials Unit	510-567-6702	
Other	HEALTH DEPARTMENT - Alameda County	510-267-8000	
Local Hospitals	Alameda Hospital (Emergency Room)	510-522-3700	
American National Red Cross	RED CROSS	510-595-4400	

Safety Plan Review, Evaluation and Amendment Procedures

Activity Description (i.e. review steps, meetings conducted, approvals, etc)	Date and Time	Attached Document (description and location)
Faculty Meeting	9/22/2023 3:05pm	Emergency response training with all staff ; https://docs.google.com/document/d/170RODa1lyC3ugBYsuuSKsWUZxdwlePExxd8p48foznY/edit?usp=sharing
Safety Committee Meeting (School Staff Team)	9/27/23 3:15pm	Review of Safety Plan adn procedures, roles and responsibilities, maps and evacuation routes
School Site Council Meeting	1/24/24 3:30pm	Safety Committee Informational Session - https://docs.google.com/document/d/1tX4MDzJsgjP-Gv0zdwCuTZaDQBSKuoqscPpP2uMgbw/edit?usp=sharing
Safety Committee Meeting (Site & PTSA Teams)	8-30-23 8:45am	Bay Farm Conference Room - Notes https://acrobat.adobe.com/id/urn:aaid:sc:US:4800bc2e-5df7-44d5-9aa7-81f719adb90c
Faculty Meeting	10-30-23 3:05pm	Review of REMS roles and responsibilities
Safety Committee Meeting (Site & PTSA Teams)	10-24-23 9:00am	Safety Committee Meeting - Follow up
Public Hearing	10-5-23 11:00am	Safety plan review with community edit
School Community Meeting	10-5-23 11:00am	https://docs.google.com/document/d/170RODa1lyC3ugBYsuuSKsWUZxdwlePExxd8p48foznY/edit?usp=sharing
School Site Council Meeting - overview of Comp School Safety Plan and process throughout the year.	2-2-24 3:30pm	SSC Agenda - https://docs.google.com/document/d/1tX4MDzJsgjP-Gv0zdwCuTZaDQBSKuoqscPpP2uMgbw/edit?usp=sharing
School Site Council Meeting - approval of CSSP	2-28-24 3:30pm	SSC Agenda - https://docs.google.com/document/d/1tX4MDzJsgjP-Gv0zdwCuTZaDQBSKuoqscPpP2uMgbw/edit?usp=sharing

Bay Farm School Incident Command System



Incident Command Team Responsibilities

Standardized Emergency Response Management System Overview

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

SITE ORGANIZATION DURING A DECLARED EMERGENCY COMMAND POST PERSONNEL AND DUTIES

If notified of a Declared Emergency from the Superintendent's Office, OR if the site suffers a severe disaster, the Site Manager shall immediately implement the plans and procedures in the Site Emergency Plan.

The Site Manager or Incident Commander shall:

- A. Activate alarm/Broadcast Alert on Share911 and PA to notify staff
- B. Activate Command Post and 2-way radio
- C. Activate Emergency Teams
- D. Assess total school situation
- E. Make initial site assessment report on Share911 to District Emergency Operations Center.
- F. Check to see that Site Emergency Teams are operating
- G. Assign messengers to needed areas
- H. Request help from 911 or Emergency Operations Center as required
- I. Secure information from Emergency Teams Update Site Status Reports - Report to the Emergency Operations Center
- J. Reassign team members to other duties as required when they finish initial assignment duties
- K. Personally address these items:
 - 1. Is campus secure?
 - 3. Are utilities off or secure?
 - 4. Are signs directing adults to release area up?
 - 5. Are traffic controllers needed?
 - 6. Is First Aid Center functioning?
 - 7. Have buildings been searched for victims?
 - 8. Is the student release program set up and operational?

Logistics Chief: The Site Office Manager shall:

- A. Report immediately to the Command Post with:

1. Master keys
2. Current roster of students and staff
3. Emergency forms and documents
4. Office supplies to assist unit leads

B. Assume responsibilities as directed by Site Manager

The Site Clerical Staff shall:

A. Team up with other personnel as a member of a Site Emergency Team, otherwise:

B. Report to the Site Command Post and assume responsibilities as directed by the Site Manager

The Attendance Clerk shall:

A. Keep a current file of all students release information from forms parents are required to fill out authorizing listed persons to pick up their children in case of a severe emergency. The Attendance Clerk will take these records to the Student Release Area in the Cafeteria and give them to the Student Release Team to use.

The Site Custodians shall:

A. Check the condition of the utilities and connecting pipes and lines and if necessary, turn them off.

B. Check the site completely for:

1. Fire and electrical hazards
2. Chemical hazards (Chlorine storage)
3. Other hazards

C. Notify Site Manager of hazards and services needed

D. Barricade hazardous areas using whatever materials handy

E. When site is secure, report to the Command Post for direction

F. Open emergency container and provide emergency sanitation areas if toilets are unavailable

Directions for the Instructional Staff During a Declared Emergency

Teachers and Para Professionals shall:

A. Respond immediately to emergency signals requiring specific actions and check in on Share911

B. If signal is one to Leave Building, know if signal is for:

1. Fire evacuation

2. Earthquake evacuation
3. Chemical spill evacuation

Evacuate Accordingly!

A. When leaving building:

1. Take emergency backpack
2. Require students to be silent in order to hear instructions
3. Close doors to classroom
4. Go directly to pre-assigned location

B. Check with nearby classrooms when evacuating. If there are seriously injured persons who cannot be moved, assign one teacher to remain and the other to evacuate the rest of the students. Report on Share911

C. Teachers shall provide First Aid to the best of their ability to students under their supervision until the emergency First Aid station is activated. Students with major injuries are to remain in the classroom supervised by a teacher or aide. Students with minor injuries are to be cared for after evacuation.

D. Upon reaching evacuation destination, teachers shall:

1. Take roll
2. List missing students on Share 911 and on paper
3. Give list to Assembly Area Team members
4. Calm students. Remind them of District policies about remaining at school
5. Monitor warmth and protection of students. Move if necessary

E. If assigned to a Site Emergency Team, transfer your students to paired teacher to supervise, report immediately to the Command Post for supplies and begin implementation of Team responsibilities.

USE REMS TO ESTABLISH YOUR EMERGENCY SITE TEAM

Note: Contact listing is intended to be shared with team members to enhance communication in the event of a critical incident. It is recommended that the Principal and Designee establish an intranet list server to further enhance communications. The personal information listed is intended for team members. Please type name and number under each assignment.

REMS Team Members Primary Contact/Cell number Secondary Contact/Cell number

Katherine Crawford 510-326-6550

Scott Slez

Incident Commander:

Establishes an Incident Command Center, lists incident objectives and designates the following positions to perform the following duties.

Logistics Chief:

Supports each unit leader with where to find the necessary tools to support the team fulfilling their duties.

Report immediately to the Command Post with:

- Master keys
- Current roster of students and staff
- Emergency forms and documents
- Office supplies to assist unit leads
- Computers and walkie talkies
- Assume responsibilities as directed by Site Manager

Communication Unit Leader:

Works with the incident commander to communicate out important information to all supervisors and the public.

Report immediately to the Command Post with:

- Computer
- Office supplies

Parent Reunification Unit Leader:

Reunification refers to getting students reunited with their parents or guardians in an efficient and orderly manner. Reunification can be an enormous challenge and takes a lot of planning.

The Student Release Team is responsible for:

- Setting up secure reunion area
- Checking student emergency cards for authorized releases
- Completing release logs
- Coordinating with the Public Information Office on external messages

Student Accounting/Group Supervisor:

Evacuation, shelter, and student care in an emergency is one of the most important tasks faced by schools. It includes student accounting, protection from weather, providing for sanitation needs, and providing for food and water and releasing of students to their guardians.

The Evacuation/Shelter/Care Team is responsible for:

- Accounting for the whereabouts of all students, staff, and volunteers
- Setting up secure assembly area
- Managing sheltering and sanitation operations
- Managing student feeding and hydration
- Coordinating with the Student Release Team
- Coordinating with the Logistics Section to secure the needed space and supplies

Search & Rescue Group Supervisor:

Search & Rescue Teams search the entire school facility, entering only after they have checked the outside for signs of structural damage and determined that it is safe to enter. Search & Rescue Teams are responsible for ensuring that all students and staff evacuate the building (or, if it is unsafe to move the persons, that their locations are documented so that professional responders can locate them easily and extricate them).

Search & Rescue Teams are also responsible for:

- Using Share 911 to identify where injuries may exist
- Obtaining injury and missing student reports from teachers
- Moving injured members from building if emergency responders are unable to do so
- Identifying and marking unsafe areas
- Conducting initial damage assessment

First Aid/Triage Group Supervisor:

First Aid Teams provide triage and treatment for students and other disaster victims. First Aid Teams are responsible for setting up first aid area for students, assessing and treating injuries, and completing master injury report.

First Aid Teams are responsible for:

- Setting up a first aid area for students
- Assessing and treating injuries
- Completing master injury report

Note: The Logistics Section Medical Unit provides care to responders. The Operations Section First Aid Team is dedicated to students or other disaster victims.

Crisis Intervention/ Counseling Group Supervisor:

The Crisis Intervention Team is responsible for assisting students and school personnel who are unable to cope with the fears and psychological trauma associated with emergencies and disasters.

This includes:

- Assessing need for onsite mental health support
- Determining need for outside agency assistance
- Providing onsite intervention/counseling
- Monitoring well-being of school emergency team, staff, and students, and reporting all findings to the Operations Section Chief

Facilities and Safety Officer:

The Facilities & Security Response Team is responsible for:

- Locating all utilities and turning them off, if necessary
- Securing and isolating fire/HazMat
- Opening Emergency Trailer
- Assessing and notifying officials of fire/HazMat
- Conducting perimeter control

Emergency Drill Leader:

The Emergency Drill Leader is responsible for:

- Training staff
- Coordinating and running all required drills
- Monitoring participations
- Reviewing after action reports
- Reporting to the incident commander

LIST SEARCH TEAM DUTY DESCRIPTIONS

EXAMPLE: If assignment is SEARCH TEAM:

Take heavy gloves, flashlight, hard hat and masking tape (no entry) from Emergency Backpack.

Leave Emergency Backpack and students with designated teacher (see previous page).

Report to INCIDENT COMMAND CENTER near gate in I?????yard meet with search team partner(s).

Receive directions for search instructions from Search team supervisor.

LIST WHO WILL BE:

SEARCH TEAM #1 Search team will be delegated by

LIST FIRST AID FUNCTION

EXAMPLE: Minimize injuries and loss of life: provide temporary care of injured students.

Set up desk at picnic tables behind multipurpose room (or if unsafe here, on blacktop near multipurpose room).

Organize supplies and treatment area.

Help with wounded.

Keep Check Out Station informed.

Request additional help (ambulances, etc.) through Check Out Station.

Look up emergency information if necessary.

LIST WHO WILL BE:

TREATMENT

TRIAGE

RECORDER

List the things you will have to accomplish and assign to operations section or logistics section.

Examples:

Set up table, chairs and sign "Incident Command Center"

Set up operations table, logistics table.

Set up a first aid station

Put traffic cones in the street, blocking off access to the parking lot entry drive

Set up people to handle the check out of students. Display signs A-L, M-Z. Have emergency card information forms out.

Record finding of search teams

List any unaccounted for students and those in First Aid or in need of first aid.

Keep track of the walkie-talkies

Listen to radio

Use runners as necessary to retrieve information and students

Organize parent line-up and announce using bullhorn to parents that students have been evacuated

Assist in calming and organizing parents

Provide pen and paper for non-English speaking students to write their name

Communicate to District Personnel

INCIDENT COMMAND POST – Located

The Site Manager or designee is the final authority at each school. He/she must be available for all decisions, information and authority during the time the schools are isolated.

Therefore, the Site Manager and the Command Post should be housed in a central area, i.e., the front of the school, where the manager is available to radio, telephone, emergency equipment or personnel and parents.

The Command Post will begin to operate immediately after a disaster.

This is where the record keeping, communication, and major decision making will take place. The Site Manager or Incident commander will be here.

In addition, a separate Student Release Area will be established to coordinate the release of students to authorized adults. Student release area will be in the bike cage (if inaccessible at the end of the parking lot behind the second gate.

Emergency Release Information Forms are needed at the Release Area to document the release of all students.

While the Command Post is functioning, The First Aid and Search/Assessment Teams will carry out their functions and provide information to the Incident commander about the:

1. Condition of students
2. Condition of staff
3. Condition of facilities

Management

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

Planning & Intelligence

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

Operations

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

Logistics

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

Finance & Administration

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

Types of Emergencies & Specific Procedures

Aircraft Crash

FALLEN AIRCRAFT

DEFINITION/DESCRIPTION

If an aircraft falls near the school, the principal will determine which emergency action, if any, will be taken. Local fire and police departments will be responding also. All students and staff should be kept at a safe distance to protect them from possible explosions and/or fire.

IMMEDIATE ACTION

Principal

- Determine which Action, if any, should be implemented.
- Where necessary, tell teachers they may need to take immediate action for the safety of students without waiting for directions from the principal.
- Determine, if possible, whether the aircraft is military, commercial or private. Contact the local police to determine appropriate action and refer all members of the press to the Emergency Operations Center.

Principal's Secretary

- Respond to calls.
- Assist principal as needed.
- Refer all members of the press to the Emergency Operations Center.

Teachers

- Follow principal's direction as to appropriate Action.
- Depending on the nature of the accident you may need to take Action DROP or Action TAKE COVER to protect students from a possible explosion and/or fire.

FOLLOW UP ACTION

Principal

- Provide up-to-date information to staff and students as it becomes available and arrange school site meetings to make assignments and determine plans.
- Coordinate activities of the school site team.
- Maintain contact with Emergency Operations Center and Superintendent's office.
- Arrange after-school staff meetings to debrief and clarify events.

Teachers

- Read bulletins/announcements as provided by the principal.
- Refer all media to the principal's office.
- Cooperate with the school site team to provide follow-up as appropriate.
- Refer for counseling students who may be at risk.
- Return to normal instructional activities as soon as possible.

Animal Disturbance

If a rabid or vicious animal is at or in the vicinity of the school, the Animal Control Center should be notified immediately. Teachers shall be notified Shelter In Place. Students outside of the building will be quietly and cautiously sent into the nearest building and secured in a room behind closed doors. Notify the Superintendent's Office.

Armed Assault on Campus

Follow A.L.I.C.E Procedures

Biological or Chemical Release

CHEMICAL SPILL

1. An announcement will be made to either Shelter in Place or evacuate the building and gather in the Assembly Area, depending on the situation.
2. The announcement will be made by the P.A. system, or if this fails to operate, messenger will alert classes.
3. If the Assembly Area is not safe, students will be evacuated to Tillman Park, depending on the area of the spill and direction of the wind.

CHEMICAL ACCIDENT

1. DEFINITION/DESCRIPTION

Chemical accidents of disaster magnitude would include tank truck accidents involving large quantities of toxic gases or toxic liquids. This type of accident will likely be reported by an outside source unless the accident has occurred immediately adjacent to the school site.

2. IMMEDIATE ACTION

Principal

- a) Receive information about/review situation to determine if evacuation routes are safe (move crosswind to avoid fumes).
- b) Determine which action should be implemented.
- c) Sound alarm for appropriate action.
- d) Notify/maintain contact with Superintendent/Emergency Operations Center.
- e) Determine what further action to take.

Teachers

- a) Implement appropriate action, using alternate evacuation route if required.
- b) Maintain control of students.
- c) Take roll. Report students who are absent.
- d) Notify principal of any problems in/around area
- e) Notify principal of need for first aid, as appropriate.

Custodian

- a) Review situation to assess extent of spill, wind direction and proximity to building.
- b) Report findings to principal.
- c) Be prepared to direct fire/police department to spill site.
- d) Assist in spill clean-up or containment, as appropriate.

3. FOLLOW UP ACTION

Principal

- a) Determine, in coordination with M.O.F./Fire Department, whether buildings are habitable.
- b) Notify staff/students of any modification in schedule.
- c) Work with Emergency Operations Center to publicize information regarding accident.
- d) Arrange school site meeting to provide information to staff.

Principal's Secretary

- a) Screen all calls. Refer public to Emergency Operations Center.
- b) Refer media to Emergency Operations Center.
- c) Prepare necessary bulletins.

Teachers

- a) Read bulletins/announcements as provided by principal.
- b) Refer all media to principal's office.
- c) Cooperate with school site team to provide follow-up, as appropriate.
- d) Refer for counseling students who may be at risk.
- e) Return to normal instructional activities as soon as possible.

Bomb Threat/ Threat Of violence

1. DEFINITION/DESCRIPTION

A bomb threat will typically be received in writing or by telephone call. Responses will generally be the same with the initial exception of a person receiving a telephone threat. A copy of the Bomb Threat Checklist should be readily available for every administrative phone responder.

2. IMMEDIATE ACTION – Telephone Threat

Person Receiving Call

- a) Keep the caller on the line. Delay the caller with such statements as: “I’m sorry, I did not understand you. What did you say?”
- b) Use Bomb Threat Checklist Get as much information as possible from the caller.
- c) Immediately after caller hangs up, report all information to principal.

All Office Personnel

Immediately search your work area for foreign or suspicious objects or packages. If one is found, DO NOT TOUCH OR MOVE IT!!

IMMEDIATE ACTION – Written Threat

Person Receiving Written Message

Give the message to the principal immediately upon identification.

Principal

- a) Receive/review all information about bomb threat.
- b) Determine which action should be taken.
- c) Initiate non-electronic evacuation procedure; i.e. runner or bullhorn, since electronic warnings could activate any device, being sure all evacuation routes are clear.
- d) Notify Superintendent/Police/Fire Department.
- e) Direct search of office complex, evacuation site and classrooms.
- f) Determine what further action should be taken.

Teachers

- a) Implement appropriate action, using alternate evacuation route if required.
- b) Maintain control of students.
- c) Take roll. Report students who are absent.
- d) Notify principal of any problems in or around area.
- e) Hold students until designated evacuation area has been searched and declared safe, and then conduct students to the cleared area.

Teachers assigned to the designated evacuation area will remain with the pupils; personnel who are assigned to search teams will report to the principal for briefing.

If notification of a threat is received and immediate evacuation is not ordered, teachers will search their classrooms for any unidentifiable objects. If nothing is found, resume instruction until the evacuation order is received.

Custodians

- a) Under the direction of the principal, immediately proceed with a thorough search of designated evacuation area (or other area large enough to contain the students) to provide a safe place for students evacuated from the buildings.
- b) Search, as required, to determine that no explosive is hidden in a book, clothes locker or restroom.

3. FOLLOW UP ACTION

Principal

- a) Determine, in coordination with M.O.F. and Fire Department, whether buildings are habitable.
- b) Notify staff/students of any modification in schedule, via special bulletin or telephone tree.
- c) Work with Emergency Operations Center to put messages on TV, radio and telephone system regarding any modifications in schedule.
- d) Arrange school site meeting to discuss plan.

Principal’s Secretary

- a) Screen all calls. Refer calls to Emergency Operations Center.
- b) Prepare necessary bulletins.

Teachers

- a) Read bulletins/announcements as provided by principal.
- b) Refer all media to principal's office.
- c) Cooperate with school site team to provide follow-up as appropriate.
- d) Refer for counseling students who may be at risk.
- e) Return to normal instructional activities as soon as possible.

EXPLOSION OR THREAT OF EXPLOSION

1. DEFINITION/DESCRIPTION

An explosion at the school, or the threat of an explosion, may be caused by leaking gas or a faulty boiler within a school building.

2. IMMEDIATE ACTION – EXPLOSION

Principal

Sound the school alarm.

Notify the Superintendent or Assistant Superintendent.

Notify utility companies of a break or suspected break.

Notify fire and police departments and direct further action as required.

Notify teachers of proper action (DROP or LEAVE BUILDING).

Teachers

Command DROP is given. Instruct students to react in the same manner on their own to this type of catastrophe in case it occurs when the teacher is temporarily not present.

If the explosion occurred within the building, or threatened the building, immediately implement Action LEAVE BUILDING.

Move to an area of safety and maintain control of students.

Notify principal of students needing first aid as necessary.

Fight incipient fires without endangering life.

Take roll. Report absent students to principal.

Students and staff should not return to the school until Fire Department officials declare the area safe.

IMMEDIATE ACTION - THREAT OF EXPLOSION:

Principal

Sound the school fire alarm, or silent evacuation if electronic means could set off explosion. This will automatically implement Action LEAVE BUILDING.

Follow procedures for principal -- 'c' and 'd' above.

Teacher

Follow procedures for teachers -- 'c' through 'g' above.

Disorderly Conduct

CIVIL DISOBEDIENCE/MENACING INDIVIDUALS

1. DEFINITION/DESCRIPTION

Civil disobedience is defined as any assemblage on the school premises by unauthorized persons whose purpose and conduct is inimical to the orderly conduct of the school and the laws relating to the conduct of schools and the welfare of students.

WARNING: The presence of unauthorized individuals or an alert of an impending visitation. When this condition has been reported to the principal or authority in charge, he shall transmit the warning to all classes by the public address system. If the PA system is inoperable, a messenger will be sent to each classroom.

2. IMMEDIATE ACTION

The major plan of action will be to protect all personnel from undue exposure to danger. Every effort must be made to keep classes within their rooms. The following specific steps will be taken to implement the plan of action:

Principal or Designee

- a) Transmit a Shelter in Place alert to all staff members.
- b) Call the local law enforcement agencies to provide protection and to handle arrests.

- c) Make certain that a specific crime is committed before requesting arrests.
- d) School civil disobedience crimes involving arrest are listed in the Criminal Code Procedure and include the following:
 - 1. Disturbing the Peace
 - 2. Trespassing
 - 3. Loitering Around the School Grounds
- e) The principal should make an announcement to the demonstrators similar to the following:
"I am the principal of this school. You are interfering with the orderly process of education in this school. I request that you leave. If you do not leave, I shall ask for your arrest. You are causing a disturbance."

Teachers

- a) Keep students within their locked classrooms until further notice, regardless of the bells and schedules.
- b) Lock classroom doors.
- c) Remain in charge of your class, utilizing the best judgment in occupying the students within the classroom.
- d) Precaution should be taken to protect personnel from flying glass in case of broken windows. Drapes, venetian blinds, or jalousies should be closed.
- e) Where there is evidence of a potential problem, all P.E. classes will immediately return to the MPR.

Custodians

Lock and secure all exterior doors.

3. FOLLOW UP ACTION

Principal

- a) Determine, in coordination with M.O.F., whether building(s) is/are habitable.
- b) Notify staff/students of any modification in schedule, via special bulletin or telephone tree.
- c) Work with Communications director to put messages regarding any modifications in schedule.
- d) Arrange school site meeting to discuss plan.

Principal's Secretary

- a) Screen all calls. Refer public to Director of Communications
- b) Refer media to Director of Communications
- c) Prepare necessary communication to community.

Teachers

- a) Read announcements as provided by principal.
- b) Refer all media to principal's office.
- c) Cooperate with school site team to provide follow-up, as appropriate.
- d) Refer for counseling students who may be at risk.
- e) Return to normal instructional activities as soon as possible.

Earthquake

It is essential that students and staff remain aware of the following basic actions:

If an earthquake or other situation warrants, drop to the floor, take protective position under desks or furniture with backs to windows and hands covering head and face. Stay in position until directed to evacuate or take other protective action. If outside, move away from buildings and trees and take protective position. When situation permits, proceed to the designated assembly point. Standby: Alert students in your area to stand by for further information. Make whatever assessment of the situation is possible. Render emergency first aid as required. If inside, stay inside during ground shaking. In classrooms or offices, move away from windows, shelves and heavy objects or furniture that may fall. Take cover under a safe table, desk or counter. At the teacher's command, students should take the DROP position.

If a "shelter" (table, desk, etc.) is not available, move to an inside wall or corner, turn away from windows, kneel alongside wall, and bend head close to knees, with elbows firmly behind neck protecting face. If notebooks or jackets are handy, hold these overhead for added protection from flying glass and ceilings debris. Remain in sheltered position for at least 60 seconds or until directed to move by an adult. If in halls, on stairways, or other areas where no cover is available, students must follow the directions of the nearest teacher or school employee.

If in the library, immediately move away from windows and bookshelves and take appropriate cover. In the science lab or shops, all burners should be extinguished (if possible) before taking cover. Stay clear of hazardous chemicals that may spill. The duration of ground shaking depends on a number of factors, including the severity of the earthquake. Advise students to anticipate shorter or longer episodes of ground shaking during actual earthquakes and their aftershocks.

EARTHQUAKE HAZARDS COMMONLY FOUND IN SCHOOL BUILDINGS:

- Glass that shatters or flies around
- Objects stored above head-level on shelves, walls, and ceilings (such as unused projectors, books, science equipment, boxes)
- Objects that block movement to safe places (books on floors, tipped desks and bookcases)
- Cabinets without latches
- Objects stored on wheels
- Open shelving without a lip or restraining wire
- Free standing cabinets
- Blocked exits
- Objects in hallways that block movement (glass, tables, locker contents)

SETTLING DOWN AFTER THE FIRST SHOCK:

- After the first shock, teachers will evacuate the classrooms, being alert to the possibility of aftershocks.
- When leaving the classroom, teachers should make every effort to take with them the roll book and emergency supplies.
- Announce that no student is to return to the room unless directed to do so.
- Teachers will take classes to pre-arranged places on the campus.
- Teachers and students will remain in designated areas until re-entry to the building has been approved or they are directed to move elsewhere.
- School will remain open indefinitely until every student has been released to parents or to an authorized person.
- Do not light any fires after the earthquake because of possible gas leaks.
- If possible, notify utility companies of any break or suspected breaks in service.

THE GREAT SHAKEOUT EARTHQUAKE DRILLS

All AUSD schools are encouraged to participate in the annual Great ShakeOut Earthquake Drills. See <https://www.shakeout.org/index.html> for more information.

Explosion or Risk Of Explosion

EXPLOSION OR THREAT OF EXPLOSION

DEFINITION/DESCRIPTION

An explosion at the school, or the threat of an explosion, may be caused by leaking gas or a faulty boiler within a school building.

IMMEDIATE ACTION – EXPLOSION

Principal

- a) Sound the school alarm and report on Share911.
- b) Notify teachers of proper action (DROP or LEAVE BUILDING).

Teachers

- a) Command DROP is given. Instruct students to react in the same manner on their own to this type of catastrophe in case it occurs when the teacher is temporarily not present.
- b) If the explosion occurred within the building, or threatened the building, immediately implement Action LEAVE BUILDING.
- c) Move to an area of safety, and maintain control of students.
- d) Use Share911 to report students absent, found or needing first aid as necessary.
- e) Fight incipient fires without endangering life.
- g) Students and staff should not return to the school until Fire Department officials declare the area safe.

IMMEDIATE ACTION - THREAT OF EXPLOSION:

Principal

Sound the school fire alarm, or silent evacuation if electronic means could set off explosion. This will automatically implement Action LEAVE BUILDING.

Follow procedures for principal -- 'c' and 'd' above.

Teacher

Follow procedures for teachers -- 'c' through 'g' above.

Fire in Surrounding Area

Follow shelter in place procedures

Fire on School Grounds

DEFINITION/DESCRIPTION: A fire detected in or adjacent to any building at the school site.

IMMEDIATE ACTION

Principal or Site Safety Coordinator

- View fire or take report to determine that evacuation routes are safe.
- Notify teachers of alternate route if necessary.
- Sound school fire alarm and report on Share911.
- Determine what further action to take (i.e. send students/staff home).

Teachers

- Implement Action LEAVE BUILDING, using alternate route in necessary.
- Maintain control of students at a safe distance from the fire and fire fighting equipment.

- Take roll upon arrival at designated area. students.
- Remain with students in designated area until notified of next action.
- Notify principal of any hazards observed in/around area through Share911.
- Notify principal of need for first aid as appropriate through Share911.

Custodians

- View fire to identify location and extent.
- Report findings to principal.
- Fight incipient fire without endangering life.
- Be prepared to direct fire department to fire site.
- Shut off gas/water as appropriate.
- Shut off electricity after all necessary use of P.A. system is complete.

FOLLOW-UP ACTION

Principal

- Determine, in coordination with M.O.F. and Fire Department whether buildings) is/are habitable.
- Notify staff/students of any modification in schedule, via Share911 and special bulletin or telephone tree.
- Work with Director of Communications to put messages on TV, radio and communication system regarding any modifications in schedule
- Arrange school site meeting to discuss plan.

Principal's Secretary

- Screen all calls.
- Refer media to Director of Communication.
- Prepare necessary communications to community.

Teachers

- Read announcements as provided by principal.
- Refer all media to principal's office.
- Cooperate with school site team to provide follow-up as appropriate.
- Refer for counseling students who may be at risk.
- Return to normal instructional activities as soon as possible.

Flooding

DESCRIPTION/DEFINITION

There should be some thought and preparation for this eventuality should any sources around the school create flooding. Flooding may be the secondary effect of another disaster, such as an earthquake.

IMMEDIATE ACTION

Principal

- View flood or take report to determine that evacuation routes are safe.
- Broadcast Alert on Share911 and PA as appropriate.
- Determine what further action to take.

Teachers

- Implement appropriate Action in response to principal direction.
- Take roll upon arrival at evacuation area. Report absent students, needs for first aid and any hazards observed in/around area to principal through Share911.
- Maintain control of students at evacuation area.

Custodians

- View flood to identify location and extent.
- Report findings to principal.
- Be prepared to direct M.O.F./City to flood site/source.
- If flooding is result of school site damage, turn off water.

Follow up Plan

Principal

- Determine, in coordination with M.O.F. and Fire Department whether buildings is/are habitable.
- Notify staff/students of any modification in schedule, via Share911 and special bulletin or telephone tree.
- Work with Director of Communications to put messages on TV, radio and communication system regarding any modifications in schedule
- Arrange school site meeting to discuss plan.

Principal's Secretary

- Screen all calls.
- Refer media to the Director of Communication.
- Prepare necessary communications to the community.

Teachers

- Read announcements as provided by the principal.
- Refer all media to the principal's office.
- Cooperate with the school site team to provide follow-up as appropriate.
- Refer for counseling students who may be at risk.
- Return to normal instructional activities as soon as possible.

Loss or Failure Of Utilities

UTILITIES LOSS OR FAILURE

CALL MOF - They will call the appropriate public works system based on the loss or failure.

LOSS OF ELECTRICAL POWER:

Consult Alameda Power

LOSS of GAS

PG&E

WATER EMERGENCY:

East Bay Municipal Utility District, colloquially referred to as "East Bay Mud

PHONE ISSUES:

Contact Technology Information Services to report phone issues.

ADDITIONAL INFORMATION:

Contact Maintenance, Operations & Facilities at extension if any utility will be off for an extended period of time.

Notify the superintendent of the situation.

If necessary, make appropriate arrangements with Maintenance and Operations for temporary communications, water delivery and portable rest rooms.

In the event of an extended outage, consult with the cafeteria manager. The cafeteria manager will consult with Food and Nutritional Services.

If an extended outage is likely, provide an update to keep parents/guardians informed.

Motor Vehicle Crash

Step1: Respond to the injured party and determine if first aid or CPR should be provided

Step 2: If 911 needs to be called have another person call while you deliver first aid or CPR

Step 3: Send another person to notify others and get any emergency equipment or information that would be helpful to the emergency

Step 4: When safe to do so, activate share 911 to communicate to staff if an ambulance is on its way

Step 5: Designate staff to the appropriate gate/entrance to help emergency services get in close proximity to injured party

Step 6: Staff are required to complete and turn in an Accident Report to administration for any injuries to any one on campus

Step 7: Accident forms need to be sent to the business office

Psychological Trauma

The sudden death, serious injury to a student or staff member either through natural causes, accidents or as the result of an act of violence, such as school shooting, missing students (known or suspected abduction), physical assault, sexual assault, non-natural or non-accidental causes or other unexpected events are, without question, a crisis. Responding to these kinds of crisis situations in a timely and effective manner is as critical as dealing with an earthquake or a fire.

1. Contact Student Services to request the District Crisis Intervention Team immediately following a serious injury, accident or death of a student or staff member.
2. Work with your school psychologist and or counselors to determine identification of short- and long-term interventions for students or staff traumatized by the event.
3. Work with the Superintendent's office to formulate a public statement.
4. Discuss the crisis in a factual manner in follow up meetings and/or communications.
5. Be sensitive to latent behavior problems that are trauma-related.

A general message will be prepared and whenever possible parents will be contacted first in order to be the first adults to provide the information and support their children. All staff will be debriefed and supported. Activities to best meet the needs of the community will be provided aimed at providing counseling, a way for all to process (writing, drawing, and sharing). Activities such as games, music and reading may be planned over a short period of time to reduce anxiety and work demands. Follow and close monitoring for students and staff to insure latent reactions and responses.

Opioid Overdose

Step (1) Call 911 An overdose is a medical emergency. It is important to have trained medical professionals assess the condition of the overdose victim. Even though Naloxone can reverse the overdose, there may be other health problems of which the responder may not be aware. In addition, people who survive any type of overdose are at risk of experiencing other health complications because of the overdose. Getting someone examined by a medical professional is an important part of reducing the harms associated with overdosing.

It is important for trained staff to remember that Naloxone only works if there are opioids involved with the overdose. It cannot reverse an overdose from benzodiazepines, meth, cocaine, or alcohol.

Step (2) Administer Naloxone (Narcan)

Open the Naloxone blister pack; do not push the plunger.

With the victim's head tilted slightly back, place two (2) fingers over the top of the medication with your thumb securing it from the bottom.

Insert the atomizer fully and gently into their nostril

Push the plunger forward with the thumb and deliver spray of medication. (There is no need to plug the opposing nostril).

Place the person to their side (recovery position).

If the individual is still not responding within two (2) minutes, give a second dose in the opposite nostril.

Follow Up

If the victim is a student, contact parent/guardian per school policy.

Complete an Accident/Injury Report

Facilitate a debriefing with responding staff

Consider a plan of care for the students' safe return to school

Emergency Evacuation Map

[See Attachments](#)

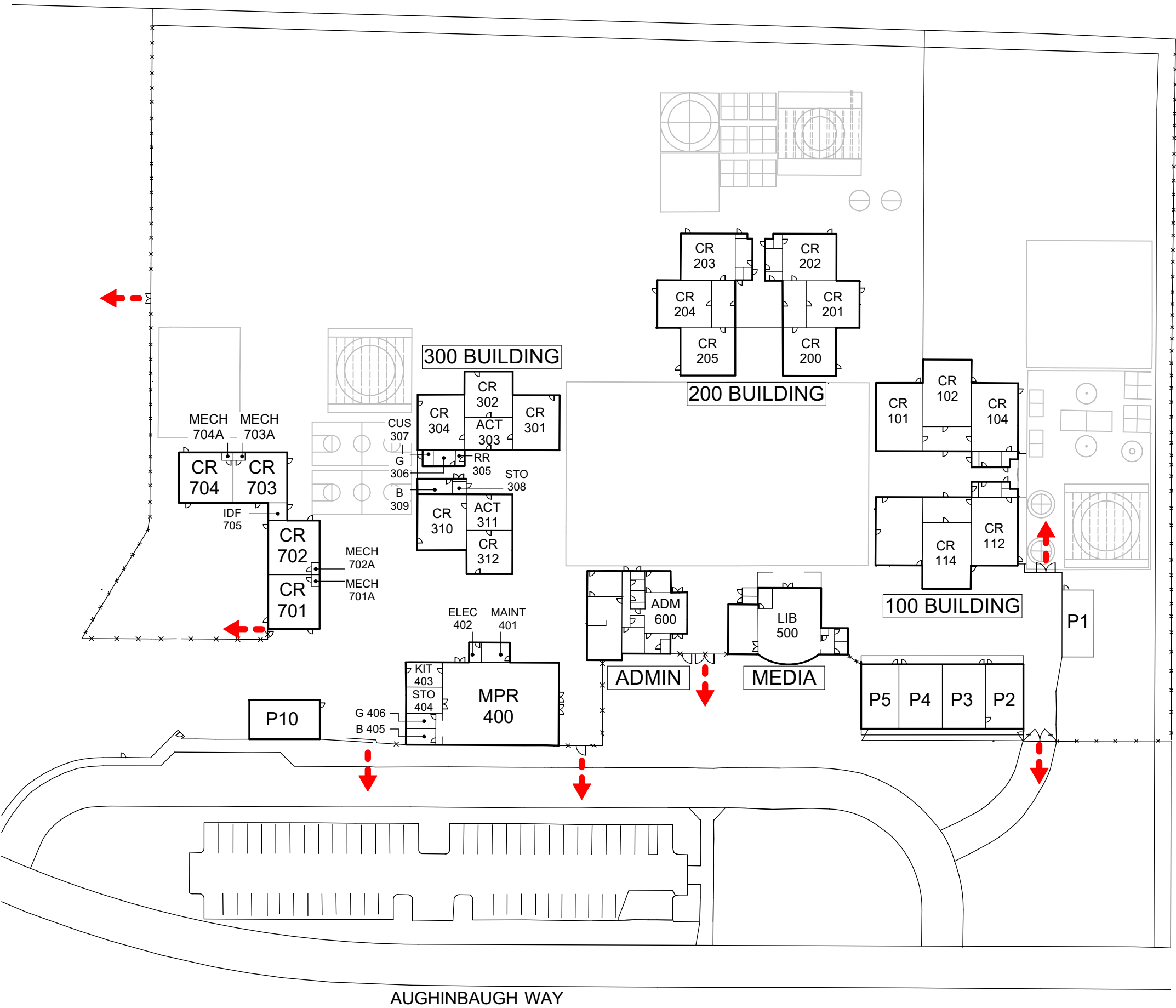


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KWOK ARCHITECTS

ALAMEDA UNIFIED
SCHOOL DISTRICT

**BAY FARM
ELEMENTARY
SCHOOL**

200 Aughinbaugh Way,
Alameda, CA 94501



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March 29, 2023







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KWOK ARCHITECTS

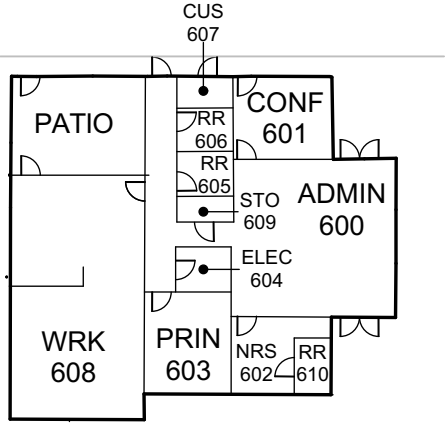
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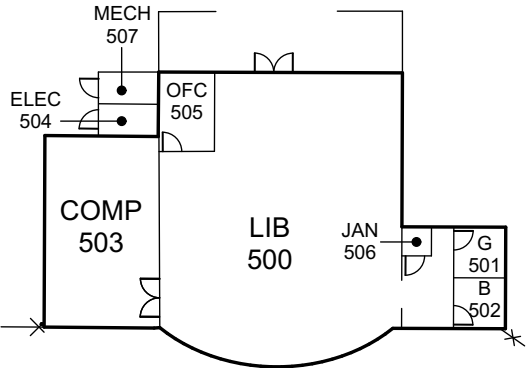
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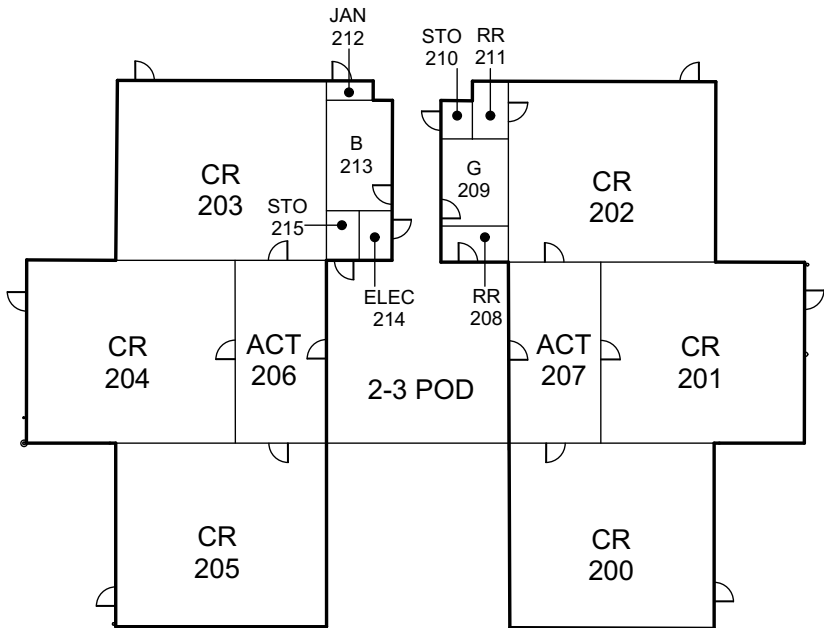
ADMIN BUILDING FLOOR PLAN

2



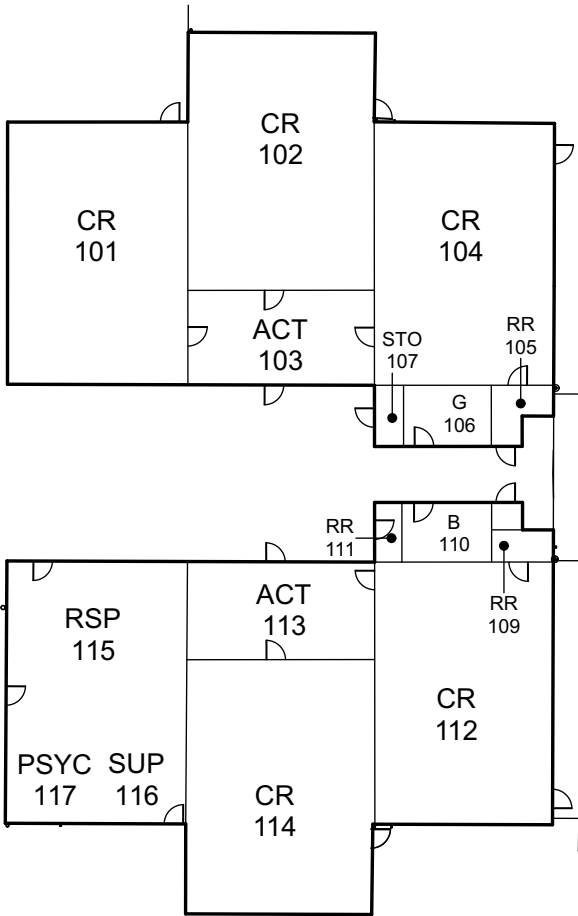
MEDIA BUILDING FLOOR PLAN

1



200 BUILDING FLOOR PLAN

4



100 BUILDING FLOOR PLAN

3

Comprehensive School Safety Plan

**2023-24
School Year**

School: Amelia Earhart Elementary School

CDS Code: 01611196100374

District: Alameda Unified School District

Address: 400 Packet Landing Road
Alameda

Date of Adoption:

Date of Update: 2/28/24

Date of Review:

- with Staff
- with Law Enforcement
- with Fire Authority

Table of Contents

Comprehensive School Safety Plan Purpose.....	4
Safety Plan Vision.....	4
Components of the Comprehensive School Safety Plan (EC 32281).....	5
(A) Child Abuse Reporting Procedures (EC 35294.2 [a] [2]; PC 11166).....	5
(B) Disaster Procedures (EC 35295-35297; GC 8607 and 3100).....	7
(C) School Suspension, Expulsion and Mandatory Expulsion Guidelines	10
(D) Procedures to Notify Teachers of Dangerous Pupils (EC 49079).....	30
(E) Sexual Harassment Policies (EC 212.6 [b]).....	31
(F) School-wide Dress Code Relating to Gang-Related Apparel (EC 35183).....	34
(G) Procedure for Safe Ingress and Egress of Pupils, Parents, and Staff to and from School (EC 35294.2)	37
(H) A Safe and Orderly School Environment Conducive to Learning (EC 35294.2)	39
(I) School Discipline Rules and Consequences (EC 35291 and EC 35291.5)	40
(K) Hate Crime Reporting Procedures and Policies	40
(J) Procedures to Prepare for Active Shooters.....	42
Procedures for Preventing Acts of Bullying and Cyber-bullying.....	43
Emergency Contact Numbers	47
Safety Plan Review, Evaluation and Amendment Procedures	48
Amelia Earhart Elementary School Incident Command System	49
Incident Command Team Responsibilities.....	50
Types of Emergencies & Specific Procedures.....	57
Aircraft Crash	57
Animal Disturbance.....	57
Armed Assault on Campus	57
Biological or Chemical Release.....	57
Bomb Threat/ Threat Of violence	58
Disorderly Conduct	60
Earthquake	62
Explosion or Risk Of Explosion	62

Fire in Surrounding Area63

Fire on School Grounds63

Flooding65

Loss or Failure Of Utilities66

Motor Vehicle Crash66

Psychological Trauma.....66

Opioid Overdose67

Emergency Evacuation Map.....68

Comprehensive School Safety Plan Purpose

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

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

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

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

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

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

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

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

A copy of the Comprehensive School Safety Plan is available for review at School Main Office.

Safety Plan Vision

The Alameda Unified School District is committed to providing a quality educational environment that is safe, secure, and peaceful. The primary goal of the District is to help each student develop to the maximum of his/her capacity and function as a responsible member of a democratic society. When parents, students and staff are aware of our mutual responsibilities to keep our community safe, we can effectively promote positive student participation in all of our schools.

The School Site Emergency Plan is designed for use as a school resource for prevention/mitigation, preparedness, response, and recovery planning and training as well as functioning as a template for meeting the requirements for the annual Safety Plan Process under Senate Bill 187, Education Code Section 35294, Statutes of 1998, and the National Incident Management System. It is designed to be a living document that is updated as necessary to meet site, District, and community needs, forms, and/or requirements—therefore, it should be maintained in hard copy and electronic form.

This document is NOT intended to be a “grab and go” guide in an actual emergency.

Components of the Comprehensive School Safety Plan (EC 32281)

Amelia Earhart Elementary School Safety Committee

Bryan Dunn-Ruiz

Paul Gross

Nick Wolfe

Susan Bonino

Assessment of School Safety

Current Status of School Crime. Each school is required to assess the current status of school crime committed on the school campus and at schoolrelated functions. You may accomplish this by reviewing the following type of information: Local law enforcement crime data; suspension/expulsion data; behavior referrals; counseling referrals; attendance rates; SART/SARB data; CHK Survey data; SPSA data; property damage/vandalism data; or any other data pertinent to your assessment. Insert Aeries data here.

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

Provide emotional and physical safety for all students using PBIS and periodic drills and review of safety procedures

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

Child Abuse Reporting Procedures

With concern for the total well-being of each student, employees of the district shall report known or suspected incidences of child abuse in accordance with state law and district regulations. Our employees cooperate with the child protective agencies responsible for reporting, investigating and prosecuting cases of child abuse.

A. Definition of Child Abuse

"Child Abuse," as defined by law, pursuant to Penal Code 273 and 11165, includes:

1. Physical abuse resulting in a non-accidental physical injury.
2. Physical neglect, including both severe and general neglect, resulting in negligent treatment or maltreatment of a child.
3. Sexual abuse including both sexual assault and sexual exploitation.
4. Emotional abuse and emotional deprivation including willful cruelty or unjustifiable punishment.
5. Severe corporal punishment.

B. Legal Duty to Report

Mandated child abuse reporting is governed by the Child Abuse and Neglect Reporting Act, P.C. 11164. The intent and purpose of the law is to protect children from abuse. The definition of a child is any person under 18 years of age.

Within the scope of his or her employment, any childcare custodian who has knowledge of, observes, or reasonably suspects a child is a victim of child abuse, shall report the known or suspected abuse to a child protective agency by telephone and written report. Additionally, any suspicion of mental suffering inflicted on a child where his or her well-being is endangered in any way, will also be reported.

"Mandated Reporters" are those people defined by law as "childcare custodians," "medical practitioners" and "non-medical practitioners" and include virtually all school employees.

(Penal Code 11165.7 and 11165.8) The following school personnel are required to report: teachers, administrators, supervisors of child welfare and attendance, certificated student personnel employees, employees of a child care programs, preschool teachers, school psychologists, licensed nurses, counselors, para-educators instructional aides or other classified employees trained in child abuse reporting. Employees do not need to have their employer's permission to make a child abuse report.

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

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

3. Employees will report known or suspected child abuse to a child protective agency by telephone immediately or as soon as practically possible and in writing within 36 hours. The reporting duties are individual and cannot be delegated to another individual.
4. When two or more persons who are required to report and both have knowledge of suspected child abuse, and when there is agreement among them, the telephone report may be made by any one of them who is selected by mutual agreement, and a single report may be made and signed by the person selected. However, if any person who knows or should know that the person designated to report failed to do so, that person then has a duty to make the report.
5. The duty to report child abuse is an individual duty and no supervisor or administrator may impede or inhibit such reporting duties. Furthermore, no person making such a report shall be subject to any sanction. Any supervisor or administrator in violation (Section 11166) is guilty of an infraction punishable by a fine not to exceed five thousand dollars (\$5000).

C. Legal Responsibility and Liability

1. Mandated reporters have absolute immunity. School employees required to report are not civilly or criminally liable for filing a required or authorized report of known or suspected child abuse.
2. Any mandated reporter who fails to report an incident of known reasonably suspected child abuse or neglect as required by this section is guilty of a misdemeanor punishable by up to six months confinement in a county jail or by fine of one thousand dollars (\$1000) or by both that fine and punishment. The mandated reporter may also be held civilly liable for damages of any injury to the child after a failure to report.

D. Reporting Procedures

The person who first observes or learns about the abuse is to complete the "Suspected Child Abuse Report" form (BCIA 8572) and call the Child Abuse Reporting phone number Call our hotline now at 510-259-1800, available 24 hours a day, 7 days a week or if it is an emergency call:

OR Immediately telephone the appropriate law enforcement agency (based upon where the abuse is suspected to have occurred). Jurisdiction, as to whether the county or the city responds, is determined by where the abuse took place.

a. City: Call the Alameda Police Department (510) 337-8340

3. Employees are not required to identify themselves to their employer when they make a child abuse report. If an employee wishes to waive his/her confidentiality rights he/she may wish to make photocopies of the "Suspected Child Abuse Report" form (SS8572) and forward a copy to the principal and to the Executive Director of Student and Family Support Services.

E. Victim Interviews

Upon request, a child protective agency representative may interview a suspected victim of child abuse, during school hours and on school premises, concerning a report of suspected child abuse that occurred within the child's home. The child shall be given the choice of being interviewed in private or in the presence of any adult school employee or volunteer aide selected by the child. A staff member or volunteer aide selected by a child may decline to present at the interview. If the selected person accepts, the principal or designee shall inform him/her, before the interview takes place, of the following legal requirements:

1. The purpose of the selected person's presence at the interview is to lend support to the child and enable him/her to be as comfortable as possible.
2. The selected person shall not participate in the interview.
3. The selected person shall not discuss the facts or circumstances of the case with the child.
4. The selected person is subject to the confidentiality requirements of Article 2.5 (Penal Code 11165 et seq.), a violation of which is punishable as specified by 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)

F. Release of Child to Peace Officer or to a Child Protective Services Worker

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

G. Staff Training

The Principal or designee shall provide training in child abuse identification and reporting for all certificated personnel, instructional and teacher aides, teacher assistants, para-educators and other classified employees. (Penal Code 11165.7) All employees trained in child abuse identification and reporting shall be given, as a part of that training, written notice of the child abuse reporting requirements and the employees' confidentiality rights. (Penal Code 11165.7). The absence of training does not excuse a mandated reporter from the duties imposed by the penal code.

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

Disaster Plan (See Appendix C-F)

Purpose of the Plan

This response plan is designed to assist school staff, students, parents and local agencies organize resources of the school and community to respond to a crisis situation while school is in session. Regulatory Authority State laws and regulations require school districts develop emergency plans and train staff in emergency response procedures. These include laws applicable to school staff and students as well as Cal/OSHA regulations specifically addressing the safety of district employees. The Katz Act [California Education Code, §35295-35297] requires schools plan for earthquakes and other emergencies. It also requires training in earthquake preparedness procedures for both certificated and classified staff. The Petris Bill [Government Code, §8607] requires school districts be prepared to utilize the Standardized Emergency Management System (SEMS) when responding to emergencies. This requires that principles of SEMS are incorporated in District plans; that the Incident Command System (ICS) are used at school sites; that all school personnel are trained in how the respective systems work and correlate; and that schools have drills and exercises in order to practice using the systems. This plan is designed and structured to ensure compliance with the mandates of state law as well as with Cal/OSHA's Emergency Action Plan Standard Title 8, California Code of Regulations §3220. This regulation requires each employer facility have an Emergency Action Plan which focuses on specific emergency contingencies, response personnel roles, and evacuation plans of each employer's site where employees work. Schools and school districts are included in this mandate. School Site Emergency Preparedness and Response Coordination Each principal shall supervise the planning, operating and testing of their respective school's Emergency Preparedness and Crisis Response Plan. Each principal will also ensure that all school staff and students are familiar with the basic elements of the District's Emergency Operations Plan, which will be utilized at the district office in the event of a major emergency or district-wide disaster. The principal must ensure that the Incident Command System are utilized by all staff personnel in the event of an emergency incident and shall serve as the Incident Commander at all school crises or emergencies.

Campus and Facility Site Preparedness Duties

This school and the District have designated specific persons to assume emergency position responsibilities in the event of a site emergency or District-wide disaster. The following information provides a breakdown of these responsibilities:

All School Staff:

- Become familiar with the school's emergency and evacuation procedures.
- Participate in First Aid and CPR training, as appropriate.

Annually each principal shall:

- Designate Staff Incident Command Structure Assignments.
- Update this site Emergency Preparedness and Crisis Response Plan.
- Ensure personnel are properly trained in their respective assignments.
- Conduct survey of personnel to determine CPR/First Aid/Disaster Preparedness/Medical Training.
- Survey parents to determine who may wish to volunteer during an extended emergency or disaster.
- Ensure needs of students and staff with disabilities are provided for in the event of an emergency.
- Designate primary and alternate locations for command post, evacuation, first aid, student release, and morgue.
- See that parents are informed of the plan and its effect upon students.
- Compile/maintain list of local emergency agencies including telephone numbers and addresses.
- Practice building evacuation plans including testing of warning systems, alarm signals, and communications methods.
- With Maintenance and Operations, complete a site and building hazard survey.
- Ensure all emergency equipment and supplies are in usable condition at all times.

Teachers:

- Teachers are responsible for the supervision of students in their charge.
- Understand emergency response procedures.
- Have planned activities for use during disasters to lessen possible tension.

School Office Managers or Designee:

- Organize and maintain the emergency first aid supplies and distribute back-up supplies.
- Assist principal in developing procedures to protect essential records.
- Ensure battery-operated AM/FM radio is available in working condition; know the call number and frequency of disaster information station.
- Maintain an up-to-date list of students and staff who require life sustaining medication.

School Custodians or designee:

- Assist principal in planning control procedures for different types of building damage.
 - Routinely check that battery-operated equipment is in working condition.
- Directions for the Instructional Staff During a Declared Emergency

Crisis Response

The primary goals of crisis response are to:

- Prevent a potentially chaotic situation from escalating into a catastrophic event.
- Help those affected to return, as quickly as possible, to a normal level of functioning.
- Decrease the potential long-term effects of the crisis.

Incident Command System (ICS)

The Incident Command System is an emergency response system used to manage an emergency incident at a specific facility or site. The ICS, as designated by the AUSD, will be used by this school as the formal emergency response structure. This is in contrast to the Standardized Emergency Management System (SEMS) which is used to manage resources at a district-wide level.

Foundations of Crisis Response

The primary foundation for any emergency or crisis response system is to ensure, as much as is humanly possible, the application of the three C's at all times.

These three C's are:

- Control – Control is the cornerstone of every crisis/emergency response. In emergency response this is initiated and maintained through the effective use of the Incident Command System.
- Communication - Communication is essential to maintaining effective coordination of all response actions. Ongoing communication must be maintained between response persons, school staff, and the command team.
- Coordination - Coordination is essential to ensure that the most effective and appropriate response actions are used throughout a response operation. Proper utilization of the Incident Command System will ensure that all response operations are coordinated from a central point and that no response action is taken at cross purposes to any other.

Insert link to REMS packet here

Public Agency Use of School Buildings for Emergency Shelters

If the Superintendent declares a District emergency during the school day, the District has a clear statement of policy governing its actions.

Alameda Unified School District Policy is as follows:

IN CASE OF A DECLARED EMERGENCY BY THE SUPERINTENDENT DURING SCHOOL HOURS, ALL STUDENTS WILL BE REQUIRED TO REMAIN AT SCHOOL OR AN ALTERNATE, SAFE SITE UNDER THE SUPERVISION OF DISTRICT PERSONNEL:

1. Until regular dismissal time and then released only if it is considered safe, OR
2. Until released to an adult authorized by the parent or legal guardian whose name appears on District records.
 - a) If students are on their way to school they should proceed to school.
 - b) If students are on their way home from school they are to continue home.
3. To provide this supervision and care, Alameda Unified School District personnel will be utilized under Title 1, Division 4, Chapter 8 Government Code and other legal statutes. The statute states that all public employees are designated disaster service workers when an emergency is declared. The District Superintendent, or designee, has the legal authority to declare an emergency in this District. The authority also extends to Alameda County to declare an emergency and impress public employees into service as disaster service workers.

4. Alameda Unified School District encourages the utilization of a buddy system at District sites wherein staff responsibilities for specific emergency functions are assigned to pairs of employees who could, with approval of the Site Manager, carry on legally required supervision and care requirements while allowing emergency home visits to assure welfare of their own families.

(C) School Suspension, Expulsion and Mandatory Expulsion Guidelines

Definitions

Suspension from school means removal of a student from ongoing instruction for adjustment purposes.

The teacher of any class from which a student is suspended pursuant to Section 48910 shall require the student to complete any assignments and tests missed during the suspension. The school will monitor and address the educational needs of the student that arise due to the loss of instructional time. (Education Code 48913). However, suspension does not mean any of the following: (Education Code 48925)

- Reassignment to another education program or class at the same school where the student will receive continuing instruction for the length of day prescribed by the Governing Board for students of the same grade level.
- Referral to a certificated employee designated by the principal to advise students.
- Removal from the class, but without reassignment to another class or program, for the remainder of the class period without sending the student to the principal or designee as provided in Education Code 48910. Removal from a particular class shall not occur more than once every five school days.

Referral means removal from classroom instruction for discipline reasons.

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

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

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

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

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

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

The District database is the Aeries Student Information System.

Restorative Practices (RP) is a continuum of practices by which schools build community through circles and other activities, where students learn to use affective statements and the process where all stakeholders affected by an injustice have an opportunity to discuss how they have been affected by the injustice and to decide what should be done to repair the harm.

Positive Behavioral Interventions and Supports (PBIS) is a framework for providing a range of systemic and individualized strategies for achieving important academic and behavioral outcomes while preventing problem behaviors.

Social and Emotional Learning (SEL) is a process through which children and adults develop the fundamental skills for life effectiveness. The five SEL competencies are: self-awareness, self-management, social awareness, relationship skills, and responsible decision-making.

Multi Tiered System of Support (MTSS) is a way of organizing instruction and intervention to help all students. The goal of the multi-tiered framework is to provide high-quality instruction and supports based on student need. This framework helps educators by providing information (data) to identify students needing additional support (academic and behavioral) and also identify students who may need special education services. MTSS includes three levels (or tiers) of instruction. Each tier has a set of evidence-based practices to meet the instructional goals.

Tier 1

For MTSS, a school must first establish its Tier 1 or universal supports. Universal supports are the instructional practices that help all students in a school. Once the universal supports are in place, staff can use assessment data to determine which students need additional supports.

Tiers 2 and 3

The intensity and duration of supports increase for Tiers 2 and 3. The appropriate level of support for each student is determined by assessment data.

Grounds for Suspension and Expulsion

The following is a list of grounds for which suspension and expulsion may be permitted or shall be imposed subject to the

restrictions and requirements herein:

- Caused, attempted to cause, or threatened to cause physical injury to another person or willfully used force or violence upon another person, except in self-defense (Education Code 48900(a))
- A student who aids or abets the infliction or attempted infliction of physical injury on another person, as defined in Penal Code 31, may be suspended, but not expelled. However, such a student may be suspended or expelled pursuant to Education Code 48900(a) when he/she has been adjudged by a juvenile court to have committed, as an aider or abettor, a crime of physical violence in which the victim suffered great or serious bodily injury. (Education Code 48900(t))
- 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))
- 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))
- 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))
- Committed or attempted to commit robbery or extortion (Education Code 48900(e))
- Caused or attempted to cause damage to school property or private property (Education Code 48900(f))
- Stole or attempted to steal school property or private property (Education Code 48900(g))
- 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))
- Committed an obscene act or engaged in habitual profanity or vulgarity (Education Code 48900(i))
- Unlawfully possessed, offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Health and Safety Code 11014.5 (Education Code 48900(j))

As provided in California Education Code section 48900(k), no student enrolled in grades T-Kindergarten through third grade may be suspended or expelled for disrupting school activities or willfully defying the authority of school personnel ("disruption and willful defiance") and no student in TK-12 may be expelled for willful disruption or defiance.

Effective July 1, 2019, no student enrolled in grades T-Kindergarten through twelve (TK-12) grades may be suspended or expelled for disrupting school activities or willfully defying the authority of school personnel. The Board will review data regarding suspensions for defiance in Grades 4 through 12 in August 2019 and January 2020. If, based on review of the data, it appears further steps should be undertaken to meet the goal of eliminating suspensions for defiance by July 1, 2019, the Board will direct the Superintendent to implement such additional measures to achieve the goal of no suspensions for defiance by July 1, 2020.

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

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

- 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.

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 (items #20-22 below), that has any of the effects described above on a reasonable student.

Electronic act means the transmission of a communication, 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.

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))

- 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)

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

- 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)

- 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)

- 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)

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

- While on school grounds
- While going to or coming from school
- During the lunch period, whether on or off the school campus
- During, going to, or coming from a school-sponsored activity

Teacher-Initiated Suspensions Pursuant to Section 48910

The Board desires the adoption of a Multi-Tiered System of Support which includes Positive Behavior Intervention Supports to facilitate a consistent approach for positive, pro-social behavior management (BP 5144). The District expects teachers to attempt interventions prior to initiating a suspension pursuant to Section 48910 except where suspension for a first offense is permitted or mandated by law, as described on pp. 8-9 below.

When removing a student from his/her class pursuant to Section 48910, 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 removed. (Education Code 48910)

The site administrator or designee shall ensure that site staff completed the following:

- The teacher completed the Teacher-Initiated Pupil Suspension Report and, starting in the 2019-20 school year, the office referral form.
- The teacher contacted the parent/guardian to request their participation in a parent-teacher conference regarding the suspension within 24 hours. 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)
- The site administrator or designee reviewed the office referral form and completed the in-school suspension form if warranted.
- The site administrator or designee contacted parent/guardian regarding the suspension.
- The site administrator or designee recorded the classroom interventions and referral in the District database.

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

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

The teacher of any class from which a student is suspended pursuant to Section 48910 shall require the student to complete any assignments and tests missed during the suspension. The school will monitor and address the educational needs of the student that arise due to the loss of instructional time. (Education Code 48913)

When suspending a student in Grades TK-3 from class for committing an obscene act or engaging in habitual profanity or vulgarity, the teacher of the class may require any parent/guardian who lives with the student to attend a portion of the school day in the class from which the student is being suspended, to assist in resolving the classroom behavior problems. (Education Code 48900.1) The teacher of the class may also require any parent/guardian who lives with the student to attend a portion of the school day in the class to assist in resolving classroom behavior problems.

When suspending a student in Grades 4-12 from class for committing an obscene act or engaging in habitual profanity or vulgarity, disrupting school activities, or otherwise willfully defying valid staff authority, the teacher of the class may require any parent/guardian who lives with the student to attend a portion of the school day in the class from which the student is being suspended, to assist in resolving the classroom behavior problems. (Education Code 48900.1)

When suspending a student in any grade from class for committing an obscene act, engaging in habitual profanity or vulgarity, the teacher of the class may require any parent/guardian who lives with the student to attend a portion of the school day in the class from which the student is being suspended, to assist in resolving the classroom behavior problems. (Education Code 48900.1) The teacher of the class may also require any parent/guardian who lives with the student to attend a portion of the school day in the class to assist in resolving classroom behavior problems.

Teachers should reserve the option of required parental attendance for cases in which they have determined that it is the best strategy to promote positive interaction between the teacher and the student and his/her parents/guardians and to improve the student's behavior.

Any teacher requiring parental attendance pursuant to this policy shall apply the policy uniformly to all students within the classroom. (Education Code 48900.1)

When a teacher makes this request, the principal shall send the parent/guardian a written notice that the parent/guardian's attendance is requested pursuant to law. (Education Code 48900.1)

The notice shall specify that the attendance may be on either the date the student is scheduled to return to class or within one week thereafter.

This notice shall also:

- Inform the parent/guardian when his/her presence is expected and by what means he/she may arrange an alternate date
- Ask the parent/guardian to meet with the principal after the visit and before leaving school, as required by Education Code 48900.1

At the meeting with the student's parent/guardian, the principal or designee shall explain the district's and school's discipline policies, including the disciplinary strategies that may be used to achieve proper student conduct.

When a parent/guardian does not respond to the request to attend school, the principal or designee shall contact him/her by telephone, mail, or other method that maintains the confidentiality of the student's records.

District regulations shall include procedures for implementing parental attendance requirements. Parents/guardians shall be notified of this policy prior to its implementation. (Education Code 48900.1)

Suspensions by Superintendent, Principal, or Designee

The Board does not support a zero tolerance approach to discipline except where mandated by law. Schools may not adopt zero tolerance policies that conflict with District discipline policies. The Board desires that schools will adopt, engage, and implement positive approaches to addressing problem behavior prior to initiating the suspension of a student.

Suspension for a first time offense is limited to certain serious offenses (listed below in permissible and mandatory categories) or where it can be documented that the presence of a student causes a danger to persons.

Defiance

As provided in California Education Code section 48900(k), no student enrolled in grades T-Kindergarten through third grade may be suspended or expelled for disrupting school activities or willfully defying the authority of school personnel ("disruption and willful defiance") and no student regardless of grade may be expelled for willful defiance or disruption.

Effective July 1, 2019, no student enrolled in grades T-Kindergarten through twelve (TK-12) grades may be suspended or expelled for disrupting school activities or willfully defying the authority of school personnel. Suspension and expulsion shall not be imposed for a violation of Education Code section 48900(k), including disruption of school activities or willful defiance. The District expects schools to develop appropriate interventions, for example, behavioral plans, restorative circles, or SEL groups for students who engage in a pattern of defiant behavior.

Defiance is when a student continues to disobey a school official, teacher, or administrator after having been taught the rules and expectations of the school and the student displays behavior that directly interferes with the rights of others to learn.

The Board will review data regarding suspensions for defiance in Grades 4 through 12 in August and January. If, based on review of the data, it appears further steps should be undertaken to meet the goal of eliminating suspensions for defiance, the Board will direct the Superintendent to implement such additional measures to achieve the goal of no suspensions for defiance by July 1, 2020.

Discipline and Intervention Matrix for Administrators

Attached to this Administrative Regulation is the discipline and intervention matrix aligned to the District's Multi-Tiered System of Support framework that models a progressive and holistic approach to discipline. As provided in the Board Policy, each school is responsible for adopting strategies, programs, and interventions within this framework to facilitate a positive approach to behavior management. Even if suspension is appropriate, administrators must first consider whether other interventions should be used.

Except where suspension for a first offense is permitted or mandatory (as described above), in-school and out-of-school suspension and other sanctions that result in a student's loss of instruction shall only be imposed when the principal or designee has determined that other means of correction that are consistent with District policies and procedures have failed to bring about proper conduct. (Education Code 48900.5)

As described in AR 5144, interventions and other alternatives to suspension should be attempted and evaluated prior to referral from the classroom. In addition, the principal or designee shall document the other means of correction used and retain them in the student's record. (Education Code 48900.5)

The Principal or designee shall complete the suspension form and record the suspension in the District's database.

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

A student may be suspended from school for not more than 20 school days in any school year unless, for purposes of adjustment, the student enrolls in or is transferred to another regular school, an opportunity school, or continuation school or class, in which case suspension shall not exceed 30 days in any school year. However, this restriction on the number of days of suspension does not apply when the suspension is extended pending an expulsion. (Education Code 48903, 48911, 48912)

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)

Suspensions shall be initiated according to the following procedures:

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 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. 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)

Administrative Actions: All requests for student suspension are to be processed by the principal or designee. All suspensions shall be recorded in the District database. 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)

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

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

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

Parent/Guardian Conference: Whenever a student is suspended, school officials may meet 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)

Although the parent/guardian is required to respond without delay to a request for a conference about his/her child's behavior, 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 readmission solely because the parent/guardian failed to attend the conference. (Education Code 48911)

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 Principal may, in writing, extend the suspension until such time as the Board has made a decision. (Education Code 48911)

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

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

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

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.

The student shall be responsible for contacting the school to receive assignments to be completed during the period of the suspension. The school shall make available all assignments and tests that the student will miss while suspended.

Suspension by the Board

The Board may suspend a student for any of the acts listed in "Grounds for Suspension and Expulsion" above and within the limits specified in "Suspensions by Superintendent, Principal, or Designee" above. (Education Code 48912)

The Board may suspend a student enrolled in a continuation school or class for a period not longer than the remainder of the semester if any of the acts listed in "Grounds for Suspension and Expulsion" occurred. The suspension shall meet the requirements of Education Code 48915. (Education Code 48912.5)

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

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

Supervised Suspension Classroom

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 a supervised suspension classroom in a separate classroom, building, or site for the entire period of suspension. The following conditions shall apply: (Education Code 48911.1)

The supervised suspension classroom shall be staffed in accordance with law and by certificated employees.

The student shall have access to appropriate counseling services.

The supervised suspension classroom shall promote completion of schoolwork and tests missed by the student during the suspension.

The student shall be responsible for contacting his/her teacher(s) to receive assignments to be completed in the supervised suspension classroom except where otherwise set out in the student's Individualized Education Program (IEP) or Section 504 plan. 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.

The Principal or designee shall complete the in-school suspension form and record the suspension in the District's database.

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

Involuntary Transfer

The District may not involuntarily transfer a student in Grades TK- 3rd grade to another school based on a finding of disruption of school activities or willful defiance of the authority of school personnel (California Education Code section 48900(k)).

Effective July 1, 2019, the District may not involuntarily transfer a student to another school based on a finding of disruption of school activities or willful defiance of the authority of school personnel (California Education Code section 48900(k)).

Involuntary transfers may only occur following a recommendation for expulsion and after a hearing before the District's Disciplinary Hearing Panel (DHP) consistent with the requirements in Education Code section 48918 and the notice and hearing procedures set forth below for expulsions. In addition, an involuntary transfer to a continuation school must be made pursuant to Education Code section 48432.5.

Expulsions

The Board shall expel, as required by law, any student found to have committed any offense listed below under "Mandatory Recommendation and Mandatory Expulsion" (see page 13). (Education Code 48915)

For all other grounds listed under "Grounds for Suspension and Expulsion," the Board shall order a student expelled upon the recommendation of the Superintendent, principal, or designee only if the Board makes a finding of either or both of the following: (Education Code 48915(b) and (e))

- That other means of correction have repeatedly failed to bring about proper conduct
- 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

Authority to Expel

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

The Board shall expel, as required by law, any student found to have committed any offense listed below under "Mandatory Recommendation and Mandatory Expulsion." (Education Code 48915)

For all other grounds listed above under "Grounds for Suspension and Expulsion," the Board shall order a student expelled upon the recommendation of the Superintendent, principal, or designee, only if the Board makes a finding of either or both of the following: (Education Code 48915(b) and (e))

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

Recommendation for Expulsion Expected Unless It Is Not Appropriate or Alternative Means of Correction Would Address the Conduct

Unless the Superintendent, principal, or designee 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(a))

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

- Possession of any knife as defined in Education Code 48915(g), explosive, or other dangerous object of no reasonable use to the student
- 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
- Robbery or extortion
- 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)

Mandatory Recommendation and Mandatory Expulsion

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

Possessing, as verified by a district employee, selling, or otherwise furnishing a firearm.

Possession of an imitation firearm, as defined in Education Code 48900(m), shall not be regarded as an offense requiring a mandatory recommendation for expulsion and mandatory expulsion. However, an administrator shall have discretion on a case-by-case basis to recommend expulsion for the possession of an imitation firearm.

Brandishing a knife as defined in Education Code 48915(g) at another person

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

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

Possessing an explosive as defined in 18 USC 921

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

Student's Right to Expulsion Hearing

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 one of the acts listed above under "Grounds for Suspension and Expulsion." (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))

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)

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

Have up to two adult support persons of his/her choosing present at the hearing at the time he/she testifies

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)

The rights of a complaining witness are further outlined in Administrative Regulation 5145.7 (Sexual Harassment).

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))

- The date and place of the hearing.
- A statement of the specific facts, charges, and offense upon which the proposed expulsion is based.
- A copy of district disciplinary rules which relate to the alleged violation.
- 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).
- 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 advisor.

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

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

- The right to inspect and obtain copies of all documents to be used at the hearing.
- The opportunity to confront and question all witnesses who testify at the hearing.
- 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

At least 10 days prior to a hearing to determine if a student who is a foster youth as defined under Education Code 48853.5 should be expelled for an offense not requiring a mandatory recommendation for expulsion, the Superintendent or designee shall notify the student's attorney and a representative of an appropriate county child welfare agency. If the hearing is pursuant to an offense requiring a mandatory expulsion recommendation, the Superintendent or designee may provide the same notification. The notice shall be provided by the most cost-effective method possible, including by email or a telephone call. (Education Code 48918.1)

Conduct of Expulsion Hearing

Closed Session: Notwithstanding the provisions of Government Code 54953 and Education Code 35145, the Board shall conduct a hearing to consider the expulsion of the student in a session closed to the public unless the student requests in writing at least five days prior to the hearing that the hearing be a public meeting. If such a request is made, the meeting shall be public unless another student's privacy rights would be violated. (Education Code 48918(c))

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))

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))

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))

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" 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.

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)

- Any complaining witness shall be given five days' notice before being called to testify.
- Any complaining witness shall be entitled to have up to two adult support persons, including, but not limited to, a parent/guardian or legal counsel, present during his/her testimony.
- Before a complaining witness testifies, support persons shall be admonished that the hearing is confidential.
- The person presiding over the hearing may remove a support person whom he/she finds is disrupting the hearing.
- If one or both support persons are also witnesses, the hearing shall be conducted in accordance with Penal Code 868.5.

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.

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.

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

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.

The person conducting the hearing may:

- Arrange the seating within the hearing room so as to facilitate a less intimidating environment for the complaining witness
- 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
- Permit one of the support persons to accompany the complaining witness to the witness stand

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. Alternatively, the Board may appoint an impartial administrative panel composed of three or more certificated personnel, none of whom shall be members of the Board or on the staff of the school in which the student is enrolled. (Education Code 48918(d))

A hearing conducted by the hearing officer or administrative panel shall conform to the same procedures applicable to a hearing conducted by the Board as specified above in "Conduct of Expulsion Hearing," including the requirement to issue its 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 expulsion referral was made, unless the parent, guardian, or responsible adult of the pupil requests another school placement in writing. Before the placement decision is made by the parent, guardian, or responsible adult, the superintendent of schools or the superintendent's designee shall consult with school district personnel, including the pupil's teachers, and the parent, guardian, or responsible adult regarding any other school placement options for the pupil in addition to the option to return to his or her classroom instructional program from which the expulsion referral was made. If the hearing officer or administrative panel finds that the pupil committed any of the acts specified in subdivision (c) of Section 48915, but does not recommend expulsion, the pupil shall be immediately reinstated and may be referred to his or her prior school or another comprehensive school, or, pursuant to the procedures set forth in Section 48432.5, a continuation school of the school district. The decision not to 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 for a period of one year. (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, the final action to expel shall be taken by the Board at a public meeting. (Education Code 48918(j))

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

Upon ordering an expulsion, the Board shall set a date when the student shall be reviewed for readmission to a school within the district. For a student expelled for 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)

- Periodic review, as well as assessment at the time of review, for readmission
- 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:

- The specific offense committed by the student for any of the causes for suspension or expulsion listed above under "Grounds for Suspension and Expulsion" (Education Code 48900.8)
- The fact that a description of readmission procedures will be made available to the student and his/her parent/guardian (Education Code 48916)
- Notice of the right to appeal the expulsion to the County Board of Education (Education Code 48918)
- Notice of the alternative educational placement to be provided to the student during the time of expulsion (Education Code 48918)
- Notice of the student's or parent/guardian's obligation to inform any new district in which the student seeks to enroll of the student's status with the expelling district, pursuant to Education Code 48915.1 (Education Code 48918)

Decision Not to Enforce Expulsion Order

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

- The student's pattern of behavior
- 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:

- 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)
- During the period when enforcement of the expulsion order is suspended, the student shall be on probationary status. (Education Code 48917)
- The suspension of the enforcement of an expulsion order may be revoked by the Board if the student commits any of the acts listed under "Grounds for Suspension and Expulsion" above or violates any of the district's rules and regulations governing student conduct. (Education Code 48917)
- 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)

- 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)

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))

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)

Right to 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)

The student shall submit 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 furnishment 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)

Post-Expulsion Placements

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

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

When the placement described above is not available and when the County Superintendent so certifies, students expelled for acts described in items #6-13 and #20-22 under "Grounds for Suspension and Expulsion" 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

Readmission procedures shall be as follows:

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

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)

If the Board denies the readmission of a student, the Board shall determine either to continue the student's placement in the alternative educational program initially selected or to place the student in another program that serves expelled students, including placement in a county community school. (Education Code 48916)

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 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)

Outcome Data

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

- The number of students recommended for expulsion
- The specific grounds for each recommended expulsion
- Whether the student was subsequently expelled
- Whether the expulsion order was suspended
- The type of referral made after the expulsion
- The disposition of the student after the end of the expulsion period

Public Reporting of Discipline Data

The Superintendent or designee shall ensure that the following data is publicly available on the District's public website twice annually, within 60 days after the completion of each semester:

- The aggregate number and rates of office referrals, teacher suspensions, supervised in-school and out-of-school suspensions, involuntary transfers, expulsion referrals, expulsions, on-campus citations, school-based arrests, and four-year graduation and drop-out rates, disaggregated by all subgroups, including race, gender, ethnicity, English Language Learner status, socio-economic status, foster youth, homeless youth, and disability and by offense for the district and by school-site.
- The number of instructional days and ADA funding lost to suspensions, transfers, and expulsions.
- The school sites to which students were transferred after the Disciplinary Review Hearing procedure or through any involuntary transfer process, whether they enrolled subsequently, and the outcomes for such students, including, but not limited to, graduation and drop-out rates.

In reporting such data, the privacy of individual students and teachers shall be protected. Data will not be disaggregated in any manner that could reveal student identity to the public or to knowledgeable members of the school community. The data shall be reported for the district as a whole and for each school-site.

The procedures shall also include requirements that appropriate district and school officials regularly review this data and take action to address disparities or disproportionate use of punitive discipline measures for particular subgroups.

Expungement of Student Disciplinary Records

As provided in Board Policy 5144.3, a student, parent, guardian, appointed advocate on behalf of the student, or Superintendent on behalf of a student may apply for expungement of student disciplines record which meet the criteria set forth in BP 5144.3.

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

Notice Regarding Student Offenses

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

Acts That Are Grounds for Suspension or Expulsion

The Superintendent or designee shall inform the teacher(s) of each student who, during the previous three school years, has engaged in or is reasonably suspected to have engaged in any act, except the possession or use of tobacco products, that would constitute a ground for suspension or expulsion as specified in AR 5144.1 - Suspension and Expulsion/Due Process. This information shall be based upon district records maintained in the ordinary course of business or records received from a law enforcement agency. (Education Code 49079)

Upon receiving a transfer student's record regarding acts committed by the student that resulted in suspension or expulsion, the Superintendent or designee shall inform the student's teacher(s) that the student was suspended from school or expelled from the former district and of the act that resulted in the suspension or expulsion. (Education Code 48201)

Information received by teacher(s) shall be received in confidence for the limited purpose for which it was provided and shall not be further disseminated by the teacher. (Education Code 48201, 49079)

Offenses Reported to the District by a Court

When informed by a court that a minor student has been found by the court to have committed any felony or any misdemeanor involving curfew, gambling, alcohol, drugs, tobacco products, carrying of weapons, a sex offense listed in Penal Code 290, assault or battery, larceny, vandalism, or graffiti, the Superintendent or designee shall expeditiously notify the school principal. (Welfare and Institutions Code 827)

The principal shall expeditiously disseminate this information to any counselor who directly supervises or reports on the student's behavior or progress and to any teacher or administrator directly supervising or reporting on the student's behavior or progress whom the principal thinks may need the information in order to work with the student appropriately, avoid being needlessly vulnerable, or protect others from vulnerability. (Welfare and Institutions Code 827)

Any court-initiated information that a teacher, counselor, or administrator receives shall be kept confidential and used only to rehabilitate the student and protect other students and staff. The information shall be further disseminated only when communication with the student, parent/guardian, law enforcement staff, and probation officer is necessary to rehabilitate the student or to protect students and staff. (Welfare and Institutions Code 827)

When a student is removed from school as a result of an offense, the Superintendent shall hold the court's information in a separate confidential file until the student is returned to the district. If the student is returned to a different district, the Superintendent shall transmit the information provided by the student's parole or probation officer to the superintendent of the new district of attendance. (Welfare and Institutions Code 827)

Any confidential file of court-initiated information shall be kept until the student becomes 18, graduates from high school, or is released from juvenile court jurisdiction, whichever occurs first, and shall then be destroyed. (Welfare and Institutions Code 827)

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

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

Definitions

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, regardless of whether or not the conduct is motivated by sexual desire. Conduct is considered to be sexual harassment when made against another person of the same or opposite sex in the work or educational setting under any of the following conditions: (Education Code 212.5; Government Code 12940; 2 CCR 11034)

- Submission to the conduct is made explicitly or implicitly a term or condition of the individual's employment.
- Submission to or rejection of the conduct is used as the basis for an employment decision affecting the individual.
- The conduct has the purpose or effect of having a negative impact upon the individual's work performance or of creating an intimidating, hostile, or offensive work environment.
- 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. For purposes of applying the complaint procedures specified in Title IX of the Education Amendments of 1972, sexual harassment is defined as any of the following forms of conduct that occurs in an education program or activity in which a district school exercises substantial control over the context and respondent: (34 CFR 106.30, 106.44)
- A district employee conditioning the provision of a district aid, benefit, or service on the student's participation in unwelcome sexual conduct
- Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the district's education program or activity

Sexual assault, dating violence, domestic violence, or stalking as defined in 20 USC 1092 or 34 USC 12291

Examples of Sexual Harassment

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

- 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
- Unwelcome visual conduct such as drawings, pictures, graffiti, or gestures; sexually explicit emails; displaying sexually suggestive objects
- 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

Title IX Coordinator/Compliance Officer

The district designates the following individual(s) as the responsible employee(s) to coordinate its efforts to comply with Title IX of the Education Amendments of 1972 in accordance with AR 4119.12/4219.12/4319.12 - Title IX Sexual Harassment Complaint Procedures, as well as to oversee, investigate, and resolve sexual harassment complaints processed under AR 4030 - Nondiscrimination in Employment.

The Title IX Coordinator(s) may be contacted at:

Asst. Superintendent of Educational Services
2060 Challenger Drive
Alameda, CA 94501
(510) 337-7095
kzazo@alamedaunified.org

Training

Every two years, the Superintendent or designee shall ensure that supervisory employees receive at least two hours, and nonsupervisory employees receive at least one hour, of classroom or other effective interactive training and education regarding sexual harassment. All newly hired employees and employees promoted to a supervisory position 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)

Such training may be completed by employees individually or as part of a group presentation, may be completed in shorter segments as long as the applicable hourly requirement is met, and may be provided in conjunction with other training provided to the employees. The training shall be presented by trainers or educators with knowledge and expertise in the prevention of harassment, discrimination, and retaliation. (Government Code 12950.1)

The district's sexual harassment training and education program shall include, but is not limited to, the following: (Government Code 12950.1; 2 CCR 11024)

- Information and practical guidance regarding federal and state laws concerning the prohibition, prevention, and correction of sexual harassment
- The types of conduct that constitute sexual harassment
- Remedies available for victims in civil actions, and potential employer/individual exposure/liability
- Strategies to prevent harassment in the workplace

- Supervisors' obligation to report sexual harassment, discrimination, and retaliation of which they become aware
- 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
- The limited confidentiality of the complaint process
- Resources for victims of unlawful harassment, such as to whom they should report any alleged harassment
- Steps necessary to take appropriate remedial measures to correct harassing behavior, which includes the district's obligation to conduct an effective workplace investigation of a harassment complaint
- What to do if the supervisor is personally accused of harassment
- The essential elements of the district's anti-harassment policy, and how to use the policy if a harassment complaint is filed

Employees shall receive a copy of the district's sexual harassment policy and administrative regulations, which they shall read and acknowledge that they have received. Information, including practical examples, of harassment based on gender identity, gender expression, and sexual orientation. Prevention of abusive conduct, including a review of the definition and elements of abusive conduct pursuant to Government Code 12950.1, the negative effects that abusive conduct has on the victim and other in the workplace, the detrimental consequences of this conduct on employee productivity and morale, and that a single act does not constitute abusive conduct unless the act is severe or egregious.

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

The Superintendent or designee shall notify employees that the district does not discriminate on the basis of sex as required by Title IX, that the Title IX nondiscrimination requirement extends to employment, and that inquiries about the application of Title IX to the district may be referred to the district's Title IX Coordinator and/or to the Assistant Secretary for Civil Rights, U.S. Department of Education. (34 CFR 106.8)

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

A copy of the Board policy and this administrative regulation shall:

- 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 (Education Code 231.5)
- 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 (Education Code 231.5)
- Appear in any school or district publication that sets forth the school's or district's comprehensive rules, regulations, procedures, and standards of conduct (Education Code 231.5)
- Be posted, along with the name or title and contact information of the Title IX Coordinator, in a prominent location on the district's web site (34 CFR 106.8)

- Be included, along with the name or title and contact information of the Title IX Coordinator, in any handbook provided to employees or employee organizations (34 CFR 106.8)

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

- The illegality of sexual harassment
- The definition of sexual harassment under applicable state and federal law
- A description of sexual harassment, with examples
- The district's complaint process available to the employee
- The legal remedies and complaint process available through DFEH and the Equal Employment Opportunity Commission (EEOC)
- Directions on how to contact DFEH and the EEOC

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, the DFEH poster on discrimination in employment and the illegality of sexual harassment and the DFEH poster regarding transgender rights. (Government Code 12950)

Complaint Procedures

All complaints and allegations of sexual harassment by and against employees shall be investigated and resolved in accordance with law and district procedures. The Title IX Coordinator shall review the allegations to determine the applicable procedure for responding to the complaint. All complaints that meet the definition of sexual harassment under Title IX shall be investigated and resolved in accordance with AR 4119.12/4219.12/4319.12 - Title IX Sexual Harassment Complaint Procedures. Other sexual harassment complaints shall be investigated and resolved pursuant to AR 4030 - Nondiscrimination in Employment.

If sexual harassment is found following an investigation, the Title IX Coordinator, or designee in consultation with the Coordinator, shall take prompt action to stop the sexual harassment, prevent recurrence, and address any continuing effects.

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

Basic Principles:

All students are encouraged to dress in a manner that is comfortable and conducive to an active school day.

Students should be able to wear clothing without fear of or actual unnecessary discipline or body shaming.

The student dress code should serve to support all students to develop a body-positive self-image.

All items listed in the "must wear" and "may wear" categories below must meet these basic principles.

Students MUST Wear:

- Top
- Bottom
- Shoes

Clothing that covers specific body parts (genitals, buttocks, and areolae/nipples) with opaque material. Courses or specific class activities that include attire as part of the curriculum may include assignment-specific dress, but should not focus on covering students' bodies or promoting culturally-specific attire. Activity specific shoe requirements are permitted (Examples include but are not limited to physical education and shop class).

Students MAY Choose to Wear:

- Sun-protective clothing, including but not limited to hats, for outdoor use during the school day. (Education Code 35183.5)
- Hats, including religious headwear
- Hooded shirts/jackets (over head is allowed)*

Teachers may direct students to remove/adjust the position of hats/hoods over the head in class during the administration of a test/exam, to address headphone/earbud use issues, or to enable visual identification of a student's face. This does NOT apply to any headwear worn for religious reasons.

Students CANNOT Wear:

- Clothing that includes violent language or images
- Clothing that includes images or language depicting drugs or alcohol (or any illegal item or activity) or the use of same
- Clothing that includes hate speech, profanity, pornography
- Clothing that includes images or language that create a hostile or intimidating environment based on any protected class
- Visible underwear or bathing suits of similar design - Visible waistbands or straps on undergarments worn under other clothing are not a violation
- Helmets, hoods, or other headgear that obscures a student's identity (except as a religious observance).

A student's face must be clearly visible when taking their school photo for identification purposes. This may require the removal of a hood and/or hat. No grade of a student participating in a physical education class shall be adversely affected if the student does not wear standardized physical education apparel because of circumstances beyond the student's control. (Education Code 49066)

Training and Enforcement:

- All staff should be trained to understand the purpose/spirit of the code, the actual code, and how to enforce with the least impact on student learning and self-confidence.
- All staff must enforce the district dress code consistently, once it is adopted. All staff should not have discretion to vary the requirements in ways that lead to discriminatory enforcement.
- All staff should be trained and able to use student/body-positive language to explain the code and to address code violations.
- Enforcement should be consistent with a school's overall discipline plan. Failure to comply with the student dress code should be enforced consistently with comparable behavior and conduct violations, including access to a student advocate or ombudsperson and appeals process.

- Enforcement for students should be limited to safety and non-violence/non-discrimination and will not include messages based on body maturity.
- Violations should be treated as minor on the continuum of school rule violations.
- Students should never be removed from a classroom for a dress code violation unless they are violating the 'Students Cannot Wear' and 'Students MUST Wear' sections of the dress code. Loss of class time should be avoided or kept to a minimum.
- Students should never be forced to wear extra school clothing (that isn't their own) when they are in violation of the code. Students should be presented with a variety of options to rectify the situation. This could include but is not limited to: personal on-site clothing, school-offered clothing, and delivery of alternate clothing.
- Parents/guardians should never be called during the school day to bring alternative clothing for the student to wear for the remainder of the day unless by student request.
- No student should be disproportionately affected by dress code enforcement because of gender, race, body size, or body maturity.
- Students should not be shamed or required to display their body in front of others (students, parents, or staff) in school. "Shaming" includes but is not limited to kneeling or bending over to check attire fit, measuring/commenting on straps, skirt length, or cleavage, asking students to account for their attire in the classroom, and directing students to correct a dress code violation during instructional time.

Evaluation:

The Superintendent or designee shall annually review the effectiveness of this policy and determine, as appropriate, if any further review or revision is required.

Gang-Related Apparel

At individual schools that have a dress code prohibiting gang-related apparel at school or school activities, the principal, staff, and parents/guardians participating in the development of the school safety plan shall define "gang-related apparel" and shall limit this definition to apparel that reasonably could be determined to threaten the health and safety of the school environment if it were worn or displayed on a school campus. (Education Code 32282)

Because gang-related symbols are constantly changing, definitions of gang-related apparel shall be reviewed at least once each semester and updated whenever related information is received. As necessary, the school shall collaborate with law enforcement agencies to update definitions of gang-related apparel.

Uniforms

In schools that require a schoolwide uniform, the principal, staff, and parents/guardians of the school shall jointly select the specific uniform to be worn. (Education Code 35183)

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

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

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

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

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

EVACUATION PROCEDURES

EVACUATION ALARM SYSTEM

A crisis or emergency may warrant an evacuation of the school building(s). Once notified of an emergency situation, the Incident Commander, will carry out the initial response actions delineated in the Emergency Preparedness and Crisis Response Plan. In consultation with members of the Incident Command Team, the principal will determine whether an evacuation is warranted or is the safest action given the character of the emergency. Incident Command Team members will immediately assume their designated response duties as activated by the Incident Commander. The Disaster Response Officer will ensure, during the evacuation itself, that all evacuation assistance personnel are operative and performing their respective duties as assigned. When a decision is made to evacuate, the Assembly /Shelter and Care Team leader will immediately report to the assembly area and inspect the area for hazards. The Assembly /Shelter and Care Team leader will notify the Disaster Response Officer immediately if the area is safe. If not, the Assembly /Shelter and Care Team will advise that the evacuation be done to the alternate assembly location. This evacuation may be a partial evacuation of only portions of the building in a localized emergency [e.g., a small chemical spill] or it may be a general evacuation of all building. When an evacuation is ordered, students and staff will be notified according to the site's Preparedness and Crisis Response REMS packet. If deemed appropriate and safe, the school's fire alarm will sound in the event of a general building evacuation. If neither mechanical system is operable, the Incident Commander will utilize office, custodial or student personnel to notify classrooms of the need to evacuate.

COORDINATING THE EVACUATION

Upon receiving the order to evacuate, staff will assume their designated positions in the school. They will then monitor the evacuation procedures and assure that all persons have left the building. Staff are also responsible to ensure that all disabled persons in the building are assisted as necessary.

1. Take emergency backpack, and attendance information.
2. Teachers evacuate with current class. If evacuation occurs outside of a class period: Return to previous class
3. Upon exit lock door to indicate room is all clear and lock door. Keep unlocked if victim is inside.
4. Check with buddy teacher. Assist/evacuate both classes if needed.
5. If on prep or don't have a class: move to nearest evacuation area and assist
6. Check common areas while evacuating.
7. Evacuate to primary location via assigned route, adjust as needed.
8. At evacuation location, line up, and take attendance.
9. List missing students on Share 911
10. Stay with class unless you are released to assume other duties.
11. Release from drill will be PA announcement/bell
12. Communicate with your students and maintain control.

EVACUATION ASSEMBLY AREAS

When ordered to evacuate, students and staff will follow the evacuation route prescribed for their respective areas and exit the building in an orderly and controlled manner. Any volunteers or visitors to the classroom should be advised to go with the classroom to the assembly area. ALL students and staff must report to the assembly area and remain there until the Incident Command Team, via the Assembly/Shelter and Care Team, notifies them it is clear to return to the building. Under no circumstances are students to leave the area unless released by the teacher in strict accordance with the school's Student Release Procedures as outlined in the site's Preparedness and Crisis Response Cliff Notes. This will not be done unless it is authorized by the Incident Command Team. Teachers MUST take a head count of all persons under their care to ensure that all students, volunteers and visitors are present. This will be reported to the Assembly /Shelter and Care Team as outlined in the site's Preparedness and Crisis Response Cliff Notes.. If someone is deemed missing, the teacher is to immediately report this fact to the Assembly /Shelter and Care Team as outlined in the site's Preparedness and Crisis REMS packet.

ACCESS CONTROL PERSONNEL

Whenever an evacuation is called, the designated Security/Traffic response team (designated prior to an emergency) will automatically assume duties as traffic controllers to prevent unauthorized public vehicles or persons access to the school campus and building(s). They will function according to the duties delineation shown in the Emergency Preparedness and Crisis Response Plan.

STUDENT EARLY DISMISSAL AND EMERGENCY SCHOOL CLOSURE

During school hours, all students are considered under the care and supervision of school staff. In all circumstances, and especially in the event of emergency incidents or circumstances, the safety of the students and the school staff is of paramount importance. All actions taken shall bear in mind the safety and well-being of both students and school employees. Thus, in the event of a major emergency incident or disaster during school hours, school will not be dismissed without the expressed and clear authorization of the District Superintendent or a designee, and children will remain under the supervision of school authorities. Students will only be released from school and District responsibility in strict accordance with the procedures outlined in the District's Early Release Policy as described below. Parents/guardians or designated emergency contacts who come to the school to pick up students must properly identify themselves in order for their children to be released.

RELEASE OF STUDENTS FROM SCHOOL

AUSD and this school want to reunite parents with their children at the earliest time possible after an emergency situation or major disaster event. However, if it is not possible for parents to pick up their children or make arrangements for others to do so, students will be held at the school or other area until such time as they can be safely released. Each year the school will notify all parents of the procedure for reuniting parents with children in the event of an emergency at school. Parents are encouraged to print out and complete data confirmation each year and update thier emergency contacts. In the event students are held at a school, they may be released only to the student’s own parent(s) or a person authorized beforehand by the parent. As a part of annual registration, sites collect emergency contact information in AERIES. From AERIES, Emergency Cards shall be printed and used for this purpose. It is recommended sites print copies for teachers to have on hand in their emergency packs along with roll information. Office shall also print out the Emergency Student List or Emergency Cards and Parents or others must check with this school’s Student Release team at the emergency Student Release Location prior to pick up of their children. Teachers will release students according to the procedure outlined under the Emergency Student Release Procedures described below.

EMERGENCY RELEASE PLAN PROCEDURES

- Teachers will utilize the following procedures to properly release students from their care to a parent, legal guardian or person authorized in writing to pick up the student:
- 1. At time of emergency, students remain with their current classes. Teacher takes roll on an Accountability Form and await direction from Incident Commander via Student Release team.
 - 2. Incident Command will communicate with district office for dismissal directive. Students will report to (first period or other) classes, upon Student Release team directive.
 - 3. Students will be released only to authorized adults listed on the Emergency Card or Emergency Student List. Adults picking up students must sign Student Release Log and indicate destination. Unless otherwise directed by Incident Commander via Student Release officer, a runner takes message to teacher with name of student being released and name of adult picking up student. Teacher double-checks sign-out sheet, stamps/marks student and releases.
 - 4. Students may go home with people listed on Emergency Card or Emergency Student List if parent can’t be reached.
 - 5. Periodically, as students are released, remaining students will be consolidated.
 - 7. Teacher takes attendance after each consolidation, informs Assembly/Shelter and Care team as well as the Student Release team, and keeps all documentation.

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

Component:
Component I: The Social Climate, People, and Programs

Element:
Identify proposed changes to or the addition of curriculum, strategies and programs that ensure a safe and orderly environment.

Opportunity for Improvement:
Use data to improve tier I and tier II identification and support

Objectives	Action Steps	Resources	Lead Person	Evaluation
Create and assess ability to collect student data and address areas of concern	PBIS team will create a low level incident system (Uh-oh) to track and review data	PBIS / Forms	PBIS Leas - Suzy Arena	Ongoing monitoring of systems with Principal and PBIS Team

Component:
Component II: Physical Environment

Element:

Identify proposed changes to or the addition of strategies and programs that ensure a safe and orderly environment.

Opportunity for Improvement:

Goal: Provide assessment of safety for fire escape routes

Objectives	Action Steps	Resources	Lead Person	Evaluation
Review and assess fire escape routes	Physical review of fire escape routes	MOF / Administration	Principal - Bryan Dunn-Ruiz	Ongoing review of safety routes during fire drills

(I) School Discipline Rules and Consequences (EC 35291 and EC 35291.5)**Amelia Earhart Elementary School Student Conduct Code****ALAMEDA UNIFIED SCHOOL DISTRICT DISCIPLINE AND INTERVENTION PROTOCOL**

Alameda Unified School District is committed to creating a safe and positive school culture in which all students feel included, supported, and respected. We want to help eliminate inequality in the use of punitive consequences and provide each child with excellent teachers who are equipped to promote academic and social emotional growth in all students. AUSD takes a positive approach to student behavior and the use of restorative practices to minimize the need for punitive consequences and maximize instructional time for every student. We recognize the importance of developing the social and emotional health of all youth and adults in our organization.

The following chart indicates the types of disciplinary action that may apply to each type of infraction. In each instance, an opportunity to teach appropriate behavior through the use of intervention, restorative practices and a corrective action is stated. Each situation or violation involving student conduct should be individualized and the least punitive action based on the violation should be taken. The administrator shall, however, determine whether a specific infraction warrants the corrective action described on the chart. Corrective action taken by the administrator shall take place after progressive discipline interventions by the school fail to bring about proper conduct. These corrective measures are intended to assist in teaching appropriateness and responsibility, while maintaining consistent student discipline on campus.

See Link to discipline matrix: <https://docs.google.com/document/d/1YyzYC48Eq5WsTycFdS35jhrGP4G3nALhYghgdznwzuQ/edit#>

Conduct Code Procedures**(K) Hate Crime Reporting Procedures and Policies**

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

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

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

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

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

As necessary, the district shall provide counseling, guidance, and support to students who are victims of hate motivated behavior and to students who exhibit such behavior.

When appropriate, students who engage in hate-motivated behavior shall be disciplined.

The Superintendent or designee shall provide staff with training that:

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

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

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

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

Complaints

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

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

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

(J) Procedures to Prepare for Active Shooters

When responding to a situation that requires our school to go into lockdown (this may include, but is not limited to, an active shooter in the building), the ALICE (Alert, Lockdown, Inform, Counter, Evacuate) protocol will be followed.

ALERT

Purpose: To use clear, concise language to indicate presence and location of active shooter or other harmful individual.

Indicate lockdown and the harmful presence and/or location of threat. For example, "LOCKDOWN, There is an active shooter in the Computer Lab," or "LOCKDOWN, an armed gunman is walking through the first floor long hallway."

Anyone can alert the school community to such a situation. Do not wait for or rely on Administration or the front office staff to make the announcement. If a staff or faculty member undoubtedly sees or is notified of a harmful individual inside the school building, he or she has the authority to alert the rest of the school community of a lockdown. Some ways to alert include: the PA system, Using the classroom phone to activate LOCKDOWN, yelling, using share 911. Faculty and staff must use any means available to them to alert the school community and to spread the word. This may be a team effort where a group of individuals work together to inform everyone. If the opportunity to escape presents itself, you should do so and report to the predetermined Rally Point.

LOCKDOWN

Purpose: To allow for an aggressive use of current technology and procedures.

A traditional lockdown procedure is the first best option when in a high-risk area (or near the harmful individual). If you do not know if you are in a high-risk area, assume you are high risk and proceed to lockdown. If remaining in lockdown remains the best option, all members of the school community should work together to protect themselves.

First, close and lock classroom doors. Use belt or backpack strap to secure door handle if possible.

Create a barricade between you and students in the classroom and the intruder on the outside; use desks, chairs, shelves, cabinets and other pieces of furniture to block entry and to provide more time for survival (have smaller items near at hand in event intruder enters the room)

Gather in the area furthest from the entry point to the room; greater distance means greater safety.

Taking attendance and maintaining order are not the priority.

INFORM

Purpose: To continually communicate the shooter's whereabouts using direct and clear language. (Use Share 911 and the PA system)

By communicating with the school community, all members can make well-informed judgment calls and can be aggressive in protecting themselves. Students, faculty and staff should use every opportunity to alert others and to communicate the whereabouts of the harmful individual.

The use of share 911, phones (school or cell), yelling, and PA system are encouraged to communicate the whereabouts and will keep the intruder off balance. Working together to make informed decisions will put the intruder at a disadvantage.

COUNTER

Purpose: To apply skills to distract, confuse and gain control.

Counter is an absolute last resort. If one finds himself in close proximity to the intruder (no chance to flee or safely get away), he should apply the following counter movements to increase chances of survival:

- Throw objects at the intruder
- Distract the intruder by noise and/or movement
- Run away in a zig zag pattern
- Swarm the intruder
- Flight or fight but do not freeze
- Turn chaos into an advantage
- Use body weight and gravity to gain control

EVACUATE

Purpose: To remove as many people as possible from the danger zone to minimize targets of opportunity.

If you know the intruder's whereabouts and you are not in a high-risk area, you should Evacuate to the school's Rally Point. Only people on the first floor should exit through the windows if necessary. People on the 2nd and 3rd floors should not evacuate through windows as this may cause harm and use the safest stairwell then exit the school to the Rally Point.

REUNIFICATION

Purpose: To reunify students with their parent/guardians in a safe location

Procedures for Preventing Acts of Bullying and Cyber-bullying

Definitions:

Bullying is an unwanted, aggressive behavior that involves a real or perceived imbalance of power between individuals with the intent to cause emotional or physical harm. Bullying can be physical, verbal, or social/relational and involves repetition or potential repetition of a deliberate act.

Cyberbullying includes the electronic creation or transmission of harassing communications, direct threats, or other harmful texts, sounds, or images. Cyberbullying also includes breaking into another person's electronic account or assuming that person's online identity in order to damage that person's reputation.

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

- Physical bullying that inflicts harm upon a person's body or possessions, such as hitting, kicking, pinching, spitting, tripping, pushing, taking or breaking someone's possessions, or making cruel or rude hand gestures
- Verbal bullying that includes saying or writing hurtful things, such as teasing, name-calling, inappropriate sexual comments, taunting, or threats to cause harm
- Social/relational bullying that harms a person's reputation or relationships, such as leaving a person out of an activity on purpose, influencing others not to be friends with someone, spreading rumors, or embarrassing someone in public
- Cyberbullying, such as sending demeaning or hateful text messages or emails, sending rumors by email or by posting on social networking sites, or posting embarrassing photos, videos, web site, or fake profiles

Measures to Prevent Bullying:

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

- Ensuring that each school establishes clear rules for student conduct and implements strategies to promote a positive, collaborative school climate
- Providing to students, through student handbooks and other age-appropriate means, information about district and school rules related to bullying, mechanisms available for reporting incidents or threats, and the consequences for engaging in bullying
- Encouraging students to notify school staff when they are being bullied or when they suspect that another student is being bullied, and providing means by which students may report threats or incidents confidentially and anonymously

- Conducting an assessment of bullying incidents at each school and, if necessary, increasing supervision and security in areas where bullying most often occurs, such as classrooms, playgrounds, hallways, restrooms, and cafeterias
- Annually notifying district employees that, pursuant to Education Code 234.1, any school staff who witnesses an act of bullying against a student has a responsibility to immediately intervene to stop the incident when it is safe to do so

Staff Development:

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

The Superintendent or designee shall provide training to teachers and other school staff to raise their awareness about the legal obligation of the district and its employees to prevent discrimination, harassment, intimidation, and bullying of district students. Such training shall be designed to provide staff with the skills to:

- Discuss the diversity of the student body and school community, including their varying immigration experiences
- Discuss bullying prevention strategies with students, and teach students to recognize the behavior and characteristics of bullying perpetrators and victims
- Identify the signs of bullying or harassing behavior
- Take immediate corrective action when bullying is observed
- Report incidents to the appropriate authorities, including law enforcement in instances of criminal behavior

Student Instruction:

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

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

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

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

Reporting and Filing of Complaints:

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

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

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

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

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

Discipline/Corrective Actions:

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

When appropriate based on the severity or pervasiveness of the bullying, the Superintendent or designee shall notify the parents/guardians of victims and perpetrators and may contact law enforcement.

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

(Education Code 48900.9)

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

Emergency Contact Numbers

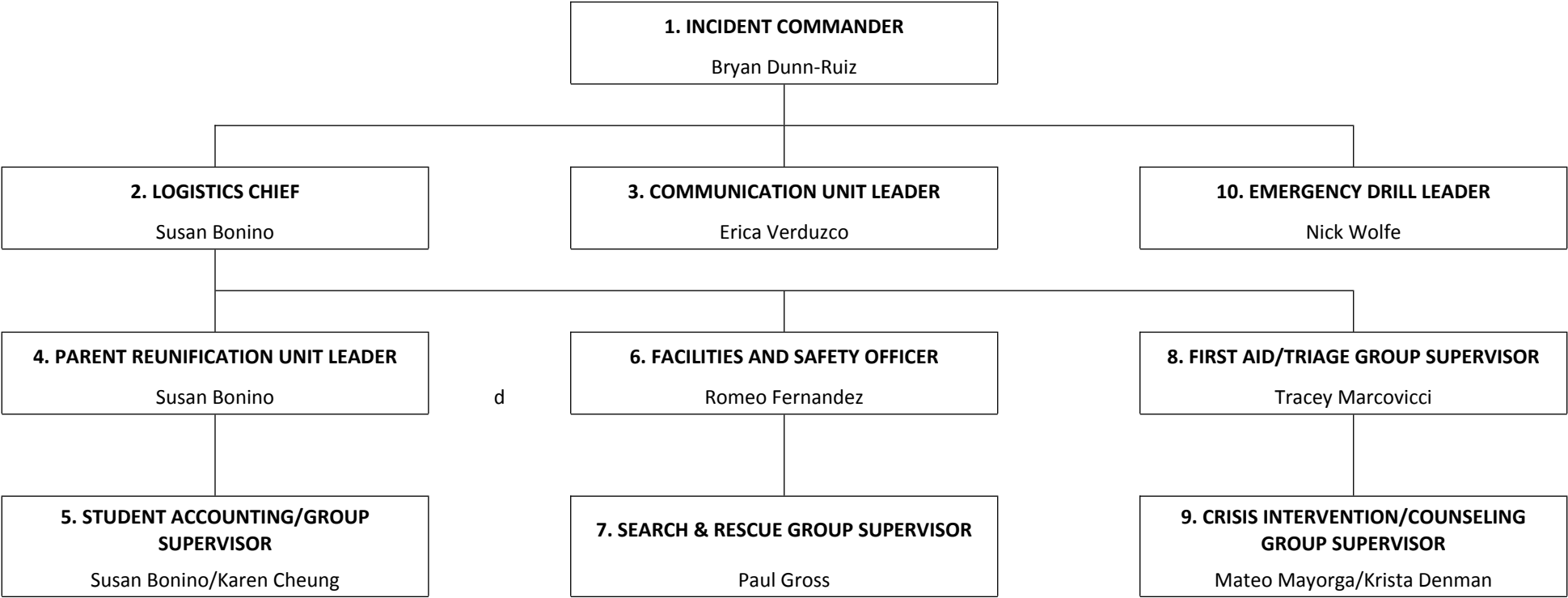
Utilities, Responders and Communication Resources

Type	Vendor	Number	Comments
City Services	City of Alameda	510-747-7400	
Other	County of Alameda	510-208-9770	
Law Enforcement/Fire/Paramedic	APD Non-Emergency	510-337-8340	
Law Enforcement/Fire/Paramedic	POLICE DEPARTMENT 911	911	
Other	Hazardous Materials Unit	510-567-6702	
Other	HEALTH DEPARTMENT - Alameda County	510-267-8000	
Local Hospitals	Alameda Hospital (Emergency Room)	510-522-3700	
American National Red Cross	RED CROSS	510-595-4400	

Safety Plan Review, Evaluation and Amendment Procedures

Activity Description (i.e. review steps, meetings conducted, approvals, etc)	Date and Time	Attached Document (description and location)
Faculty Meeting		Emergency response training with all staff
Safety Committee Meeting		Review of Safety Plan and procedures, roles and responsibilities, maps and evacuation routes
Faculty Meeting		Safety Committee share out
Safety Committee Meeting		Table top drill and training planning
Faculty Meeting		Review of REMS roles and responsibilities
Safety Committee Meeting		Update Safety plan with revisions
Public Hearing		Safety plan review with community
School Community Meeting		SSC approval of plan

Amelia Earhart Elementary School Incident Command System



Incident Command Team Responsibilities

Standardized Emergency Response Management System Overview

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

SITE ORGANIZATION DURING A DECLARED EMERGENCY COMMAND POST PERSONNEL AND DUTIES

If notified of a Declared Emergency from the Superintendent's Office, OR if the site suffers a severe disaster, the Site Manager shall immediately implement the plans and procedures in the Site Emergency Plan.

The Site Manager or Incident Commander shall:

- A. Activate alarm/Broadcast Alert on Share911 and PA to notify staff
- B. Activate Command Post and 2-way radio
- C. Activate Emergency Teams
- D. Assess total school situation
- E. Make initial site assessment report on Share911 to District Emergency Operations Center.
- F. Check to see that Site Emergency Teams are operating
- G. Assign messengers to needed areas
- H. Request help from 911 or Emergency Operations Center as required
- I. Secure information from Emergency Teams Update Site Status Reports - Report to the Emergency Operations Center
- J. Reassign team members to other duties as required when they finish initial assignment duties
- K. Personally address these items:
 - 1. Is campus secure?
 - 3. Are utilities off or secure?
 - 4. Are signs directing adults to release area up?
 - 5. Are traffic controllers needed?
 - 6. Is First Aid Center functioning?
 - 7. Have buildings been searched for victims?
 - 8. Is the student release program set up and operational?

Logistics Chief: The Site Office Manager shall:

- A. Report immediately to the Command Post with:

1. Master keys
2. Current roster of students and staff
3. Emergency forms and documents
4. Office supplies to assist unit leads

B. Assume responsibilities as directed by Site Manager

The Site Clerical Staff shall:

A. Team up with other personnel as a member of a Site Emergency Team, otherwise:

B. Report to the Site Command Post and assume responsibilities as directed by the Site Manager

The Attendance Clerk shall:

A. Keep a current file of all students release information from forms parents are required to fill out authorizing listed persons to pick up their children in case of a severe emergency. The Attendance Clerk will take these records to the Student Release Area in the Cafeteria and give them to the Student Release Team to use.

The Site Custodians shall: Romeo Fernandez

A. Check the condition of the utilities and connecting pipes and lines and if necessary, turn them off.

B. Check the site completely for:

1. Fire and electrical hazards
2. Chemical hazards (Chlorine storage)
3. Other hazards

C. Notify Site Manager of hazards and services needed

D. Barricade hazardous areas using whatever materials handy

E. When site is secure, report to the Command Post for direction

F. Open emergency container and provide emergency sanitation areas if toilets are unavailable

Directions for the Instructional Staff During a Declared Emergency

Teachers and Para Professionals shall:

A. Respond immediately to emergency signals requiring specific actions and check in on Share911

B. If signal is one to Leave Building, know if signal is for:

1. Fire evacuation

2. Earthquake evacuation
3. Chemical spill evacuation

Evacuate Accordingly!

A. When leaving building:

1. Take emergency backpack
2. Require students to be silent in order to hear instructions
3. Close doors to classroom
4. Go directly to pre-assigned location

B. Check with nearby classrooms when evacuating. If there are seriously injured persons who cannot be moved, assign one teacher to remain and the other to evacuate the rest of the students. Report on Share911

C. Teachers shall provide First Aid to the best of their ability to students under their supervision until the emergency First Aid station is activated. Students with major injuries are to remain in the classroom supervised by a teacher or aide. Students with minor injuries are to be cared for after evacuation.

D. Upon reaching evacuation destination, teachers shall:

1. Take roll
2. List missing students on Share 911 and on paper
3. Give list to Assembly Area Team members
4. Calm students. Remind them of District policies about remaining at school
5. Monitor warmth and protection of students. Move if necessary

E. If assigned to a Site Emergency Team, transfer your students to paired teacher to supervise, report immediately to the Command Post for supplies and begin implementation of Team responsibilities.

USE REMS TO ESTABLISH YOUR EMERGENCY SITE TEAM

Note: Contact listing is intended to be shared with team members to enhance communication in the event of a critical incident. It is recommended that the Principal and Designee establish an intranet list server to further enhance communications. The personal information listed is intended for team members. Please type name and number under each assignment.

REMS Team Members Primary Contact/Cell number Secondary Contact/Cell number

Incident Commander: Matt Huxley

Establishes an Incident Command Center, lists incident objectives and designates the following positions to perform the following duties.

Logistics Chief: Susan Bonino

Supports each unit leader with where to find the necessary tools to support the team fulfilling their duties.

Report immediately to the Command Post with:

- Master keys

- Current roster of students and staff
- Emergency forms and documents
- Office supplies to assist unit leads
- Computers and walkie talkies
- Assume responsibilities as directed by Site Manager

Communication Unit Leader: Matt Huxley

Works with the incident commander to communicate out important information to all supervisors and the public.

Report immediately to the Command Post with:

- Computer
- Office supplies

Parent Reunification Unit Leader: Susan Bonino Solis

Reunification refers to getting students reunited with their parents or guardians in an efficient and orderly manner. Reunification can be an enormous challenge and takes a lot of planning.

The Student Release Team is responsible for:

- Setting up secure reunion area
- Checking student emergency cards for authorized releases
- Completing release logs
- Coordinating with the Public Information Office on external messages

Student Accounting/Group Supervisor: Karen Cheung

Evacuation, shelter, and student care in an emergency is one of the most important tasks faced by schools. It includes student accounting, protection from weather, providing for sanitation needs, and providing for food and water and releasing of students to their guardians.

The Evacuation/Shelter/Care Team is responsible for:

- Accounting for the whereabouts of all students, staff, and volunteers
- Setting up secure assembly area
- Managing sheltering and sanitation operations
- Managing student feeding and hydration
- Coordinating with the Student Release Team
- Coordinating with the Logistics Section to secure the needed space and supplies

Search & Rescue Group Supervisor: Raines Taylor

Search & Rescue Teams search the entire school facility, entering only after they have checked the outside for signs of structural damage and determined that it is safe to enter. Search & Rescue Teams are responsible for ensuring that all students and staff evacuate the building (or, if it is unsafe to move the persons, that their locations are documented so that professional responders can locate them easily and extricate them).

Search & Rescue Teams are also responsible for:

- Using Share 911 to identify where injuries may exist
- Obtaining injury and missing student reports from teachers
- Moving injured members from building if emergency responders are unable to do so
- Identifying and marking unsafe areas
- Conducting initial damage assessment

First Aid/Triage Group Supervisor: Erica Veruzco

First Aid Teams provide triage and treatment for students and other disaster victims. First Aid Teams are responsible for setting up first aid area for students, assessing and treating injuries, and completing master injury report.

First Aid Teams are responsible for:

- Setting up a first aid area for students

- Assessing and treating injuries
- Completing master injury report

Note: The Logistics Section Medical Unit provides care to responders. The Operations Section First Aid Team is dedicated to students or other disaster victims.

Crisis Intervention/ Counseling Group Supervisor: Melissa Saunders

The Crisis Intervention Team is responsible for assisting students and school personnel who are unable to cope with the fears and psychological trauma associated with emergencies and disasters.

This includes:

- Assessing need for onsite mental health support
- Determining need for outside agency assistance
- Providing onsite intervention/counseling
- Monitoring well-being of school emergency team, staff, and students, and reporting all findings to the Operations Section Chief

Facilities and Safety Officer: Romeo Fernandez

The Facilities & Security Response Team is responsible for:

- Locating all utilities and turning them off, if necessary
- Securing and isolating fire/HazMat
- Opening Emergency Trailer
- Assessing and notifying officials of fire/HazMat
- Conducting perimeter control

Emergency Drill Leader: Nick Wolf

The Emergency Drill Leader is responsible for:

- Training staff
- Coordinating and running all required drills
- Monitoring participations
- Reviewing after action reports
- Reporting to the incident commander

LIST SEARCH TEAM DUTY DESCRIPTIONS

EXAMPLE: If assignment is SEARCH TEAM:

Take heavy gloves, flashlight, hard hat and masking tape (no entry) from Emergency Backpack.

Leave Emergency Backpack and students with designated teacher (see previous page).

Report to INCIDENT COMMAND CENTER near gate in lower yard meet with search team partner(s).

Receive directions for search instructions from Search team supervisor.

LIST WHO WILL BE:

SEARCH TEAM #1 Search team will be delegated by

LIST FIRST AID FUNCTION

EXAMPLE: Minimize injuries and loss of life: provide temporary care of injured students.

Set up desk at picnic tables behind multipurpose room (or if unsafe here, on blacktop near multipurpose room).

Organize supplies and treatment area.
Help with wounded.
Keep Check Out Station informed.
Request additional help (ambulances, etc.) through Check Out Station.
Look up emergency information if necessary.

LIST WHO WILL BE:

TREATMENT

TRIAGE

RECORDER

List the things you will have to accomplish and assign to operations section or logistics section.

Examples:

Set up table, chairs and sign "Incident Command Center"

Set up operations table, logistics table.

Set up a first aid station

Put traffic cones in the street, blocking off access to the parking lot entry drive

Set up people to handle the check out of students. Display signs A-L, M-Z. Have emergency card information forms out.

Record finding of search teams

List any unaccounted for students and those in First Aid or in need of first aid.

Keep track of the walkie-talkies

Listen to radio

Use runners as necessary to retrieve information and students

Organize parent line-up and announce using bullhorn to parents that students have been evacuated

Assist in calming and organizing parents

Provide pen and paper for non-English speaking students to write their name

Communicate to District Personnel

INCIDENT COMMAND POST – Located

The Site Manager or designee is the final authority at each school. He/she must be available for all decisions, information and authority during the time the schools are isolated.

Therefore, the Site Manager and the Command Post should be housed in a central area, i.e., the front of the school, where the manager is available to radio, telephone, emergency equipment or personnel and parents.

The Command Post will begin to operate immediately after a disaster.

This is where the record keeping, communication, and major decision making will take place. The Site Manager or Incident commander will be here.

In addition, a separate Student Release Area will be established to coordinate the release of students to authorized adults. Student release area will be in the bike cage (if inaccessible at the end of the parking lot behind the second gate).

Emergency Release Information Forms are needed at the Release Area to document the release of all students.

While the Command Post is functioning, The First Aid and Search/Assessment Teams will carry out their functions and provide information to the Incident commander about the:

1. Condition of students
2. Condition of staff
3. Condition of facilities

Management

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

Planning & Intelligence

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

Operations

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

Logistics

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

Finance & Administration

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

Types of Emergencies & Specific Procedures

Aircraft Crash

FALLEN AIRCRAFT

DEFINITION/DESCRIPTION

If an aircraft falls near the school, the principal will determine which emergency action, if any, will be taken. Local fire and police departments will be responding also. All students and staff should be kept at a safe distance to protect them from possible explosions and/or fire.

IMMEDIATE ACTION

Principal

- Determine which Action, if any, should be implemented.
- Where necessary, tell teachers they may need to take immediate action for the safety of students without waiting for directions from the principal.
- Determine, if possible, whether the aircraft is military, commercial or private. Contact the local police to determine appropriate action and refer all members of the press to the Emergency Operations Center.

Principal's Secretary

- Respond to calls.
- Assist principal as needed.
- Refer all members of the press to the Emergency Operations Center.

Teachers

- Follow principal's direction as to appropriate Action.
- Depending on the nature of the accident you may need to take Action DROP or Action TAKE COVER to protect students from a possible explosion and/or fire.

FOLLOW UP ACTION

Principal

- Provide up-to-date information to staff and students as it becomes available and arrange school site meetings to make assignments and determine plans.
- Coordinate activities of the school site team.
- Maintain contact with Emergency Operations Center and Superintendent's office.
- Arrange after-school staff meetings to debrief and clarify events.

Teachers

- Read bulletins/announcements as provided by the principal.
- Refer all media to the principal's office.
- Cooperate with the school site team to provide follow-up as appropriate.
- Refer for counseling students who may be at risk.
- Return to normal instructional activities as soon as possible.

Animal Disturbance

If a rabid or vicious animal is at or in the vicinity of the school, the Animal Control Center should be notified immediately. Teachers shall be notified Shelter In Place. Students outside of the building will be quietly and cautiously sent into the nearest building and secured in a room behind closed doors. Notify the Superintendent's Office.

Armed Assault on Campus

Follow A.L.I.C.E Procedures

Biological or Chemical Release

CHEMICAL SPILL

1. An announcement will be made to either Shelter in Place or evacuate the building and gather in the Assembly Area, depending on the situation.
2. The announcement will be made by the P.A. system, or if this fails to operate, messenger will alert classes.
3. If the Assembly Area is not safe, students will be evacuated to Lincoln Park, depending on the area of the spill and direction of the wind.

CHEMICAL ACCIDENT

1. DEFINITION/DESCRIPTION

Chemical accidents of disaster magnitude would include tank truck accidents involving large quantities of toxic gases or toxic liquids. This type of accident will likely be reported by an outside source unless the accident has occurred immediately adjacent to the school site.

2. IMMEDIATE ACTION

Principal

- a) Receive information about/review situation to determine if evacuation routes are safe (move crosswind to avoid fumes).
- b) Determine which action should be implemented.
- c) Sound alarm for appropriate action.
- d) Notify/maintain contact with Superintendent/Emergency Operations Center.
- e) Determine what further action to take.

Teachers

- a) Implement appropriate action, using alternate evacuation route if required.
- b) Maintain control of students.
- c) Take roll. Report students who are absent.
- d) Notify principal of any problems in/around area
- e) Notify principal of need for first aid, as appropriate.

Custodian

- a) Review situation to assess extent of spill, wind direction and proximity to building.
- b) Report findings to principal.
- c) Be prepared to direct fire/police department to spill site.
- d) Assist in spill clean-up or containment, as appropriate.

3. FOLLOW UP ACTION

Principal

- a) Determine, in coordination with M.O.F./Fire Department, whether buildings are habitable.
- b) Notify staff/students of any modification in schedule.
- c) Work with Emergency Operations Center to publicize information regarding accident.
- d) Arrange school site meeting to provide information to staff.

Principal's Secretary

- a) Screen all calls. Refer public to Emergency Operations Center.
- b) Refer media to Emergency Operations Center.
- c) Prepare necessary bulletins.

Teachers

- a) Read bulletins/announcements as provided by principal.
- b) Refer all media to principal's office.
- c) Cooperate with school site team to provide follow-up, as appropriate.
- d) Refer for counseling students who may be at risk.
- e) Return to normal instructional activities as soon as possible.

Bomb Threat/ Threat Of violence

1. DEFINITION/DESCRIPTION

A bomb threat will typically be received in writing or by telephone call. Responses will generally be the same with the initial exception of a person receiving a telephone threat. A copy of the Bomb Threat Checklist should be readily available for every administrative phone responder.

2. IMMEDIATE ACTION – Telephone Threat

Person Receiving Call

- a) Keep the caller on the line. Delay the caller with such statements as: “I’m sorry, I did not understand you. What did you say?”
- b) Use Bomb Threat Checklist (see form at the end of this “Bomb Threat” section). Get as much information as possible from the caller.
- c) Immediately after caller hangs up, report all information to principal.

All Office Personnel

Immediately search your work area for foreign or suspicious objects or packages. If one is found, DO NOT TOUCH OR MOVE IT!!

IMMEDIATE ACTION – Written Threat

Person Receiving Written Message

Give the message to the principal immediately upon identification.

Principal

- a) Receive/review all information about bomb threat.
- b) Determine which action should be taken.
- c) Initiate non-electronic evacuation procedure; i.e. runner or bullhorn, since electronic warnings could activate any device, being sure all evacuation routes are clear.
- d) Notify Superintendent/Police/Fire Department.
- e) Direct search of office complex, evacuation site and classrooms.
- f) Determine what further action should be taken.

Teachers

- a) Implement appropriate action, using alternate evacuation route if required.
- b) Maintain control of students.
- c) Take roll. Report students who are absent.
- d) Notify principal of any problems in or around area.
- e) Hold students until designated evacuation area has been searched and declared safe, and then conduct students to the cleared area.

Teachers assigned to the designated evacuation area will remain with the pupils; personnel who are assigned to search teams will report to the principal for briefing.

If notification of a threat is received and immediate evacuation is not ordered, teachers will search their classrooms for any unidentifiable objects. If nothing is found, resume instruction until the evacuation order is received.

Custodians

- a) Under the direction of the principal, immediately proceed with a thorough search of designated evacuation area (or other area large enough to contain the students) to provide a safe place for students evacuated from the buildings.
- b) Search, as required, to determine that no explosive is hidden in a book, clothes locker or restroom.

3. FOLLOW UP ACTION

Principal

- a) Determine, in coordination with M.O.F. and Fire Department, whether buildings are habitable.
- b) Notify staff/students of any modification in schedule, via special bulletin or telephone tree.
- c) Work with Emergency Operations Center to put messages on TV, radio and telephone system regarding any modifications in schedule.
- d) Arrange school site meeting to discuss plan.

Principal’s Secretary

- a) Screen all calls. Refer calls to Emergency Operations Center.
- b) Prepare necessary bulletins.

Teachers

- a) Read bulletins/announcements as provided by principal.
- b) Refer all media to principal's office.
- c) Cooperate with school site team to provide follow-up as appropriate.
- d) Refer for counseling students who may be at risk.
- e) Return to normal instructional activities as soon as possible.

EXPLOSION OR THREAT OF EXPLOSION

1. DEFINITION/DESCRIPTION

An explosion at the school, or the threat of an explosion, may be caused by leaking gas or a faulty boiler within a school building.

2. IMMEDIATE ACTION – EXPLOSION

Principal

- Sound the school alarm.
- Notify the Superintendent or Assistant Superintendent.
- Notify utility companies of a break or suspected break.
- Notify fire and police departments and direct further action as required.
- Notify teachers of proper action (DROP or LEAVE BUILDING).

Teachers

- Command DROP is given. Instruct students to react in the same manner on their own to this type of catastrophe in case it occurs when the teacher is temporarily not present.
- If the explosion occurred within the building, or threatened the building, immediately implement Action LEAVE BUILDING.
- Move to an area of safety and maintain control of students.
- Notify principal of students needing first aid as necessary.
- Fight incipient fires without endangering life.
- Take roll. Report absent students to principal.
- Students and staff should not return to the school until Fire Department officials declare the area safe.

IMMEDIATE ACTION - THREAT OF EXPLOSION:

Principal

- Sound the school fire alarm, or silent evacuation if electronic means could set off explosion. This will automatically implement Action LEAVE BUILDING.
- Follow procedures for principal -- 'c' and 'd' above.

Teacher

- Follow procedures for teachers -- 'c' through 'g' above.

Disorderly Conduct

CIVIL DISOBEDIENCE/MENACING INDIVIDUALS

1. DEFINITION/DESCRIPTION

Civil disobedience is defined as any assemblage on the school premises by unauthorized persons whose purpose and conduct is inimical to the orderly conduct of the school and the laws relating to the conduct of schools and the welfare of students.

WARNING: The presence of unauthorized individuals or an alert of an impending visitation. When this condition has been reported to the principal or authority in charge, he shall transmit the warning to all classes by the public address system. If the PA system is inoperable, a messenger will be sent to each classroom.

2. IMMEDIATE ACTION

The major plan of action will be to protect all personnel from undue exposure to danger. Every effort must be made to keep classes within their rooms. The following specific steps will be taken to implement the plan of action:

Principal or Designee

- a) Transmit a Shelter in Place alert to all staff members.

- b) Call the local law enforcement agencies to provide protection and to handle arrests.
- c) Make certain that a specific crime is committed before requesting arrests.
- d) School civil disobedience crimes involving arrest are listed in the Criminal Code Procedure and include the following:
 - 1. Disturbing the Peace
 - 2. Trespassing
 - 3. Loitering Around the School Grounds
- e) The principal should make an announcement to the demonstrators similar to the following:
 "I am the principal of this school. You are interfering with the orderly process of education in this school. I request that you leave. If you do not leave, I shall ask for your arrest. You are causing a disturbance."

Teachers

- a) Keep students within their locked classrooms until further notice, regardless of the bells and schedules.
- b) Lock classroom doors.
- c) Remain in charge of your class, utilizing the best judgment in occupying the students within the classroom.
- d) Precaution should be taken to protect personnel from flying glass in case of broken windows. Drapes, venetian blinds, or jalousies should be closed.
- e) Where there is evidence of a potential problem, all P.E. classes will immediately return to the locker rooms.

Custodians

Lock and secure all exterior doors.

3. FOLLOW UP ACTION

Principal

- a) Determine, in coordination with M.O.F., whether building(s) is/are habitable.
- b) Notify staff/students of any modification in schedule, via special bulletin or telephone tree.
- c) Work with Communications director to put messages regarding any modifications in schedule.
- d) Arrange school site meeting to discuss plan.

Principal's Secretary

- a) Screen all calls. Refer public to Director of Communications
- b) Refer media to Director of Communications
- c) Prepare necessary communication to community.

Teachers

- a) Read announcements as provided by principal.
- b) Refer all media to principal's office.
- c) Cooperate with school site team to provide follow-up, as appropriate.
- d) Refer for counseling students who may be at risk.
- e) Return to normal instructional activities as soon as possible.

Earthquake

Although the probability of an earthquake occurring is lower than most other emergency types, the potential for injuries and damage from one is high. It is essential that students and staff remain aware of the following basic actions:

This section removed from posted plan for security purposes. If you wish to see the full plan, contact the school principal for an appointment.

If an earthquake or other situation warrants, drop to the floor, take protective position under desks or furniture with backs to windows and hands covering head and face. Stay in position until directed to evacuate or take other protective action. If outside, move away from buildings and trees and take protective position. When situation permits, proceed to the designated assembly point. Standby: Alert students in your area to stand by for further information. Make whatever assessment of the situation is possible. Render emergency first aid as required. If inside, stay inside during ground shaking. In classrooms or offices, move away from windows, shelves and heavy objects or furniture that may fall. Take cover under a safe table, desk or counter. At the teacher's command, students should take the DROP position.

If a "shelter" (table, desk, etc.) is not available, move to an inside wall or corner, turn away from windows, kneel alongside wall, and bend head close to knees, with elbows firmly behind neck protecting face. If notebooks or jackets are handy, hold these overhead for added protection from flying glass and ceilings debris. Remain in sheltered position for at least 60 seconds or until directed to move by an adult. If in halls, on stairways, or other areas where no cover is available, students must follow the directions of the nearest teacher or school employee.

If in the library, immediately move away from windows and bookshelves and take appropriate cover. In the science lab or shops, all burners should be extinguished (if possible) before taking cover. Stay clear of hazardous chemicals that may spill. The duration of ground shaking depends on a number of factors, including the severity of the earthquake. Advise students to anticipate shorter or longer episodes of ground shaking during actual earthquakes and their aftershocks.

EARTHQUAKE HAZARDS COMMONLY FOUND IN SCHOOL BUILDINGS:

- Glass that shatters or flies around
- Objects stored above head-level on shelves, walls, and ceilings (such as unused projectors, books, science equipment, boxes)
- Objects that block movement to safe places (books on floors, tipped desks and bookcases)
- Cabinets without latches
- Objects stored on wheels
- Open shelving without a lip or restraining wire
- Free standing cabinets
- Blocked exits
- Objects in hallways that block movement (glass, tables, locker contents)

SETTLING DOWN AFTER THE FIRST SHOCK:

- After the first shock, teachers will evacuate the classrooms, being alert to the possibility of aftershocks.
- When leaving the classroom, teachers should make every effort to take with them the roll book and emergency supplies.
- Announce that no student is to return to the room unless directed to do so.
- Teachers will take classes to pre-arranged places on the campus.
- Teachers and students will remain in designated areas until re-entry to the building has been approved or they are directed to move elsewhere.
- School will remain open indefinitely until every student has been released to parents or to an authorized person.
- Do not light any fires after the earthquake because of possible gas leaks.
- If possible, notify utility companies of any break or suspected breaks in service.

THE GREAT SHAKEOUT EARTHQUAKE DRILLS

All AUSD schools are encouraged to participate in the annual Great ShakeOut Earthquake Drills. See <https://www.shakeout.org/index.html> for more information.

Explosion or Risk Of Explosion

EXPLOSION OR THREAT OF EXPLOSION

DEFINITION/DESCRIPTION

An explosion at the school, or the threat of an explosion, may be caused by leaking gas or a faulty boiler within a school building.

IMMEDIATE ACTION – EXPLOSION

Principal

- a) Sound the school alarm and report on Share911.
- b) Notify teachers of proper action (DROP or LEAVE BUILDING).

Teachers

- a) Command DROP is given. Instruct students to react in the same manner on their own to this type of catastrophe in case it occurs when the teacher is temporarily not present.
- b) If the explosion occurred within the building, or threatened the building, immediately implement Action LEAVE BUILDING.
- c) Move to an area of safety, and maintain control of students.
- d) Use Share911 to report students absent, found or needing first aid as necessary.
- e) Fight incipient fires without endangering life.
- g) Students and staff should not return to the school until Fire Department officials declare the area safe.

IMMEDIATE ACTION - THREAT OF EXPLOSION:

Principal

Sound the school fire alarm, or silent evacuation if electronic means could set off explosion. This will automatically implement Action LEAVE BUILDING.

Follow procedures for principal -- 'c' and 'd' above.

Teacher

Follow procedures for teachers -- 'c' through 'g' above.

Fire in Surrounding Area

Follow shelter in place procedures

Fire on School Grounds

DEFINITION/DESCRIPTION: A fire detected in or adjacent to any building at the school site.

IMMEDIATE ACTION

Principal or Site Safety Coordinator

- View fire or take report to determine that evacuation routes are safe.
- Notify teachers of alternate route if necessary.
- Sound school fire alarm and report on Share911.
- Determine what further action to take (i.e. send students/staff home).

Teachers

- Implement Action LEAVE BUILDING, using alternate route in necessary.
- Maintain control of students at a safe distance from the fire and fire fighting equipment.
- Take roll upon arrival at designated area. students.
- Remain with students in designated area until notified of next action.
- Notify principal of any hazards observed in/around area through Share911.
- Notify principal of need for first aid as appropriate through Share911.

Custodians

- View fire to identify location and extent.
- Report findings to principal.
- Fight incipient fire without endangering life.
- Be prepared to direct fire department to fire site.
- Shut off gas/water as appropriate.
- Shut off electricity after all necessary use of P.A. system is complete.

FOLLOW-UP ACTION

Principal

- Determine, in coordination with M.O.F. and Fire Department whether buildings) is/are habitable.
- Notify staff/students of any modification in schedule, via Share911 and special bulletin or telephone tree.
- Work with Director of Communications to put messages on TV, radio and communication system regarding any modifications in schedule
- Arrange school site meeting to discuss plan.

Principal's Secretary

- Screen all calls.
- Refer media to Director of Communication.
- Prepare necessary communications to community.

Teachers

- Read announcements as provided by principal.
- Refer all media to principal's office.
- Cooperate with school site team to provide follow-up as appropriate.
- Refer for counseling students who may be at risk.
- Return to normal instructional activities as soon as possible.

Flooding

DESCRIPTION/DEFINITION

There should be some thought and preparation for this eventuality should any sources around the school create flooding. Flooding may be the secondary effect of another disaster, such as an earthquake.

IMMEDIATE ACTION

Principal

- View flood or take report to determine that evacuation routes are safe.
- Broadcast Alert on Share911 and PA as appropriate.
- Determine what further action to take.

Teachers

- Implement appropriate Action in response to principal direction.
- Take roll upon arrival at evacuation area. Report absent students, needs for first aid and any hazards observed in/around area to principal through Share911.
- Maintain control of students at evacuation area.

Custodians

- View flood to identify location and extent.
- Report findings to principal.
- Be prepared to direct M.O.F./City to flood site/source.
- If flooding is result of school site damage, turn off water.

Follow up Plan

Principal

- Determine, in coordination with M.O.F. and Fire Department whether buildings) is/are habitable.
- Notify staff/students of any modification in schedule, via Share911 and special bulletin or telephone tree.
- Work with Director of Communications to put messages on TV, radio and communication system regarding any modifications in schedule
- Arrange school site meeting to discuss plan.

Principal's Secretary

- Screen all calls.
- Refer media to the Director of Communication.
- Prepare necessary communications to the community.

Teachers

- Read announcements as provided by the principal.
- Refer all media to the principal's office.
- Cooperate with the school site team to provide follow-up as appropriate.
- Refer for counseling students who may be at risk.
- Return to normal instructional activities as soon as possible.

Loss or Failure Of Utilities

UTILITIES LOSS OR FAILURE

CALL MOF - They will call the appropriate public works system based on the loss or failure.

LOSS OF ELECTRICAL POWER:

Consult Alameda Power

LOSS of GAS

PG&E

WATER EMERGENCY:

East Bay Municipal Utility District, colloquially referred to as "East Bay Mud

PHONE ISSUES:

Contact Technology Information Services to report phone issues.

ADDITIONAL INFORMATION:

Contact Maintenance, Operations & Facilities at extension if any utility will be off for an extended period of time.

Notify the superintendent of the situation.

If necessary, make appropriate arrangements with Maintenance and Operations for temporary communications, water delivery and portable rest rooms.

In the event of an extended outage, consult with the cafeteria manager. The cafeteria manager will consult with Food and Nutritional Services.

If an extended outage is likely, provide an update to keep parents/guardians informed.

Motor Vehicle Crash

Step1: Respond to the injured party and determine if first aid or CPR should be provided

Step 2: If 911 needs to be called have another person call while you deliver first aid or CPR

Step 3: Send another person to notify others and get any emergency equipment or information that would be helpful to the emergency

Step 4: When safe to do so, activate share 911 to communicate to staff if an ambulance is on its way

Step 5: Designate staff to the appropriate gate/entrance to help emergency services get in close proximity to injured party

Step 6: Staff are required to complete and turn in an Accident Report to administration for any injuries to any one on campus

Step 7: Accident forms need to be sent to the business office

Psychological Trauma

The sudden death, serious injury to a student or staff member either through natural causes, accidents or as the result of an act of violence, such as school shooting, missing students (known or suspected abduction), physical assault, sexual assault, non-natural or non-accidental causes or other unexpected events are, without question, a crisis. Responding to these kinds of crisis situations in a timely and effective manner is as critical as dealing with an earthquake or a fire.

1. Contact Student Services to request the District Crisis Intervention Team immediately following a serious injury, accident or death of a student or staff member.

2. Work with your school psychologist and or counselors to determine identification of short- and long-term interventions for students or staff traumatized by the event.
3. Work with the Superintendent's office to formulate a public statement.
4. Discuss the crisis in a factual manner in follow up meetings and/or communications.
5. Be sensitive to latent behavior problems that are trauma-related.

A general message will be prepared and whenever possible parents will be contacted first in order to be the first adults to provide the information and support their children. All staff will be debriefed and supported. Activities to best meet the needs of the community will be provided aimed at providing counseling, a way for all to process (writing, drawing, and sharing). Activities such as games, music and reading may be planned over a short period of time to reduce anxiety and work demands. Follow and close monitoring for students and staff to insure latent reactions and responses.

Opioid Overdose

Step (1) Call 911 An overdose is a medical emergency. It is important to have trained medical professionals assess the condition of the overdose victim. Even though Naloxone can reverse the overdose, there may be other health problems of which the responder may not be aware. In addition, people who survive any type of overdose are at risk of experiencing other health complications because of the overdose. Getting someone examined by a medical professional is an important part of reducing the harms associated with overdosing.

It is important for trained staff to remember that Naloxone only works if there are opioids involved with the overdose. It cannot reverse an overdose from benzodiazepines, meth, cocaine, or alcohol.

Step (2) Administer Naloxone (Narcan)

Open the Naloxone blister pack; do not push the plunger.

With the victim's head tilted slightly back, place two (2) fingers over the top of the medication with your thumb securing it from the bottom.

Insert the atomizer fully and gently into their nostril

Push the plunger forward with the thumb and deliver spray of medication. (There is no need to plug the opposing nostril).

Place the person to their side (recovery position).

If the individual is still not responding within two (2) minutes, give a second dose in the opposite nostril.

Follow Up

If the victim is a student, contact parent/guardian per school policy.

Complete an Accident/Injury Report

Facilitate a debriefing with responding staff

Consider a plan of care for the students' safe return to school

Emergency Evacuation Map

[See Attachments](#)

Site Name	Location of AED	Address
Alameda Adult School	Inside Main Office - File Cabinet	2201 Encinal Ave
Alameda Adult School	Hallway	2201 Encinal Ave
Alameda Child Development Center	Break Room	500 Pacific Ave
Alameda High School	Patton Gym	2200 Central Ave
Alameda High School	Thompson Field/Trainer Room	2200 Central Ave
Alameda High School	Baseball Field Yard Container	2200 Central Ave
Alameda High School	Main Gym Hallway	2200 Central Ave
Alameda High School	Athletic Directors Office	2200 Central Ave
Alameda High School	Athletic Directors Office	2200 Central Ave
Alameda High School	Emma Hood Swim Center	2200 Central Ave
Alameda High School (Historic)	Administration Office	2200 Central Ave
Alameda High School (Historic)	Building C 2nd floor	2200 Central Ave
Alameda High School (Historic)	Health Clerk Office	2200 Central Ave
Alameda High School (Historic)	Building C 2nd floor	2200 Central Ave
ASTI	Office	555 Ralph Appenzato
Bay Farm School	Office	200 Aughinbaugh Way
Bay Farm School	MPR	200 Aughinbaugh Way
District Office	Lobby Hallway	2060 Challenger Dr
Earhart Elementary School	Health Center	400 Packet Landing

Site Name	Location of AED	Address
Edison Elementary School	Outside Breezeway	2700 Buena Vista
Encinal Jr. & Sr. High School	Weight Room	210 Central Ave
Encinal Jr. & Sr. High School	Pool Office	210 Central Ave
Encinal Jr. & Sr. High School	Media Center	210 Central Ave
Encinal Jr. & Sr. High School	Mobile 3	210 Central Ave
Encinal Jr. & Sr. High School	Main Office	210 Central Ave
Encinal Jr. & Sr. High School	Gym	210 Central Ave
Encinal Jr. & Sr. High School	Mobile 1 - Main Office	210 Central Ave
Encinal Jr. & Sr. High School	Baseball Field Container	210 Central Ave
Encinal Jr. & Sr. High School	Mobile 2 - Main Office	210 Central Ave
Encinal Jr. & Sr. High School	Bld 900 next to room 9105A	210 Central Ave
Franklin Elementary School	Office Hallway	1422 San Antonio Ave
Island High School	Island High Office	500 Pacific Ave
Lincoln Middle School	Health Office	1250 Fernside Blvd
Lincoln Middle School	Gym	1250 Fernside Blvd
Love Elementary School	Hallway (Front Cafeteria)	2025 Santa Clara Ave
Maintenance Yard	Lobby	250 Singleton Ave.
Maya Lin Elementary School	Faculty Room	825 Taylor Ave

Site Name	Location of AED	Address
Otis Elementary School	Office Hallway	3010 Fillmore St
Paden Elementary School	Office	444 Central Ave
Ruby Bridges Elementary School	Health Office	351 Jack London Ave
Wood Middle School	Health Center	420 Grand St
Wood Middle School	Gym	420 Grand St

Comprehensive School Safety Plan

**2023-24
School Year**

School: Edison Elementary School
CDS Code: 01611196090013
District: Alameda Unified School District
Address: 2700 Buena Vista Ave.
Alameda, CA 94501
Date of Adoption:
Date of Update: 3/19/2024
Date of Review:
- with Staff
- with Law Enforcement
- with Fire Authority

Table of Contents

Comprehensive School Safety Plan Purpose.....	4
Safety Plan Vision.....	4
Components of the Comprehensive School Safety Plan (EC 32281).....	5
(A) Child Abuse Reporting Procedures (EC 35294.2 [a] [2]; PC 11166).....	5
(B) Disaster Procedures (EC 35295-35297; GC 8607 and 3100).....	7
(C) School Suspension, Expulsion and Mandatory Expulsion Guidelines	10
(D) Procedures to Notify Teachers of Dangerous Pupils (EC 49079).....	30
(E) Sexual Harassment Policies (EC 212.6 [b]).....	31
(F) School-wide Dress Code Relating to Gang-Related Apparel (EC 35183).....	34
(G) Procedure for Safe Ingress and Egress of Pupils, Parents, and Staff to and from School (EC 35294.2)	37
(H) A Safe and Orderly School Environment Conducive to Learning (EC 35294.2)	39
(I) School Discipline Rules and Consequences (EC 35291 and EC 35291.5)	42
(K) Hate Crime Reporting Procedures and Policies	42
(J) Procedures to Prepare for Active Shooters.....	44
Procedures for Preventing Acts of Bullying and Cyber-bullying.....	45
Emergency Contact Numbers	49
Safety Plan Review, Evaluation and Amendment Procedures	50
Edison Elementary School Incident Command System.....	51
Incident Command Team Responsibilities.....	52
Types of Emergencies & Specific Procedures.....	59
Aircraft Crash	59
Animal Disturbance.....	59
Armed Assault on Campus	59
Biological or Chemical Release.....	60
Bomb Threat/ Threat Of violence	61
Disorderly Conduct	62
Earthquake	64
Explosion or Risk Of Explosion	64

Fire in Surrounding Area65

Fire on School Grounds65

Flooding67

Loss or Failure Of Utilities68

Motor Vehicle Crash68

Psychological Trauma.....68

Opioid Overdose69

Emergency Evacuation Map.....70

Comprehensive School Safety Plan Purpose

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

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

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

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

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

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

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

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

A copy of the Comprehensive School Safety Plan is available for review at Edison School Office.

Safety Plan Vision

The Alameda Unified School District is committed to providing a quality educational environment that is safe, secure, and peaceful. The primary goal of the District is to help each student develop to the maximum of his/her capacity and function as a responsible member of a democratic society. When parents, students and staff are aware of our mutual responsibilities to keep our community safe, we can effectively promote positive student participation in all of our schools.

The School Site Emergency Plan is designed for use as a school resource for prevention/mitigation, preparedness, response, and recovery planning and training as well as functioning as a template for meeting the requirements for the annual Safety Plan Process under Senate Bill 187, Education Code Section 35294, Statutes of 1998, and the National Incident Management System. It is designed to be a living document that is updated as necessary to meet site, District, and community needs, forms, and/or requirements—therefore, it should be maintained in hard copy and electronic form.

This document is NOT intended to be a “grab and go” guide in an actual emergency.

Components of the Comprehensive School Safety Plan (EC 32281)

Edison Elementary School Safety Committee

Greg Sahakian, Principal
Beth Clifford, Teacher
Kate Flanagan, Teacher
Ana Soria-Kevy, Teacher
Kelly Lara, Parent

Assessment of School Safety

No incidents of crime committed. 2023-24 Student Discipline behavior summary, as of 2/26/24: 34 incidents of Assertive Discipline, 55 incidents of (low level) Discipline, 1 incident of Suspension. Year to Date attendance rate: 95.1% schoolwide. Counseling referrals: 18 students.

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

PBIS Program Components (Focus Areas from 2023-24 Edison School PBIS Action Plan):

Classroom Procedures - All classrooms have schoolwide expectations posted in a visible location.

Faculty Involvement - Staff shown PBIS data at least quarterly, staff provides feedback on incentive systems and discipline systems.

Data-based Decision Making - The PBIS team can show evidence of making adjustments to teaching plans or reinforcement systems because of data trends.

Fidelity Data - PBIS team reviews the TFI data multiple times and uses it to inform their action plan.

Annual Evaluation - PBIS team documents their fidelity of Tier 1 implementation and shares with staff, community/parent stakeholders.

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

Child Abuse Reporting Procedures

With concern for the total well-being of each student, employees of the district shall report known or suspected incidences of child abuse in accordance with state law and district regulations. Our employees cooperate with the child protective agencies responsible for reporting, investigating and prosecuting cases of child abuse.

A. Definition of Child Abuse

"Child Abuse," as defined by law, pursuant to Penal Code 273 and 11165, includes:

1. Physical abuse resulting in a non-accidental physical injury.
2. Physical neglect, including both severe and general neglect, resulting in negligent treatment or maltreatment of a child.
3. Sexual abuse including both sexual assault and sexual exploitation.
4. Emotional abuse and emotional deprivation including willful cruelty or unjustifiable punishment.
5. Severe corporal punishment.

B. Legal Duty to Report

Mandated child abuse reporting is governed by the Child Abuse and Neglect Reporting Act, P.C. 11164. The intent and purpose of the law is to protect children from abuse. The definition of a child is any person under 18 years of age.

Within the scope of his or her employment, any childcare custodian who has knowledge of, observes, or reasonably suspects a child is a victim of child abuse, shall report the known or suspected abuse to a child protective agency by telephone and written report. Additionally, any suspicion of mental suffering inflicted on a child where his or her well-being is endangered in any way, will also be reported.

"Mandated Reporters" are those people defined by law as "childcare custodians," "medical practitioners" and "non-medical practitioners" and include virtually all school employees.

(Penal Code 11165.7 and 11165.8) The following school personnel are required to report: teachers, administrators, supervisors of child welfare and attendance, certificated student personnel employees, employees of a child care programs, preschool teachers, school psychologists, licensed nurses, counselors, para-educators instructional aides or other classified employees trained in child abuse reporting. Employees do not need to have their employer's permission to make a child abuse report.

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

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

3. Employees will report known or suspected child abuse to a child protective agency by telephone immediately or as soon as practically possible and in writing within 36 hours. The reporting duties are individual and cannot be delegated to another individual.

4. When two or more persons who are required to report and both have knowledge of suspected child abuse, and when there is agreement among them, the telephone report may be made by any one of them who is selected by mutual agreement, and a single report may be made and signed by the person selected. However, if any person who knows or should know that the person designated to report failed to do so, that person then has a duty to make the report.

5. The duty to report child abuse is an individual duty and no supervisor or administrator may impede or inhibit such reporting duties. Furthermore, no person making such a report shall be subject to any sanction. Any supervisor or administrator in violation (Section 11166) is guilty of an infraction punishable by a fine not to exceed five thousand dollars (\$5000).

C. Legal Responsibility and Liability

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

2. Any mandated reporter who fails to report an incident of known reasonably suspected child abuse or neglect as required by this section is guilty of a misdemeanor punishable by up to six months confinement in a county jail or by fine of one thousand dollars (\$1000) or by both that fine and punishment. The mandated reporter may also be held civilly liable for damages of any injury to the child after a failure to report.

D. Reporting Procedures

The person who first observes or learns about the abuse is to complete the "Suspected Child Abuse Report" form (BCIA 8572) and call the Child Abuse Reporting phone number Call our hotline now at 510-259-1800, available 24 hours a day, 7 days a week or if it is an emergency call:

OR Immediately telephone the appropriate law enforcement agency (based upon where the abuse is suspected to have occurred). Jurisdiction, as to whether the county or the city responds, is determined by where the abuse took place.

a. City: Call the Alameda Police Department (510) 337-8340

3. Employees are not required to identify themselves to their employer when they make a child abuse report. If an employee wishes to waive his/her confidentiality rights he/she may wish to make photocopies of the "Suspected Child Abuse Report" form (SS8572) and forward a copy to the principal and to the Executive Director of Student and Family Support Services.

E. Victim Interviews

Upon request, a child protective agency representative may interview a suspected victim of child abuse, during school hours and on school premises, concerning a report of suspected child abuse that occurred within the child's home. The child shall be given the choice of being interviewed in private or in the presence of any adult school employee or volunteer aide selected by the child. A staff member or volunteer aide selected by a child may decline to present at the interview. If the selected person accepts, the principal or designee shall inform him/her, before the interview takes place, of the following legal requirements:

1. The purpose of the selected person's presence at the interview is to lend support to the child and enable him/her to be as comfortable as possible.
2. The selected person shall not participate in the interview.
3. The selected person shall not discuss the facts or circumstances of the case with the child.
4. The selected person is subject to the confidentiality requirements of Article 2.5 (Penal Code 11165 et seq.), a violation of which is punishable as specified by 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)

F. Release of Child to Peace Officer or to a Child Protective Services Worker

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

G. Staff Training

The Principal or designee shall provide training in child abuse identification and reporting for all certificated personnel, instructional and teacher aides, teacher assistants, para-educators and other classified employees. (Penal Code 11165.7) All employees trained in child abuse identification and reporting shall be given, as a part of that training, written notice of the child abuse reporting requirements and the employees' confidentiality rights. (Penal Code 11165.7). The absence of training does not excuse a mandated reporter from the duties imposed by the penal code.

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

Disaster Plan (See Appendix C-F)

Purpose of the Plan

This response plan is designed to assist school staff, students, parents and local agencies organize resources of the school and community to respond to a crisis situation while school is in session. Regulatory Authority State laws and regulations require school districts develop emergency plans and train staff in emergency response procedures. These include laws applicable to school staff and students as well as Cal/OSHA regulations specifically addressing the safety of district employees. The Katz Act [California Education Code, §35295-35297] requires schools plan for earthquakes and other emergencies. It also requires training in earthquake preparedness procedures for both certificated and classified staff. The Petris Bill [Government Code, §8607] requires school districts be prepared to utilize the Standardized Emergency Management System (SEMS) when responding to emergencies. This requires that principles of SEMS are incorporated in District plans; that the Incident Command System (ICS) are used at school sites; that all school personnel are trained in how the respective systems work and correlate; and that schools have drills and exercises in order to practice using the systems. This plan is designed and structured to ensure compliance with the mandates of state law as well as with Cal/OSHA's Emergency Action Plan Standard Title 8, California Code of Regulations §3220. This regulation requires each employer facility have an Emergency Action Plan which focuses on specific emergency contingencies, response personnel roles, and evacuation plans of each employer's site where employees work. Schools and school districts are included in this mandate. School Site Emergency Preparedness and Response Coordination Each principal shall supervise the planning, operating and testing of their respective school's Emergency Preparedness and Crisis Response Plan. Each principal will also ensure that all school staff and students are familiar with the basic elements of the District's Emergency Operations Plan, which will be utilized at the district office in the event of a major emergency or district-wide disaster. The principal must ensure that the Incident Command System are utilized by all staff personnel in the event of an emergency incident and shall serve as the Incident Commander at all school crises or emergencies.

Campus and Facility Site Preparedness Duties

This school and the District have designated specific persons to assume emergency position responsibilities in the event of a site emergency or District-wide disaster. The following information provides a breakdown of these responsibilities:

All School Staff:

- Become familiar with the school's emergency and evacuation procedures.
- Participate in First Aid and CPR training, as appropriate.

Annually each principal shall:

- Designate Staff Incident Command Structure Assignments.
- Update this site Emergency Preparedness and Crisis Response Plan.
- Ensure personnel are properly trained in their respective assignments.
- Conduct survey of personnel to determine CPR/First Aid/Disaster Preparedness/Medical Training.
- Survey parents to determine who may wish to volunteer during an extended emergency or disaster.
- Ensure needs of students and staff with disabilities are provided for in the event of an emergency.
- Designate primary and alternate locations for command post, evacuation, first aid, student release, and morgue.
- See that parents are informed of the plan and its effect upon students.
- Compile/maintain list of local emergency agencies including telephone numbers and addresses.
- Practice building evacuation plans including testing of warning systems, alarm signals, and communications methods.
- With Maintenance and Operations, complete a site and building hazard survey.
- Ensure all emergency equipment and supplies are in usable condition at all times.

Teachers:

- Teachers are responsible for the supervision of students in their charge.
- Understand emergency response procedures.
- Have planned activities for use during disasters to lessen possible tension.

School Office Managers or Designee:

- Organize and maintain the emergency first aid supplies and distribute back-up supplies.
- Assist principal in developing procedures to protect essential records.
- Ensure battery-operated AM/FM radio is available in working condition; know the call number and frequency of disaster information station.
- Maintain an up-to-date list of students and staff who require life sustaining medication.

School Custodians or designee:

- Assist principal in planning control procedures for different types of building damage.
 - Routinely check that battery-operated equipment is in working condition.
- Directions for the Instructional Staff During a Declared Emergency

Crisis Response

The primary goals of crisis response are to:

- Prevent a potentially chaotic situation from escalating into a catastrophic event.
- Help those affected to return, as quickly as possible, to a normal level of functioning.
- Decrease the potential long-term effects of the crisis.

Incident Command System (ICS)

The Incident Command System is an emergency response system used to manage an emergency incident at a specific facility or site. The ICS, as designated by the AUSD, will be used by this school as the formal emergency response structure. This is in contrast to the Standardized Emergency Management System (SEMS) which is used to manage resources at a district-wide level.

Foundations of Crisis Response

The primary foundation for any emergency or crisis response system is to ensure, as much as is humanly possible, the application of the three C's at all times.

These three C's are:

- Control – Control is the cornerstone of every crisis/emergency response. In emergency response this is initiated and maintained through the effective use of the Incident Command System.
- Communication - Communication is essential to maintaining effective coordination of all response actions. Ongoing communication must be maintained between response persons, school staff, and the command team.
- Coordination - Coordination is essential to ensure that the most effective and appropriate response actions are used throughout a response operation. Proper utilization of the Incident Command System will ensure that all response operations are coordinated from a central point and that no response action is taken at cross purposes to any other.

Insert link to REMS packet here

Public Agency Use of School Buildings for Emergency Shelters

If the Superintendent declares a District emergency during the school day, the District has a clear statement of policy governing its actions.

Alameda Unified School District Policy is as follows:

IN CASE OF A DECLARED EMERGENCY BY THE SUPERINTENDENT DURING SCHOOL HOURS, ALL STUDENTS WILL BE REQUIRED TO REMAIN AT SCHOOL OR AN ALTERNATE, SAFE SITE UNDER THE SUPERVISION OF DISTRICT PERSONNEL:

1. Until regular dismissal time and then released only if it is considered safe, OR
2. Until released to an adult authorized by the parent or legal guardian whose name appears on District records.
 - a) If students are on their way to school they should proceed to school.
 - b) If students are on their way home from school they are to continue home.
3. To provide this supervision and care, Alameda Unified School District personnel will be utilized under Title 1, Division 4, Chapter 8 Government Code and other legal statutes. The statute states that all public employees are designated disaster service workers when an emergency is declared. The District Superintendent, or designee, has the legal authority to declare an emergency in this District. The authority also extends to Alameda County to declare an emergency and impress public employees into service as disaster service workers.

4. Alameda Unified School District encourages the utilization of a buddy system at District sites wherein staff responsibilities for specific emergency functions are assigned to pairs of employees who could, with approval of the Site Manager, carry on legally required supervision and care requirements while allowing emergency home visits to assure welfare of their own families.

(C) School Suspension, Expulsion and Mandatory Expulsion Guidelines

Definitions:

Suspension from school means removal of a student from ongoing instruction for adjustment purposes.

The teacher of any class from which a student is suspended pursuant to Section 48910 shall require the student to complete any assignments and tests missed during the suspension. The school will monitor and address the educational needs of the student that arise due to the loss of instructional time. (Education Code 48913). However, suspension does not mean any of the following: (Education Code 48925)

- Reassignment to another education program or class at the same school where the student will receive continuing instruction for the length of day prescribed by the Governing Board for students of the same grade level.
- Referral to a certificated employee designated by the principal to advise students.
- Removal from the class, but without reassignment to another class or program, for the remainder of the class period without sending the student to the principal or designee as provided in Education Code 48910. Removal from a particular class shall not occur more than once every five school days.

Referral means removal from classroom instruction for discipline reasons.

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

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

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

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

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

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

The District database is the Aeries Student Information System.

Restorative Practices (RP) is a continuum of practices by which schools build community through circles and other activities, where students learn to use affective statements and the process where all stakeholders affected by an injustice have an opportunity to discuss how they have been affected by the injustice and to decide what should be done to repair the harm.

Positive Behavioral Interventions and Supports (PBIS) is a framework for providing a range of systemic and individualized strategies for achieving important academic and behavioral outcomes while preventing problem behaviors.

Social and Emotional Learning (SEL) is a process through which children and adults develop the fundamental skills for life effectiveness. The five SEL competencies are: self-awareness, self-management, social awareness, relationship skills, and responsible decision-making.

Multi Tiered System of Support (MTSS) is a way of organizing instruction and intervention to help all students. The goal of the multi-tiered framework is to provide high-quality instruction and supports based on student need. This framework helps educators by providing information (data) to identify students needing additional support (academic and behavioral) and also identify students who may need special education services. MTSS includes three levels (or tiers) of instruction. Each tier has a set of evidence-based practices to meet the instructional goals.

Tier 1

For MTSS, a school must first establish its Tier 1 or universal supports. Universal supports are the instructional practices that help all students in a school. Once the universal supports are in place, staff can use assessment data to determine which students need additional supports.

Tiers 2 and 3

The intensity and duration of supports increase for Tiers 2 and 3. The appropriate level of support for each student is determined by assessment data.

Grounds for Suspension and Expulsion

The following is a list of grounds for which suspension and expulsion may be permitted or shall be imposed subject to the

restrictions and requirements herein:

- Caused, attempted to cause, or threatened to cause physical injury to another person or willfully used force or violence upon another person, except in self-defense (Education Code 48900(a))
- A student who aids or abets the infliction or attempted infliction of physical injury on another person, as defined in Penal Code 31, may be suspended, but not expelled. However, such a student may be suspended or expelled pursuant to Education Code 48900(a) when he/she has been adjudged by a juvenile court to have committed, as an aider or abettor, a crime of physical violence in which the victim suffered great or serious bodily injury. (Education Code 48900(t))
- 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))
- 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))
- 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))
- Committed or attempted to commit robbery or extortion (Education Code 48900(e))
- Caused or attempted to cause damage to school property or private property (Education Code 48900(f))
- Stole or attempted to steal school property or private property (Education Code 48900(g))
- 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))
- Committed an obscene act or engaged in habitual profanity or vulgarity (Education Code 48900(i))
- Unlawfully possessed, offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Health and Safety Code 11014.5 (Education Code 48900(j))

As provided in California Education Code section 48900(k), no student enrolled in grades T-Kindergarten through third grade may be suspended or expelled for disrupting school activities or willfully defying the authority of school personnel ("disruption and willful defiance") and no student in TK-12 may be expelled for willful disruption or defiance.

Effective July 1, 2019, no student enrolled in grades T-Kindergarten through twelve (TK-12) grades may be suspended or expelled for disrupting school activities or willfully defying the authority of school personnel. The Board will review data regarding suspensions for defiance in Grades 4 through 12 in August 2019 and January 2020. If, based on review of the data, it appears further steps should be undertaken to meet the goal of eliminating suspensions for defiance by July 1, 2019, the Board will direct the Superintendent to implement such additional measures to achieve the goal of no suspensions for defiance by July 1, 2020.

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

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

- 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.

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 (items #20-22 below), that has any of the effects described above on a reasonable student.

Electronic act means the transmission of a communication, 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.

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))

- 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)

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

- 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)

- 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)

- 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)

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

- While on school grounds
- While going to or coming from school
- During the lunch period, whether on or off the school campus
- During, going to, or coming from a school-sponsored activity

Teacher-Initiated Suspensions Pursuant to Section 48910

The Board desires the adoption of a Multi-Tiered System of Support which includes Positive Behavior Intervention Supports to facilitate a consistent approach for positive, pro-social behavior management (BP 5144). The District expects teachers to attempt interventions prior to initiating a suspension pursuant to Section 48910 except where suspension for a first offense is permitted or mandated by law, as described on pp. 8-9 below.

When removing a student from his/her class pursuant to Section 48910, 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 removed. (Education Code 48910)

The site administrator or designee shall ensure that site staff completed the following:

- The teacher completed the Teacher-Initiated Pupil Suspension Report and, starting in the 2019-20 school year, the office referral form.
- The teacher contacted the parent/guardian to request their participation in a parent-teacher conference regarding the suspension within 24 hours. 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)
- The site administrator or designee reviewed the office referral form and completed the in-school suspension form if warranted.
- The site administrator or designee contacted parent/guardian regarding the suspension.
- The site administrator or designee recorded the classroom interventions and referral in the District database.

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

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

The teacher of any class from which a student is suspended pursuant to Section 48910 shall require the student to complete any assignments and tests missed during the suspension. The school will monitor and address the educational needs of the student that arise due to the loss of instructional time. (Education Code 48913)

When suspending a student in Grades TK-3 from class for committing an obscene act or engaging in habitual profanity or vulgarity, the teacher of the class may require any parent/guardian who lives with the student to attend a portion of the school day in the class from which the student is being suspended, to assist in resolving the classroom behavior problems. (Education Code 48900.1) The teacher of the class may also require any parent/guardian who lives with the student to attend a portion of the school day in the class to assist in resolving classroom behavior problems.

When suspending a student in Grades 4-12 from class for committing an obscene act or engaging in habitual profanity or vulgarity, disrupting school activities, or otherwise willfully defying valid staff authority, the teacher of the class may require any parent/guardian who lives with the student to attend a portion of the school day in the class from which the student is being suspended, to assist in resolving the classroom behavior problems. (Education Code 48900.1)

When suspending a student in any grade from class for committing an obscene act, engaging in habitual profanity or vulgarity, the teacher of the class may require any parent/guardian who lives with the student to attend a portion of the school day in the class from which the student is being suspended, to assist in resolving the classroom behavior problems. (Education Code 48900.1) The teacher of the class may also require any parent/guardian who lives with the student to attend a portion of the school day in the class to assist in resolving classroom behavior problems.

Teachers should reserve the option of required parental attendance for cases in which they have determined that it is the best strategy to promote positive interaction between the teacher and the student and his/her parents/guardians and to improve the student's behavior.

Any teacher requiring parental attendance pursuant to this policy shall apply the policy uniformly to all students within the classroom. (Education Code 48900.1)

When a teacher makes this request, the principal shall send the parent/guardian a written notice that the parent/guardian's attendance is requested pursuant to law. (Education Code 48900.1)

The notice shall specify that the attendance may be on either the date the student is scheduled to return to class or within one week thereafter.

This notice shall also:

- Inform the parent/guardian when his/her presence is expected and by what means he/she may arrange an alternate date
- Ask the parent/guardian to meet with the principal after the visit and before leaving school, as required by Education Code 48900.1

At the meeting with the student's parent/guardian, the principal or designee shall explain the district's and school's discipline policies, including the disciplinary strategies that may be used to achieve proper student conduct.

When a parent/guardian does not respond to the request to attend school, the principal or designee shall contact him/her by telephone, mail, or other method that maintains the confidentiality of the student's records.

District regulations shall include procedures for implementing parental attendance requirements. Parents/guardians shall be notified of this policy prior to its implementation. (Education Code 48900.1)

Suspensions by Superintendent, Principal, or Designee

The Board does not support a zero tolerance approach to discipline except where mandated by law. Schools may not adopt zero tolerance policies that conflict with District discipline policies. The Board desires that schools will adopt, engage, and implement positive approaches to addressing problem behavior prior to initiating the suspension of a student.

Suspension for a first time offense is limited to certain serious offenses (listed below in permissible and mandatory categories) or where it can be documented that the presence of a student causes a danger to persons.

Defiance

As provided in California Education Code section 48900(k), no student enrolled in grades T-Kindergarten through third grade may be suspended or expelled for disrupting school activities or willfully defying the authority of school personnel ("disruption and willful defiance") and no student regardless of grade may be expelled for willful defiance or disruption.

Effective July 1, 2019, no student enrolled in grades T-Kindergarten through twelve (TK-12) grades may be suspended or expelled for disrupting school activities or willfully defying the authority of school personnel. Suspension and expulsion shall not be imposed for a violation of Education Code section 48900(k), including disruption of school activities or willful defiance. The District expects schools to develop appropriate interventions, for example, behavioral plans, restorative circles, or SEL groups for students who engage in a pattern of defiant behavior.

Defiance is when a student continues to disobey a school official, teacher, or administrator after having been taught the rules and expectations of the school and the student displays behavior that directly interferes with the rights of others to learn.

The Board will review data regarding suspensions for defiance in Grades 4 through 12 in August and January. If, based on review of the data, it appears further steps should be undertaken to meet the goal of eliminating suspensions for defiance, the Board will direct the Superintendent to implement such additional measures to achieve the goal of no suspensions for defiance by July 1, 2020.

Discipline and Intervention Matrix for Administrators

Attached to this Administrative Regulation is the discipline and intervention matrix aligned to the District's Multi-Tiered System of Support framework that models a progressive and holistic approach to discipline. As provided in the Board Policy, each school is responsible for adopting strategies, programs, and interventions within this framework to facilitate a positive approach to behavior management. Even if suspension is appropriate, administrators must first consider whether other interventions should be used.

Except where suspension for a first offense is permitted or mandatory (as described above), in-school and out-of-school suspension and other sanctions that result in a student's loss of instruction shall only be imposed when the principal or designee has determined that other means of correction that are consistent with District policies and procedures have failed to bring about proper conduct. (Education Code 48900.5)

As described in AR 5144, interventions and other alternatives to suspension should be attempted and evaluated prior to referral from the classroom. In addition, the principal or designee shall document the other means of correction used and retain them in the student's record. (Education Code 48900.5)

The Principal or designee shall complete the suspension form and record the suspension in the District's database.

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

A student may be suspended from school for not more than 20 school days in any school year unless, for purposes of adjustment, the student enrolls in or is transferred to another regular school, an opportunity school, or continuation school or class, in which case suspension shall not exceed 30 days in any school year. However, this restriction on the number of days of suspension does not apply when the suspension is extended pending an expulsion. (Education Code 48903, 48911, 48912)

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)

Suspensions shall be initiated according to the following procedures:

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 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. 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)

Administrative Actions: All requests for student suspension are to be processed by the principal or designee. All suspensions shall be recorded in the District database. 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)

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

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

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

Parent/Guardian Conference: Whenever a student is suspended, school officials may meet 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)

Although the parent/guardian is required to respond without delay to a request for a conference about his/her child's behavior, 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 readmission solely because the parent/guardian failed to attend the conference. (Education Code 48911)

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 Principal may, in writing, extend the suspension until such time as the Board has made a decision. (Education Code 48911)

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

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

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

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.

The student shall be responsible for contacting the school to receive assignments to be completed during the period of the suspension. The school shall make available all assignments and tests that the student will miss while suspended.

Suspension by the Board

The Board may suspend a student for any of the acts listed in "Grounds for Suspension and Expulsion" above and within the limits specified in "Suspensions by Superintendent, Principal, or Designee" above. (Education Code 48912)

The Board may suspend a student enrolled in a continuation school or class for a period not longer than the remainder of the semester if any of the acts listed in "Grounds for Suspension and Expulsion" occurred. The suspension shall meet the requirements of Education Code 48915. (Education Code 48912.5)

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

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

Supervised Suspension Classroom

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 a supervised suspension classroom in a separate classroom, building, or site for the entire period of suspension. The following conditions shall apply: (Education Code 48911.1)

The supervised suspension classroom shall be staffed in accordance with law and by certificated employees.

The student shall have access to appropriate counseling services.

The supervised suspension classroom shall promote completion of schoolwork and tests missed by the student during the suspension.

The student shall be responsible for contacting his/her teacher(s) to receive assignments to be completed in the supervised suspension classroom except where otherwise set out in the student's Individualized Education Program (IEP) or Section 504 plan. 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.

The Principal or designee shall complete the in-school suspension form and record the suspension in the District's database.

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

Involuntary Transfer

The District may not involuntarily transfer a student in Grades TK- 3rd grade to another school based on a finding of disruption of school activities or willful defiance of the authority of school personnel (California Education Code section 48900(k)).

Effective July 1, 2019, the District may not involuntarily transfer a student to another school based on a finding of disruption of school activities or willful defiance of the authority of school personnel (California Education Code section 48900(k)).

Involuntary transfers may only occur following a recommendation for expulsion and after a hearing before the District's Disciplinary Hearing Panel (DHP) consistent with the requirements in Education Code section 48918 and the notice and hearing procedures set forth below for expulsions. In addition, an involuntary transfer to a continuation school must be made pursuant to Education Code section 48432.5.

Expulsions

The Board shall expel, as required by law, any student found to have committed any offense listed below under "Mandatory Recommendation and Mandatory Expulsion" (see page 13). (Education Code 48915)

For all other grounds listed under "Grounds for Suspension and Expulsion," the Board shall order a student expelled upon the recommendation of the Superintendent, principal, or designee only if the Board makes a finding of either or both of the following: (Education Code 48915(b) and (e))

- That other means of correction have repeatedly failed to bring about proper conduct
- 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

Authority to Expel

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

The Board shall expel, as required by law, any student found to have committed any offense listed below under "Mandatory Recommendation and Mandatory Expulsion." (Education Code 48915)

For all other grounds listed above under "Grounds for Suspension and Expulsion," the Board shall order a student expelled upon the recommendation of the Superintendent, principal, or designee, only if the Board makes a finding of either or both of the following: (Education Code 48915(b) and (e))

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

Recommendation for Expulsion Expected Unless It Is Not Appropriate or Alternative Means of Correction Would Address the Conduct

Unless the Superintendent, principal, or designee 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(a))

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

- Possession of any knife as defined in Education Code 48915(g), explosive, or other dangerous object of no reasonable use to the student
- 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
- Robbery or extortion
- 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)

Mandatory Recommendation and Mandatory Expulsion

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

Possessing, as verified by a district employee, selling, or otherwise furnishing a firearm.

Possession of an imitation firearm, as defined in Education Code 48900(m), shall not be regarded as an offense requiring a mandatory recommendation for expulsion and mandatory expulsion. However, an administrator shall have discretion on a case-by-case basis to recommend expulsion for the possession of an imitation firearm.

Brandishing a knife as defined in Education Code 48915(g) at another person

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

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

Possessing an explosive as defined in 18 USC 921

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

Student's Right to Expulsion Hearing

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 one of the acts listed above under "Grounds for Suspension and Expulsion." (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))

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)

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

Have up to two adult support persons of his/her choosing present at the hearing at the time he/she testifies

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)

The rights of a complaining witness are further outlined in Administrative Regulation 5145.7 (Sexual Harassment).

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))

- The date and place of the hearing.
- A statement of the specific facts, charges, and offense upon which the proposed expulsion is based.
- A copy of district disciplinary rules which relate to the alleged violation.
- 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).
- 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 advisor.

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

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

- The right to inspect and obtain copies of all documents to be used at the hearing.
- The opportunity to confront and question all witnesses who testify at the hearing.
- 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

At least 10 days prior to a hearing to determine if a student who is a foster youth as defined under Education Code 48853.5 should be expelled for an offense not requiring a mandatory recommendation for expulsion, the Superintendent or designee shall notify the student's attorney and a representative of an appropriate county child welfare agency. If the hearing is pursuant to an offense requiring a mandatory expulsion recommendation, the Superintendent or designee may provide the same notification. The notice shall be provided by the most cost-effective method possible, including by email or a telephone call. (Education Code 48918.1)

Conduct of Expulsion Hearing

Closed Session: Notwithstanding the provisions of Government Code 54953 and Education Code 35145, the Board shall conduct a hearing to consider the expulsion of the student in a session closed to the public unless the student requests in writing at least five days prior to the hearing that the hearing be a public meeting. If such a request is made, the meeting shall be public unless another student's privacy rights would be violated. (Education Code 48918(c))

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))

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))

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))

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" 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.

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)

- Any complaining witness shall be given five days' notice before being called to testify.
- Any complaining witness shall be entitled to have up to two adult support persons, including, but not limited to, a parent/guardian or legal counsel, present during his/her testimony.
- Before a complaining witness testifies, support persons shall be admonished that the hearing is confidential.
- The person presiding over the hearing may remove a support person whom he/she finds is disrupting the hearing.
- If one or both support persons are also witnesses, the hearing shall be conducted in accordance with Penal Code 868.5.

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.

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.

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

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.

The person conducting the hearing may:

- Arrange the seating within the hearing room so as to facilitate a less intimidating environment for the complaining witness
- 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
- Permit one of the support persons to accompany the complaining witness to the witness stand

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. Alternatively, the Board may appoint an impartial administrative panel composed of three or more certificated personnel, none of whom shall be members of the Board or on the staff of the school in which the student is enrolled. (Education Code 48918(d))

A hearing conducted by the hearing officer or administrative panel shall conform to the same procedures applicable to a hearing conducted by the Board as specified above in "Conduct of Expulsion Hearing," including the requirement to issue its 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 expulsion referral was made, unless the parent, guardian, or responsible adult of the pupil requests another school placement in writing. Before the placement decision is made by the parent, guardian, or responsible adult, the superintendent of schools or the superintendent's designee shall consult with school district personnel, including the pupil's teachers, and the parent, guardian, or responsible adult regarding any other school placement options for the pupil in addition to the option to return to his or her classroom instructional program from which the expulsion referral was made. If the hearing officer or administrative panel finds that the pupil committed any of the acts specified in subdivision (c) of Section 48915, but does not recommend expulsion, the pupil shall be immediately reinstated and may be referred to his or her prior school or another comprehensive school, or, pursuant to the procedures set forth in Section 48432.5, a continuation school of the school district. The decision not to 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 for a period of one year. (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, the final action to expel shall be taken by the Board at a public meeting. (Education Code 48918(j))

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

Upon ordering an expulsion, the Board shall set a date when the student shall be reviewed for readmission to a school within the district. For a student expelled for 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)

- Periodic review, as well as assessment at the time of review, for readmission
- 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:

- The specific offense committed by the student for any of the causes for suspension or expulsion listed above under "Grounds for Suspension and Expulsion" (Education Code 48900.8)
- The fact that a description of readmission procedures will be made available to the student and his/her parent/guardian (Education Code 48916)
- Notice of the right to appeal the expulsion to the County Board of Education (Education Code 48918)
- Notice of the alternative educational placement to be provided to the student during the time of expulsion (Education Code 48918)
- Notice of the student's or parent/guardian's obligation to inform any new district in which the student seeks to enroll of the student's status with the expelling district, pursuant to Education Code 48915.1 (Education Code 48918)

Decision Not to Enforce Expulsion Order

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

- The student's pattern of behavior
- 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:

- 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)
- During the period when enforcement of the expulsion order is suspended, the student shall be on probationary status. (Education Code 48917)
- The suspension of the enforcement of an expulsion order may be revoked by the Board if the student commits any of the acts listed under "Grounds for Suspension and Expulsion" above or violates any of the district's rules and regulations governing student conduct. (Education Code 48917)
- 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)

- 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)

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))

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)

Right to 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)

The student shall submit 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 furnishment 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)

Post-Expulsion Placements

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

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

When the placement described above is not available and when the County Superintendent so certifies, students expelled for acts described in items #6-13 and #20-22 under "Grounds for Suspension and Expulsion" 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

Readmission procedures shall be as follows:

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

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)

If the Board denies the readmission of a student, the Board shall determine either to continue the student's placement in the alternative educational program initially selected or to place the student in another program that serves expelled students, including placement in a county community school. (Education Code 48916)

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 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)

Outcome Data

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

- The number of students recommended for expulsion
- The specific grounds for each recommended expulsion
- Whether the student was subsequently expelled
- Whether the expulsion order was suspended
- The type of referral made after the expulsion
- The disposition of the student after the end of the expulsion period

Public Reporting of Discipline Data

The Superintendent or designee shall ensure that the following data is publicly available on the District's public website twice annually, within 60 days after the completion of each semester:

- The aggregate number and rates of office referrals, teacher suspensions, supervised in-school and out-of-school suspensions, involuntary transfers, expulsion referrals, expulsions, on-campus citations, school-based arrests, and four-year graduation and drop-out rates, disaggregated by all subgroups, including race, gender, ethnicity, English Language Learner status, socio-economic status, foster youth, homeless youth, and disability and by offense for the district and by school-site.
- The number of instructional days and ADA funding lost to suspensions, transfers, and expulsions.
- The school sites to which students were transferred after the Disciplinary Review Hearing procedure or through any involuntary transfer process, whether they enrolled subsequently, and the outcomes for such students, including, but not limited to, graduation and drop-out rates.

In reporting such data, the privacy of individual students and teachers shall be protected. Data will not be disaggregated in any manner that could reveal student identity to the public or to knowledgeable members of the school community. The data shall be reported for the district as a whole and for each school-site.

The procedures shall also include requirements that appropriate district and school officials regularly review this data and take action to address disparities or disproportionate use of punitive discipline measures for particular subgroups.

Expungement of Student Disciplinary Records

As provided in Board Policy 5144.3, a student, parent, guardian, appointed advocate on behalf of the student, or Superintendent on behalf of a student may apply for expungement of student disciplines record which meet the criteria set forth in BP 5144.3.

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

Notice Regarding Student Offenses:

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

Acts That Are Grounds for Suspension or Expulsion

The Superintendent or designee shall inform the teacher(s) of each student who, during the previous three school years, has engaged in or is reasonably suspected to have engaged in any act, except the possession or use of tobacco products, that would constitute a ground for suspension or expulsion as specified in AR 5144.1 - Suspension and Expulsion/Due Process. This information shall be based upon district records maintained in the ordinary course of business or records received from a law enforcement agency. (Education Code 49079)

Upon receiving a transfer student's record regarding acts committed by the student that resulted in suspension or expulsion, the Superintendent or designee shall inform the student's teacher(s) that the student was suspended from school or expelled from the former district and of the act that resulted in the suspension or expulsion. (Education Code 48201)

Information received by teacher(s) shall be received in confidence for the limited purpose for which it was provided and shall not be further disseminated by the teacher. (Education Code 48201, 49079)

Offenses Reported to the District by a Court:

When informed by a court that a minor student has been found by the court to have committed any felony or any misdemeanor involving curfew, gambling, alcohol, drugs, tobacco products, carrying of weapons, a sex offense listed in Penal Code 290, assault or battery, larceny, vandalism, or graffiti, the Superintendent or designee shall expeditiously notify the school principal. (Welfare and Institutions Code 827)

The principal shall expeditiously disseminate this information to any counselor who directly supervises or reports on the student's behavior or progress and to any teacher or administrator directly supervising or reporting on the student's behavior or progress whom the principal thinks may need the information in order to work with the student appropriately, avoid being needlessly vulnerable, or protect others from vulnerability. (Welfare and Institutions Code 827)

Any court-initiated information that a teacher, counselor, or administrator receives shall be kept confidential and used only to rehabilitate the student and protect other students and staff. The information shall be further disseminated only when communication with the student, parent/guardian, law enforcement staff, and probation officer is necessary to rehabilitate the student or to protect students and staff. (Welfare and Institutions Code 827)

When a student is removed from school as a result of an offense, the Superintendent shall hold the court's information in a separate confidential file until the student is returned to the district. If the student is returned to a different district, the Superintendent shall transmit the information provided by the student's parole or probation officer to the superintendent of the new district of attendance. (Welfare and Institutions Code 827)

Any confidential file of court-initiated information shall be kept until the student becomes 18, graduates from high school, or is released from juvenile court jurisdiction, whichever occurs first, and shall then be destroyed. (Welfare and Institutions Code 827)

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

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

Definitions:

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, regardless of whether or not the conduct is motivated by sexual desire. Conduct is considered to be sexual harassment when made against another person of the same or opposite sex in the work or educational setting under any of the following conditions: (Education Code 212.5; Government Code 12940; 2 CCR 11034)

- Submission to the conduct is made explicitly or implicitly a term or condition of the individual's employment.
- Submission to or rejection of the conduct is used as the basis for an employment decision affecting the individual.
- The conduct has the purpose or effect of having a negative impact upon the individual's work performance or of creating an intimidating, hostile, or offensive work environment.
- 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. For purposes of applying the complaint procedures specified in Title IX of the Education Amendments of 1972, sexual harassment is defined as any of the following forms of conduct that occurs in an education program or activity in which a district school exercises substantial control over the context and respondent: (34 CFR 106.30, 106.44)
- A district employee conditioning the provision of a district aid, benefit, or service on the student's participation in unwelcome sexual conduct
- Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the district's education program or activity

Sexual assault, dating violence, domestic violence, or stalking as defined in 20 USC 1092 or 34 USC 12291

Examples of Sexual Harassment:

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

- 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
- Unwelcome visual conduct such as drawings, pictures, graffiti, or gestures; sexually explicit emails; displaying sexually suggestive objects
- 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

Title IX Coordinator/Compliance Officer:

The district designates the following individual(s) as the responsible employee(s) to coordinate its efforts to comply with Title IX of the Education Amendments of 1972 in accordance with AR 4119.12/4219.12/4319.12 - Title IX Sexual Harassment Complaint Procedures, as well as to oversee, investigate, and resolve sexual harassment complaints processed under AR 4030 - Nondiscrimination in Employment.

The Title IX Coordinator(s) may be contacted at:

Asst. Superintendent of Educational Services
2060 Challenger Drive
Alameda, CA 94501
(510) 337-7095
kzazo@alamedaunified.org

Training:

Every two years, the Superintendent or designee shall ensure that supervisory employees receive at least two hours, and nonsupervisory employees receive at least one hour, of classroom or other effective interactive training and education regarding sexual harassment. All newly hired employees and employees promoted to a supervisory position 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)

Such training may be completed by employees individually or as part of a group presentation, may be completed in shorter segments as long as the applicable hourly requirement is met, and may be provided in conjunction with other training provided to the employees. The training shall be presented by trainers or educators with knowledge and expertise in the prevention of harassment, discrimination, and retaliation. (Government Code 12950.1)

The district's sexual harassment training and education program shall include, but is not limited to, the following: (Government Code 12950.1; 2 CCR 11024)

- Information and practical guidance regarding federal and state laws concerning the prohibition, prevention, and correction of sexual harassment
- The types of conduct that constitute sexual harassment
- Remedies available for victims in civil actions, and potential employer/individual exposure/liability
- Strategies to prevent harassment in the workplace

- Supervisors' obligation to report sexual harassment, discrimination, and retaliation of which they become aware
- 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
- The limited confidentiality of the complaint process
- Resources for victims of unlawful harassment, such as to whom they should report any alleged harassment
- Steps necessary to take appropriate remedial measures to correct harassing behavior, which includes the district's obligation to conduct an effective workplace investigation of a harassment complaint
- What to do if the supervisor is personally accused of harassment
- The essential elements of the district's anti-harassment policy, and how to use the policy if a harassment complaint is filed

Employees shall receive a copy of the district's sexual harassment policy and administrative regulations, which they shall read and acknowledge that they have received. Information, including practical examples, of harassment based on gender identity, gender expression, and sexual orientation. Prevention of abusive conduct, including a review of the definition and elements of abusive conduct pursuant to Government Code 12950.1, the negative effects that abusive conduct has on the victim and other in the workplace, the detrimental consequences of this conduct on employee productivity and morale, and that a single act does not constitute abusive conduct unless the act is severe or egregious.

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:

The Superintendent or designee shall notify employees that the district does not discriminate on the basis of sex as required by Title IX, that the Title IX nondiscrimination requirement extends to employment, and that inquiries about the application of Title IX to the district may be referred to the district's Title IX Coordinator and/or to the Assistant Secretary for Civil Rights, U.S. Department of Education. (34 CFR 106.8)

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

A copy of the Board policy and this administrative regulation shall:

- 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 (Education Code 231.5)
- 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 (Education Code 231.5)
- Appear in any school or district publication that sets forth the school's or district's comprehensive rules, regulations, procedures, and standards of conduct (Education Code 231.5)
- Be posted, along with the name or title and contact information of the Title IX Coordinator, in a prominent location on the district's web site (34 CFR 106.8)

- Be included, along with the name or title and contact information of the Title IX Coordinator, in any handbook provided to employees or employee organizations (34 CFR 106.8)

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

- The illegality of sexual harassment
- The definition of sexual harassment under applicable state and federal law
- A description of sexual harassment, with examples
- The district's complaint process available to the employee
- The legal remedies and complaint process available through DFEH and the Equal Employment Opportunity Commission (EEOC)
- Directions on how to contact DFEH and the EEOC

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, the DFEH poster on discrimination in employment and the illegality of sexual harassment and the DFEH poster regarding transgender rights. (Government Code 12950)

Complaint Procedures:

All complaints and allegations of sexual harassment by and against employees shall be investigated and resolved in accordance with law and district procedures. The Title IX Coordinator shall review the allegations to determine the applicable procedure for responding to the complaint. All complaints that meet the definition of sexual harassment under Title IX shall be investigated and resolved in accordance with AR 4119.12/4219.12/4319.12 - Title IX Sexual Harassment Complaint Procedures. Other sexual harassment complaints shall be investigated and resolved pursuant to AR 4030 - Nondiscrimination in Employment.

If sexual harassment is found following an investigation, the Title IX Coordinator, or designee in consultation with the Coordinator, shall take prompt action to stop the sexual harassment, prevent recurrence, and address any continuing effects.

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

Basic Principles:

All students are encouraged to dress in a manner that is comfortable and conducive to an active school day.

Students should be able to wear clothing without fear of or actual unnecessary discipline or body shaming.

The student dress code should serve to support all students to develop a body-positive self-image.

All items listed in the "must wear" and "may wear" categories below must meet these basic principles.

Students MUST Wear:

- Top
- Bottom
- Shoes

Clothing that covers specific body parts (genitals, buttocks, and areolae/nipples) with opaque material. Courses or specific class activities that include attire as part of the curriculum may include assignment-specific dress, but should not focus on covering students' bodies or promoting culturally-specific attire. Activity specific shoe requirements are permitted (Examples include but are not limited to physical education and shop class).

Students MAY Choose to Wear:

- Sun-protective clothing, including but not limited to hats, for outdoor use during the school day. (Education Code 35183.5)
- Hats, including religious headwear
- Hooded shirts/jackets (over head is allowed)*

Teachers may direct students to remove/adjust the position of hats/hoods over the head in class during the administration of a test/exam, to address headphone/earbud use issues, or to enable visual identification of a student's face. This does NOT apply to any headwear worn for religious reasons.

Students CANNOT Wear:

- Clothing that includes violent language or images
- Clothing that includes images or language depicting drugs or alcohol (or any illegal item or activity) or the use of same
- Clothing that includes hate speech, profanity, pornography
- Clothing that includes images or language that create a hostile or intimidating environment based on any protected class
- Visible underwear or bathing suits of similar design - Visible waistbands or straps on undergarments worn under other clothing are not a violation
- Helmets, hoods, or other headgear that obscures a student's identity (except as a religious observance).

A student's face must be clearly visible when taking their school photo for identification purposes. This may require the removal of a hood and/or hat. No grade of a student participating in a physical education class shall be adversely affected if the student does not wear standardized physical education apparel because of circumstances beyond the student's control. (Education Code 49066)

Training and Enforcement:

- All staff should be trained to understand the purpose/spirit of the code, the actual code, and how to enforce with the least impact on student learning and self-confidence.
- All staff must enforce the district dress code consistently, once it is adopted. All staff should not have discretion to vary the requirements in ways that lead to discriminatory enforcement.
- All staff should be trained and able to use student/body-positive language to explain the code and to address code violations.
- Enforcement should be consistent with a school's overall discipline plan. Failure to comply with the student dress code should be enforced consistently with comparable behavior and conduct violations, including access to a student advocate or ombudsperson and appeals process.

- Enforcement for students should be limited to safety and non-violence/non-discrimination and will not include messages based on body maturity.
- Violations should be treated as minor on the continuum of school rule violations.
- Students should never be removed from a classroom for a dress code violation unless they are violating the 'Students Cannot Wear' and 'Students MUST Wear' sections of the dress code. Loss of class time should be avoided or kept to a minimum.
- Students should never be forced to wear extra school clothing (that isn't their own) when they are in violation of the code. Students should be presented with a variety of options to rectify the situation. This could include but is not limited to: personal on-site clothing, school-offered clothing, and delivery of alternate clothing.
- Parents/guardians should never be called during the school day to bring alternative clothing for the student to wear for the remainder of the day unless by student request.
- No student should be disproportionately affected by dress code enforcement because of gender, race, body size, or body maturity.
- Students should not be shamed or required to display their body in front of others (students, parents, or staff) in school. "Shaming" includes but is not limited to kneeling or bending over to check attire fit, measuring/commenting on straps, skirt length, or cleavage, asking students to account for their attire in the classroom, and directing students to correct a dress code violation during instructional time.

Evaluation:

The Superintendent or designee shall annually review the effectiveness of this policy and determine, as appropriate, if any further review or revision is required.

Gang-Related Apparel:

At individual schools that have a dress code prohibiting gang-related apparel at school or school activities, the principal, staff, and parents/guardians participating in the development of the school safety plan shall define "gang-related apparel" and shall limit this definition to apparel that reasonably could be determined to threaten the health and safety of the school environment if it were worn or displayed on a school campus. (Education Code 32282)

Because gang-related symbols are constantly changing, definitions of gang-related apparel shall be reviewed at least once each semester and updated whenever related information is received. As necessary, the school shall collaborate with law enforcement agencies to update definitions of gang-related apparel.

Uniforms:

In schools that require a schoolwide uniform, the principal, staff, and parents/guardians of the school shall jointly select the specific uniform to be worn. (Education Code 35183)

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

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

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

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

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

EVACUATION PROCEDURES:

EVACUATION ALARM SYSTEM

A crisis or emergency may warrant an evacuation of the school building(s). Once notified of an emergency situation, the Incident Commander, will carry out the initial response actions delineated in the Emergency Preparedness and Crisis Response Plan. In consultation with members of the Incident Command Team, the principal will determine whether an evacuation is warranted or is the safest action given the character of the emergency. Incident Command Team members will immediately assume their designated response duties as activated by the Incident Commander. The Disaster Response Officer will ensure, during the evacuation itself, that all evacuation assistance personnel are operative and performing their respective duties as assigned. When a decision is made to evacuate, the Assembly /Shelter and Care Team leader will immediately report to the assembly area and inspect the area for hazards. The Assembly /Shelter and Care Team leader will notify the Disaster Response Officer immediately if the area is safe. If not, the Assembly /Shelter and Care Team will advise that the evacuation be done to the alternate assembly location. This evacuation may be a partial evacuation of only portions of the building in a localized emergency [e.g., a small chemical spill] or it may be a general evacuation of all building. When an evacuation is ordered, students and staff will be notified according to the site's Preparedness and Crisis Response REMS packet. If deemed appropriate and safe, the school's fire alarm will sound in the event of a general building evacuation. If neither mechanical system is operable, the Incident Commander will utilize office, custodial or student personnel to notify classrooms of the need to evacuate.

COORDINATING THE EVACUATION

Upon receiving the order to evacuate, staff will assume their designated positions in the school. They will then monitor the evacuation procedures and assure that all persons have left the building. Staff are also responsible to ensure that all disabled persons in the building are assisted as necessary.

1. Take emergency backpack, and attendance information.
2. Teachers evacuate with current class. If evacuation occurs outside of a class period: Return to previous class
3. Upon exit lock door to indicate room is all clear and lock door. Keep unlocked if victim is inside.
4. Check with buddy teacher. Assist/evacuate both classes if needed.
5. If on prep or don't have a class: move to nearest evacuation area and assist
6. Check common areas while evacuating.
7. Evacuate to primary location via assigned route, adjust as needed.
8. At evacuation location, line up, and take attendance.
9. List missing students on Share 911
10. Stay with class unless you are released to assume other duties.
11. Release from drill will be PA announcement/bell
12. Communicate with your students and maintain control.

EVACUATION ASSEMBLY AREAS

When ordered to evacuate, students and staff will follow the evacuation route prescribed for their respective areas and exit the building in an orderly and controlled manner. Any volunteers or visitors to the classroom should be advised to go with the classroom to the assembly area. ALL students and staff must report to the assembly area and remain there until the Incident Command Team, via the Assembly/Shelter and Care Team, notifies them it is clear to return to the building. Under no circumstances are students to leave the area unless released by the teacher in strict accordance with the school's Student Release Procedures as outlined in the site's Preparedness and Crisis Response Cliff Notes. This will not be done unless it is authorized by the Incident Command Team. Teachers MUST take a head count of all persons under their care to ensure that all students, volunteers and visitors are present. This will be reported to the Assembly /Shelter and Care Team as outlined in the site's Preparedness and Crisis Response Cliff Notes.. If someone is deemed missing, the teacher is to immediately report this fact to the Assembly /Shelter and Care Team as outlined in the site's Preparedness and Crisis REMS packet.

ACCESS CONTROL PERSONNEL

Whenever an evacuation is called, the designated Security/Traffic response team (designated prior to an emergency) will automatically assume duties as traffic controllers to prevent unauthorized public vehicles or persons access to the school campus and building(s). They will function according to the duties delineation shown in the Emergency Preparedness and Crisis Response Plan.

STUDENT EARLY DISMISSAL AND EMERGENCY SCHOOL CLOSURE

During school hours, all students are considered under the care and supervision of school staff. In all circumstances, and especially in the event of emergency incidents or circumstances, the safety of the students and the school staff is of paramount importance. All actions taken shall bear in mind the safety and well-being of both students and school employees. Thus, in the event of a major emergency incident or disaster during school hours, school will not be dismissed without the expressed and clear authorization of the District Superintendent or a designee, and children will remain under the supervision of school authorities. Students will only be released from school and District responsibility in strict accordance with the procedures outlined in the District's Early Release Policy as described below. Parents/guardians or designated emergency contacts who come to the school to pick up students must properly identify themselves in order for their children to be released.

RELEASE OF STUDENTS FROM SCHOOL

AUSD and this school want to reunite parents with their children at the earliest time possible after an emergency situation or major disaster event. However, if it is not possible for parents to pick up their children or make arrangements for others to do so, students will be held at the school or other area until such time as they can be safely released. Each year the school will notify all parents of the procedure for reuniting parents with children in the event of an emergency at school. Parents are encouraged to print out and complete data confirmation each year and update their emergency contacts. In the event students are held at a school, they may be released only to the student's own parent(s) or a person authorized beforehand by the parent. As a part of annual registration, sites collect emergency contact information in AERIES. From AERIES, Emergency Cards shall be printed and used for this purpose. It is recommended sites print copies for teachers to have on hand in their emergency packs along with roll information. Office shall also print out the Emergency Student List or Emergency Cards and Parents or others must check with this school's Student Release team at the emergency Student Release Location prior to pick up of their children. Teachers will release students according to the procedure outlined under the Emergency Student Release Procedures described below.

EMERGENCY RELEASE PLAN PROCEDURES

Teachers will utilize the following procedures to properly release students from their care to a parent, legal guardian or person authorized in writing to pick up the student:

1. At time of emergency, students remain with their current classes. Teacher takes roll on an Accountability Form and await direction from Incident Commander via Student Release team.
2. Incident Command will communicate with district office for dismissal directive. Students will report to (first period or other) classes, upon Student Release team directive.
3. Students will be released only to authorized adults listed on the Emergency Card or Emergency Student List. Adults picking up students must sign Student Release Log and indicate destination. Unless otherwise directed by Incident Commander via Student Release officer, a runner takes message to teacher with name of student being released and name of adult picking up student. Teacher double-checks sign-out sheet, stamps/marks student and releases.
4. Students may go home with people listed on Emergency Card or Emergency Student List if parent can't be reached.
5. Periodically, as students are released, remaining students will be consolidated.
7. Teacher takes attendance after each consolidation, informs Assembly/Shelter and Care team as well as the Student Release team, and keeps all documentation.

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

Component:

Component I: The Social Climate, People, and Programs

Element:

Identify proposed changes to or the addition of curriculum, strategies and programs that ensure a safe and orderly environment.

Opportunity for Improvement:

Schoolwide implementation of Positive Behavior Intervention and Support (PBIS) program, to provide positive reinforcement of expectations for students:

Objectives	Action Steps	Resources	Lead Person	Evaluation
Teach and reinforce PBIS expectations	PBIS Kickoff (August) and Reboot (January) - teaching of student expectations in various areas of school	PBIS Successtour Expectations (in PBIS Handbook)	Beth Clifford - PBIS Lead	Tiered Fidelity Inventory Student Discipline, Assertive Discipline and Suspension Data Otter Card positive reinforcement data
Student Incentive to follow expectations	Otter Card Chart reward program: Otter cards, Class Otter Card Charts, with school wide goal for Otter Card Charts. Reward examples: ? Classroom recognitions for Otter Card Charts ? Community Meeting recognitions (Raffle for GL Otter Card Awards) ? Hour of Play as schoolwide recognition	Otter cards, charts, awards, Hour of Play game equipment, Hour of Play schedule	Beth Clifford - PBIS Lead	Tiered Fidelity Inventory Student Discipline, Assertive Discipline and Suspension Data Otter Card positive reinforcement data
Schoolwide events to promote school community:	Bi-Monthly Community Meetings Buddy Class time Field Day Readathon Walk & Roll events	Equipment and materials for Community Meeting (Speaker, microphone, flag, awards). Equipment and materials for Field Day (Speaker, microphone, game supplies) Equipment and materials for Readathon (supported by PTA) Equipment and materials for Walk and Roll events(supported by Safe Routes to School program and PTA)	Beth Clifford - PBIS Lead Greg Sahakian - Principal	Tiered Fidelity Inventory Student Discipline, Assertive Discipline and Suspension Data Otter Card positive reinforcement data

Objectives	Action Steps	Resources	Lead Person	Evaluation
Socioemotional Learning Program - Toolbox	Reboot training and implementation of the Toolbox Socioemotional Learning Curriculum for staff, students and families. Schoolwide plan to teach tools at start of year, including presenting tools at Community Meetings Family "Kickoff" and monthly communications, to reinforce use of strategies at home Recognition through Otter Card reinforcement system Parent Toolbox/SEL Info Night	Toolbox manuals for teachers, copies of materials (including "Tools" for students), Toolbox lanyards for staff.	Greg Sahakian - Principal	Tiered Fidelity Inventory Student Discipline, Assertive Discipline and Suspension Data Otter Card positive reinforcement data
Socioemotional Learning Program - Soul Shoppe Peacemakers (conflict managers)	Training of Student Peacemakers (6 hour program) Schedule students for recess duties Monthly meetings for Peacemakers to review past month, make improvements.	Soul Shoppe Peacemaker Manual Peacemakers supplies (Clipboards, Peace Keys, Peace Path) Copies of initial and monthly training materials, including folders for students.	Greg Sahakian - Principal	Tiered Fidelity Inventory Student Discipline, Assertive Discipline and Suspension Data Otter Card positive reinforcement data

Component:

Component II: Physical Environment

Element:

Identify proposed changes to or the addition of strategies and programs that ensure a safe and orderly environment.

Opportunity for Improvement:

Goal: Improve safety of students and families to and from school

Objectives	Action Steps	Resources	Lead Person	Evaluation
Establish school Safety Patrol	Staff to reach out to AAA for Safety Patrol materials	AAA Materials	Ana-Soria Kevy, classroom teacher	Visual survey of adherence to safety procedures when Safety Patrol is present, vs. when not present.
	Train students for how be Safety Patrol Members	Vests, signs, sashes		
		Copes of training materials		

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

Edison Elementary School Student Conduct Code

ALAMEDA UNIFIED SCHOOL DISTRICT DISCIPLINE AND INTERVENTION PROTOCOL:

Alameda Unified School District is committed to creating a safe and positive school culture in which all students feel included, supported, and respected. We want to help eliminate inequality in the use of punitive consequences and provide each child with excellent teachers who are equipped to promote academic and social emotional growth in all students. AUSD takes a positive approach to student behavior and the use of restorative practices to minimize the need for punitive consequences and maximize instructional time for every student. We recognize the importance of developing the social and emotional health of all youth and adults in our organization.

The following chart indicates the types of disciplinary action that may apply to each type of infraction. In each instance, an opportunity to teach appropriate behavior through the use of intervention, restorative practices and a corrective action is stated. Each situation or violation involving student conduct should be individualized and the least punitive action based on the violation should be taken. The administrator shall, however, determine whether a specific infraction warrants the corrective action described on the chart. Corrective action taken by the administrator shall take place after progressive discipline interventions by the school fail to bring about proper conduct. These corrective measures are intended to assist in teaching appropriateness and responsibility, while maintaining consistent student discipline on campus.

See Link to discipline matrix: <https://docs.google.com/document/d/1YyzYC48Eq5WsTycFdS35jhrGP4G3nALhYghgdznwzuQ/edit#>

Conduct Code Procedures

(K) Hate Crime Reporting Procedures and Policies

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

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

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

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

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

As necessary, the district shall provide counseling, guidance, and support to students who are victims of hate motivated behavior and to students who exhibit such behavior.

When appropriate, students who engage in hate-motivated behavior shall be disciplined.

The Superintendent or designee shall provide staff with training that:

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

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

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

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

Complaints:

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

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

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

(J) Procedures to Prepare for Active Shooters

When responding to a situation that requires our school to go into lockdown (this may include, but is not limited to, an active shooter in the building), the ALICE (Alert, Lockdown, Inform, Counter, Evacuate) protocol will be followed.

ALERT

Purpose: To use clear, concise language to indicate presence and location of active shooter or other harmful individual.

Indicate lockdown and the harmful presence and/or location of threat. For example, "LOCKDOWN, There is an active shooter in the Computer Lab," or "LOCKDOWN, an armed gunman is walking through the first floor long hallway."

Anyone can alert the school community to such a situation. Do not wait for or rely on Administration or the front office staff to make the announcement. If a staff or faculty member undoubtedly sees or is notified of a harmful individual inside the school building, he or she has the authority to alert the rest of the school community of a lockdown. Some ways to alert include: the PA system, Using the classroom phone to activate LOCKDOWN, yelling, using share 911. Faculty and staff must use any means available to them to alert the school community and to spread the word. This may be a team effort where a group of individuals work together to inform everyone. If the opportunity to escape presents itself, you should do so and report to the predetermined Rally Point.

LOCKDOWN

Purpose: To allow for an aggressive use of current technology and procedures.

A traditional lockdown procedure is the first best option when in a high-risk area (or near the harmful individual). If you do not know if you are in a high-risk area, assume you are high risk and proceed to lockdown. If remaining in lockdown remains the best option, all members of the school community should work together to protect themselves.

First, close and lock classroom doors. Use belt or backpack strap to secure door handle if possible.

Create a barricade between you and students in the classroom and the intruder on the outside; use desks, chairs, shelves, cabinets and other pieces of furniture to block entry and to provide more time for survival (have smaller items near at hand in event intruder enters the room)

Gather in the area furthest from the entry point to the room; greater distance means greater safety.

Taking attendance and maintaining order are not the priority.

INFORM

Purpose: To continually communicate the shooter's whereabouts using direct and clear language. (Use Share 911 and the PA system)

By communicating with the school community, all members can make well-informed judgment calls and can be aggressive in protecting themselves. Students, faculty and staff should use every opportunity to alert others and to communicate the whereabouts of the harmful individual.

The use of share 911, phones (school or cell), yelling, and PA system are encouraged to communicate the whereabouts and will keep the intruder off balance. Working together to make informed decisions will put the intruder at a disadvantage.

COUNTER

Purpose: To apply skills to distract, confuse and gain control.

Counter is an absolute last resort. If one finds himself in close proximity to the intruder (no chance to flee or safely get away), he should apply the following counter movements to increase chances of survival:

- Throw objects at the intruder
- Distract the intruder by noise and/or movement
- Run away in a zig zag pattern
- Swarm the intruder
- Flight or fight but do not freeze
- Turn chaos into an advantage
- Use body weight and gravity to gain control

EVACUATE

Purpose: To remove as many people as possible from the danger zone to minimize targets of opportunity.

If you know the intruder's whereabouts and you are not in a high-risk area, you should Evacuate to the school's Rally Point. Only people on the first floor should exit through the windows if necessary. People on the 2nd and 3rd floors should not evacuate through windows as this may cause harm and use the safest stairwell then exit the school to the Rally Point.

REUNIFICATION

Purpose: To reunify students with their parent/guardians in a safe location

Procedures for Preventing Acts of Bullying and Cyber-bullying

Definitions:

Bullying is an unwanted, aggressive behavior that involves a real or perceived imbalance of power between individuals with the intent to cause emotional or physical harm. Bullying can be physical, verbal, or social/relational and involves repetition or potential repetition of a deliberate act.

Cyberbullying includes the electronic creation or transmission of harassing communications, direct threats, or other harmful texts, sounds, or images. Cyberbullying also includes breaking into another person's electronic account or assuming that person's online identity in order to damage that person's reputation.

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

- Physical bullying that inflicts harm upon a person's body or possessions, such as hitting, kicking, pinching, spitting, tripping, pushing, taking or breaking someone's possessions, or making cruel or rude hand gestures
- Verbal bullying that includes saying or writing hurtful things, such as teasing, name-calling, inappropriate sexual comments, taunting, or threats to cause harm
- Social/relational bullying that harms a person's reputation or relationships, such as leaving a person out of an activity on purpose, influencing others not to be friends with someone, spreading rumors, or embarrassing someone in public
- Cyberbullying, such as sending demeaning or hateful text messages or emails, sending rumors by email or by posting on social networking sites, or posting embarrassing photos, videos, web site, or fake profiles

Measures to Prevent Bullying:

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

- Ensuring that each school establishes clear rules for student conduct and implements strategies to promote a positive, collaborative school climate
- Providing to students, through student handbooks and other age-appropriate means, information about district and school rules related to bullying, mechanisms available for reporting incidents or threats, and the consequences for engaging in bullying
- Encouraging students to notify school staff when they are being bullied or when they suspect that another student is being bullied, and providing means by which students may report threats or incidents confidentially and anonymously

- Conducting an assessment of bullying incidents at each school and, if necessary, increasing supervision and security in areas where bullying most often occurs, such as classrooms, playgrounds, hallways, restrooms, and cafeterias
- Annually notifying district employees that, pursuant to Education Code 234.1, any school staff who witnesses an act of bullying against a student has a responsibility to immediately intervene to stop the incident when it is safe to do so

Staff Development:

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

The Superintendent or designee shall provide training to teachers and other school staff to raise their awareness about the legal obligation of the district and its employees to prevent discrimination, harassment, intimidation, and bullying of district students. Such training shall be designed to provide staff with the skills to:

- Discuss the diversity of the student body and school community, including their varying immigration experiences
- Discuss bullying prevention strategies with students, and teach students to recognize the behavior and characteristics of bullying perpetrators and victims
- Identify the signs of bullying or harassing behavior
- Take immediate corrective action when bullying is observed
- Report incidents to the appropriate authorities, including law enforcement in instances of criminal behavior

Student Instruction:

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

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

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

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

Reporting and Filing of Complaints:

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

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

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

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

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

Discipline/Corrective Actions:

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

When appropriate based on the severity or pervasiveness of the bullying, the Superintendent or designee shall notify the parents/guardians of victims and perpetrators and may contact law enforcement.

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

(Education Code 48900.9)

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

Emergency Contact Numbers

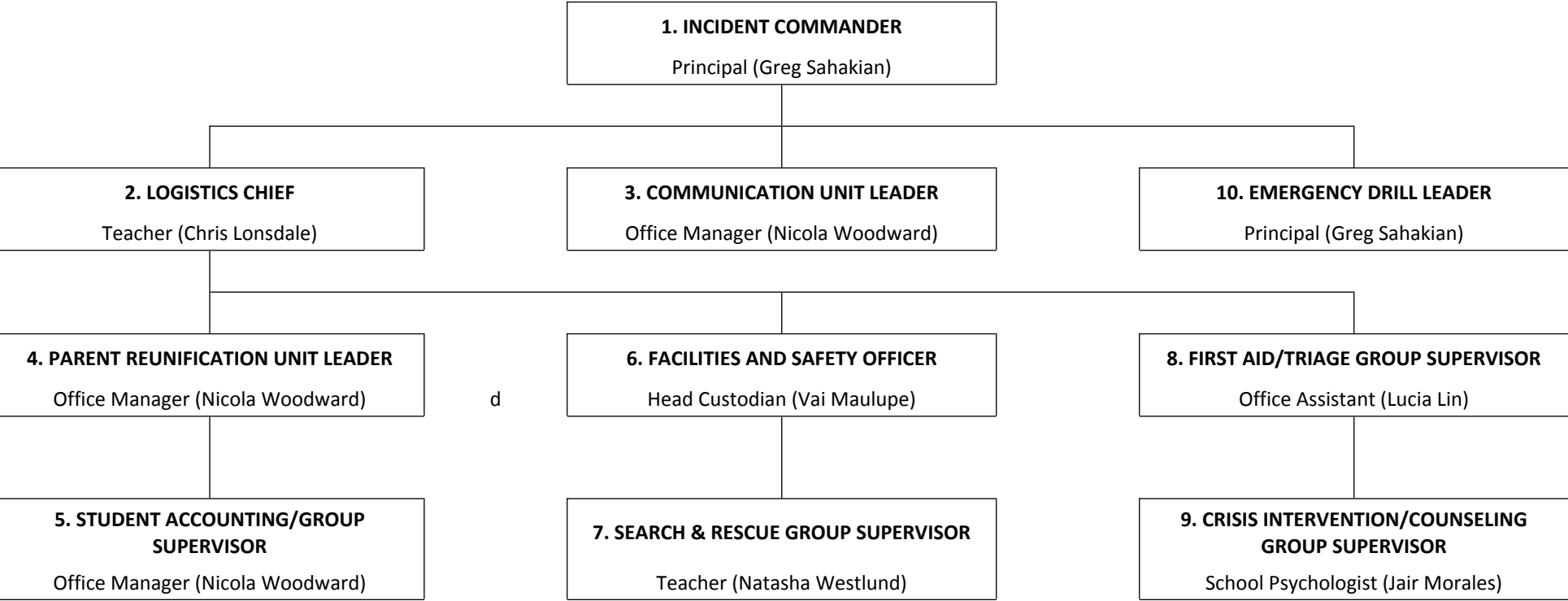
Utilities, Responders and Communication Resources

Type	Vendor	Number	Comments
City Services	City of Alameda	510-747-7400	
Other	County of Alameda	510-208-9770	
Law Enforcement/Fire/Paramedic	APD Non-Emergency	510-337-8340	
Law Enforcement/Fire/Paramedic	POLICE DEPARTMENT 911	911	
Other	Hazardous Materials Unit	510-567-6702	
Other	HEALTH DEPARTMENT - Alameda County	510-267-8000	
Local Hospitals	Alameda Hospital (Emergency Room)	510-522-3700	
American National Red Cross	RED CROSS	510-595-4400	
	RED CROSS	510-814-4200	
	SHERIFF'S OFFICE Non-Emergency	510-351-2020	

Safety Plan Review, Evaluation and Amendment Procedures

Activity Description (i.e. review steps, meetings conducted, approvals, etc)	Date and Time	Attached Document (description and location)
Faculty Meeting		Emergency response training with all staff
Safety Committee Meeting		Review of Safety Plan and procedures, roles and responsibilities, maps and evacuation routes
Faculty Meeting		Safety Committee share out
Safety Committee Meeting		Table top drill and training planning
Faculty Meeting		Review of REMS roles and responsibilities
Safety Committee Meeting		Update Safety plan with revisions
Public Hearing		Safety plan review with community
School Community Meeting		SSC approval of plan

Edison Elementary School Incident Command System



Incident Command Team Responsibilities

Standardized Emergency Response Management System Overview

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

SITE ORGANIZATION DURING A DECLARED EMERGENCY

COMMAND POST PERSONNEL AND DUTIES:

If notified of a Declared Emergency from the Superintendent's Office, OR if the site suffers a severe disaster, the Site Manager shall immediately implement the plans and procedures in the Site Emergency Plan.

The Site Manager or Incident Commander shall:

- A. Activate alarm/Broadcast Alert on Share911 and PA to notify staff
- B. Activate Command Post and 2-way radio
- C. Activate Emergency Teams
- D. Assess total school situation
- E. Make initial site assessment report on Share911 to District Emergency Operations Center.
- F. Check to see that Site Emergency Teams are operating
- G. Assign messengers to needed areas
- H. Request help from 911 or Emergency Operations Center as required
- I. Secure information from Emergency Teams Update Site Status Reports - Report to the Emergency Operations Center
- J. Reassign team members to other duties as required when they finish initial assignment duties
- K. Personally address these items:
 - 1. Is campus secure?
 - 3. Are utilities off or secure?
 - 4. Are signs directing adults to release area up?
 - 5. Are traffic controllers needed?
 - 6. Is First Aid Center functioning?
 - 7. Have buildings been searched for victims?
 - 8. Is the student release program set up and operational?

Logistics Chief: The Site Office Manager shall:

A. Report immediately to the Command Post with:

1. Master keys
2. Current roster of students and staff
3. Emergency forms and documents
4. Office supplies to assist unit leads

B. Assume responsibilities as directed by Site Manager

The Site Clerical Staff shall:

A. Team up with other personnel as a member of a Site Emergency Team, otherwise:

B. Report to the Site Command Post and assume responsibilities as directed by the Site Manager

The Attendance Clerk shall:

A. Keep a current file of all students release information from forms parents are required to fill out authorizing listed persons to pick up their children in case of a severe emergency. The Attendance Clerk will take these records to the Student Release Area in the Cafeteria and give them to the Student Release Team to use.

The Site Custodians shall:

A. Check the condition of the utilities and connecting pipes and lines and if necessary, turn them off.

B. Check the site completely for:

1. Fire and electrical hazards
2. Chemical hazards (Chlorine storage)
3. Other hazards

C. Notify Site Manager of hazards and services needed

D. Barricade hazardous areas using whatever materials handy

E. When site is secure, report to the Command Post for direction

F. Open emergency container and provide emergency sanitation areas if toilets are unavailable

Directions for the Instructional Staff During a Declared Emergency

Teachers and Para Professionals shall:

A. Respond immediately to emergency signals requiring specific actions and check in on Share911

B. If signal is one to Leave Building, know if signal is for:

1. Fire evacuation
2. Earthquake evacuation
3. Chemical spill evacuation

Evacuate Accordingly!

A. When leaving building:

1. Take emergency backpack
2. Require students to be silent in order to hear instructions
3. Close doors to classroom
4. Go directly to pre-assigned location

B. Check with nearby classrooms when evacuating. If there are seriously injured persons who cannot be moved, assign one teacher to remain and the other to evacuate the rest of the students. Report on Share911

C. Teachers shall provide First Aid to the best of their ability to students under their supervision until the emergency First Aid station is activated. Students with major injuries are to remain in the classroom supervised by a teacher or aide. Students with minor injuries are to be cared for after evacuation.

D. Upon reaching evacuation destination, teachers shall:

1. Take roll
2. List missing students on Share 911 and on paper
3. Give list to Assembly Area Team members
4. Calm students. Remind them of District policies about remaining at school
5. Monitor warmth and protection of students. Move if necessary

E. If assigned to a Site Emergency Team, transfer your students to paired teacher to supervise, report immediately to the Command Post for supplies and begin implementation of Team responsibilities.

USE REMS TO ESTABLISH YOUR EMERGENCY SITE TEAM

Note: Contact listing is intended to be shared with team members to enhance communication in the event of a critical incident. It is recommended that the Principal and Designee establish an intranet list server to further enhance communications. The personal information listed is intended for team members. Please type name and number under each assignment.

REMS Team Members Primary Contact/Cell number Secondary Contact/Cell number

Incident Commander: Greg Sahakian 415-350-0883
Logistics Chief: Chris Lonsdale 510-418-7356
Communication Unit Leader: Nicci Woodward 415-812-5950
Parent Reunification Unit Leader: Nicci Woodward 415-812-5950
Student Accounting/Group Supervisor: Nicci Woodward 415-812-5950
Search & Rescue Group Supervisor: Natasha Westlund 619-709-0333
First Aid/Triage Group Supervisor: Lucia Lin 510-502-9286

Crisis Intervention/ Counseling Group Supervisor: Carrie Green-Zinn 510-504-6862

Facilities and Safety Officer: Vai Maulupe 510-990-1759 (custodian cell) 510-861-5416 (personal cell)

Emergency Drill Leader: Greg Sahakian 415-350-0883

Incident Commander:

Establishes an Incident Command Center, lists incident objectives and designates the following positions to perform the following duties.

Logistics Chief:

Supports each unit leader with where to find the necessary tools to support the team fulfilling their duties.

Report immediately to the Command Post with:

- Master keys
- Current roster of students and staff
- Emergency forms and documents
- Office supplies to assist unit leads
- Computers and walkie talkies
- Assume responsibilities as directed by Site Manager

Communication Unit Leader:

Works with the incident commander to communicate out important information to all supervisors and the public.

Report immediately to the Command Post with:

- Computer
- Office supplies

Parent Reunification Unit Leader:

Reunification refers to getting students reunited with their parents or guardians in an efficient and orderly manner. Reunification can be an enormous challenge and takes a lot of planning.

The Student Release Team is responsible for:

- Setting up secure reunion area
- Checking student emergency cards for authorized releases
- Completing release logs
- Coordinating with the Public Information Office on external messages

Student Accounting/Group Supervisor:

Evacuation, shelter, and student care in an emergency is one of the most important tasks faced by schools. It includes student accounting, protection from weather, providing for sanitation needs, and providing for food and water and releasing of students to their guardians.

The Evacuation/Shelter/Care Team is responsible for:

- Accounting for the whereabouts of all students, staff, and volunteers
- Setting up secure assembly area
- Managing sheltering and sanitation operations
- Managing student feeding and hydration
- Coordinating with the Student Release Team
- Coordinating with the Logistics Section to secure the needed space and supplies

Search & Rescue Group Supervisor:

Search & Rescue Teams search the entire school facility, entering only after they have checked the outside for signs of structural damage and determined that it is safe to enter. Search & Rescue Teams are responsible for ensuring that all students and staff evacuate the building (or, if it is unsafe to move the persons, that their locations are documented so that professional responders can locate them easily and extricate them).

Search & Rescue Teams are also responsible for:

- Using Share 911 to identify where injuries may exist
- Obtaining injury and missing student reports from teachers
- Moving injured members from building if emergency responders are unable to do so
- Identifying and marking unsafe areas
- Conducting initial damage assessment

First Aid/Triage Group Supervisor:

First Aid Teams provide triage and treatment for students and other disaster victims. First Aid Teams are responsible for setting up first aid area for students, assessing and treating injuries, and completing master injury report.

First Aid Teams are responsible for:

- Setting up a first aid area for students
- Assessing and treating injuries
- Completing master injury report

Note: The Logistics Section Medical Unit provides care to responders. The Operations Section First Aid Team is dedicated to students or other disaster victims.

Crisis Intervention/ Counseling Group Supervisor:

The Crisis Intervention Team is responsible for assisting students and school personnel who are unable to cope with the fears and psychological trauma associated with emergencies and disasters.

This includes:

- Assessing need for onsite mental health support
- Determining need for outside agency assistance
- Providing onsite intervention/counseling
- Monitoring well-being of school emergency team, staff, and students, and reporting all findings to the Operations Section Chief

Facilities and Safety Officer:

The Facilities & Security Response Team is responsible for:

- Locating all utilities and turning them off, if necessary
- Securing and isolating fire/HazMat
- Opening Emergency Trailer
- Assessing and notifying officials of fire/HazMat
- Conducting perimeter control

Emergency Drill Leader:

The Emergency Drill Leader is responsible for:

- Training staff
- Coordinating and running all required drills
- Monitoring participations
- Reviewing after action reports
- Reporting to the incident commander

LIST SEARCH TEAM DUTY DESCRIPTIONS

EXAMPLE: If assignment is SEARCH TEAM:

Take heavy gloves, flashlight, hard hat and masking tape (no entry) from Emergency Backpack.
Leave Emergency Backpack and students with designated teacher (see previous page).

Report to INCIDENT COMMAND CENTER near gate in lower yard meet with search team partner(s).
Receive directions for search instructions from Search team supervisor.

LIST WHO WILL BE:

SEARCH TEAM #1 Search team will be delegated by Natasha Westlund (Operations)

Sarah Hinds
Mary Lee
Regina delRosario

LIST FIRST AID FUNCTION

EXAMPLE: Minimize injuries and loss of life: provide temporary care of injured students.

Set up desk at picnic tables behind multipurpose room (or if unsafe here, on blacktop near multipurpose room).
Organize supplies and treatment area.
Help with wounded.
Keep Check Out Station informed.
Request additional help (ambulances, etc.) through Check Out Station.
Look up emergency information if necessary.

LIST WHO WILL BE:

TREATMENT
Lucia Lin

TRIAGE
Nicole Korpell

RECORDER
Zoe Boese

List the things you will have to accomplish and assign to operations section or logistics section.

Examples:

Set up table, chairs and sign "Incident Command Center"

Set up operations table, logistics table.

Set up a first aid station

Put traffic cones in the street, blocking off access to the parking lot entry drive

Set up people to handle the check out of students. Display signs A-L, M-Z. Have emergency card information forms out.

Record finding of search teams

List any unaccounted for students and those in First Aid or in need of first aid.

Keep track of the walkie-talkies

Listen to radio

Use runners as necessary to retrieve information and students

Organize parent line-up and announce using bullhorn to parents that students have been evacuated

Assist in calming and organizing parents

Provide pen and paper for non-English speaking students to write their name

Communicate to District Personnel

INCIDENT COMMAND POST – Located

The Site Manager or designee is the final authority at each school. He/she must be available for all decisions, information and authority during the time the schools are isolated.

Therefore, the Site Manager and the Command Post should be housed in a central area, i.e., the front of the school, where the manager is available to radio, telephone, emergency equipment or personnel and parents.

The Command Post will begin to operate immediately after a disaster.

This is where the record keeping, communication, and major decision making will take place. The Site Manager or Incident commander will be here.

In addition, a separate Student Release Area will be established to coordinate the release of students to authorized adults. Student release area will be in the bike cage (if inaccessible at the end of the parking lot behind the second gate).

Emergency Release Information Forms are needed at the Release Area to document the release of all students.

While the Command Post is functioning, The First Aid and Search/Assessment Teams will carry out their functions and provide information to the Incident commander about the:

1. Condition of students
2. Condition of staff
3. Condition of facilities

Management

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

Planning & Intelligence

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

Operations

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

Logistics

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

Finance & Administration

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

Types of Emergencies & Specific Procedures

Aircraft Crash

FALLEN AIRCRAFT:

DEFINITION/DESCRIPTION

If an aircraft falls near the school, the principal will determine which emergency action, if any, will be taken. Local fire and police departments will be responding also. All students and staff should be kept at a safe distance to protect them from possible explosions and/or fire.

IMMEDIATE ACTION

Principal

- Determine which Action, if any, should be implemented.
- Where necessary, tell teachers they may need to take immediate action for the safety of students without waiting for directions from the principal.
- Determine, if possible, whether the aircraft is military, commercial or private. Contact the local police to determine appropriate action and refer all members of the press to the Emergency Operations Center.

Principal's Secretary

- Respond to calls.
- Assist principal as needed.
- Refer all members of the press to the Emergency Operations Center.

Teachers

- Follow principal's direction as to appropriate Action.
- Depending on the nature of the accident you may need to take Action DROP or Action TAKE COVER to protect students from a possible explosion and/or fire.

FOLLOW UP ACTION

Principal

- Provide up-to-date information to staff and students as it becomes available and arrange school site meetings to make assignments and determine plans.
- Coordinate activities of the school site team.
- Maintain contact with Emergency Operations Center and Superintendent's office.
- Arrange after-school staff meetings to debrief and clarify events.

Teachers

- Read bulletins/announcements as provided by the principal.
- Refer all media to the principal's office.
- Cooperate with the school site team to provide follow-up as appropriate.
- Refer for counseling students who may be at risk.
- Return to normal instructional activities as soon as possible.

Animal Disturbance

ANIMAL DISTURBANCE:

If a rabid or vicious animal is at or in the vicinity of the school, the Animal Control Center should be notified immediately. Teachers shall be notified Shelter In Place. Students outside of the building will be quietly and cautiously sent into the nearest building and secured in a room behind closed doors. Notify the Superintendent's Office.

Armed Assault on Campus

ARMED ASSAULT ON CAMPUS:

Follow A.L.I.C.E Procedures

Biological or Chemical Release

BIOLOGICAL OR CHEMICAL SPILL:

1. An announcement will be made to either Shelter in Place or evacuate the building and gather in the Assembly Area, depending on the situation.
2. The announcement will be made by the P.A. system, or if this fails to operate, messenger will alert classes.
3. If the Assembly Area is not safe, students will be evacuated to Lincoln Park, depending on the area of the spill and direction of the wind.

CHEMICAL ACCIDENT

1. DEFINITION/DESCRIPTION

Chemical accidents of disaster magnitude would include tank truck accidents involving large quantities of toxic gases or toxic liquids. This type of accident will likely be reported by an outside source unless the accident has occurred immediately adjacent to the school site.

2. IMMEDIATE ACTION

Principal

- a) Receive information about/review situation to determine if evacuation routes are safe (move crosswind to avoid fumes).
- b) Determine which action should be implemented.
- c) Sound alarm for appropriate action.
- d) Notify/maintain contact with Superintendent/Emergency Operations Center.
- e) Determine what further action to take.

Teachers

- a) Implement appropriate action, using alternate evacuation route if required.
- b) Maintain control of students.
- c) Take roll. Report students who are absent.
- d) Notify principal of any problems in/around area
- e) Notify principal of need for first aid, as appropriate.

Custodian

- a) Review situation to assess extent of spill, wind direction and proximity to building.
- b) Report findings to principal.
- c) Be prepared to direct fire/police department to spill site.
- d) Assist in spill clean-up or containment, as appropriate.

3. FOLLOW UP ACTION

Principal

- a) Determine, in coordination with M.O.F./Fire Department, whether buildings are habitable.
- b) Notify staff/students of any modification in schedule.
- c) Work with Emergency Operations Center to publicize information regarding accident.
- d) Arrange school site meeting to provide information to staff.

Principal's Secretary

- a) Screen all calls. Refer public to Emergency Operations Center.
- b) Refer media to Emergency Operations Center.
- c) Prepare necessary bulletins.

Teachers

- a) Read bulletins/announcements as provided by principal.
- b) Refer all media to principal's office.
- c) Cooperate with school site team to provide follow-up, as appropriate.

- d) Refer for counseling students who may be at risk.
- e) Return to normal instructional activities as soon as possible.

Bomb Threat/ Threat Of violence

BOMB THREAT/THREAT OF VIOLENCE:

1. DEFINITION/DESCRIPTION

A bomb threat will typically be received in writing or by telephone call. Responses will generally be the same with the initial exception of a person receiving a telephone threat. A copy of the Bomb Threat Checklist should be readily available for every administrative phone responder.

2. IMMEDIATE ACTION – Telephone Threat

Person Receiving Call

- a) Keep the caller on the line. Delay the caller with such statements as: “I’m sorry, I did not understand you. What did you say?”
- b) Use Bomb Threat Checklist (see form at the end of this “Bomb Threat” section). Get as much information as possible from the caller.
- c) Immediately after caller hangs up, report all information to principal.

All Office Personnel

Immediately search your work area for foreign or suspicious objects or packages. If one is found, **DO NOT TOUCH OR MOVE IT!!**

IMMEDIATE ACTION – Written Threat

Person Receiving Written Message

Give the message to the principal immediately upon identification.

Principal

- a) Receive/review all information about bomb threat.
- b) Determine which action should be taken.
- c) Initiate non-electronic evacuation procedure; i.e. runner or bullhorn, since electronic warnings could activate any device, being sure all evacuation routes are clear.
- d) Notify Superintendent/Police/Fire Department.
- e) Direct search of office complex, evacuation site and classrooms.
- f) Determine what further action should be taken.

Teachers

- a) Implement appropriate action, using alternate evacuation route if required.
- b) Maintain control of students.
- c) Take roll. Report students who are absent.
- d) Notify principal of any problems in or around area.
- e) Hold students until designated evacuation area has been searched and declared safe, and then conduct students to the cleared area.

Teachers assigned to the designated evacuation area will remain with the pupils; personnel who are assigned to search teams will report to the principal for briefing.

If notification of a threat is received and immediate evacuation is not ordered, teachers will search their classrooms for any unidentifiable objects. If nothing is found, resume instruction until the evacuation order is received.

Custodians

- a) Under the direction of the principal, immediately proceed with a thorough search of designated evacuation area (or other area large enough to contain the students) to provide a safe place for students evacuated from the buildings.
- b) Search, as required, to determine that no explosive is hidden in a book, clothes locker or restroom.

3. FOLLOW UP ACTION

Principal

- a) Determine, in coordination with M.O.F. and Fire Department, whether buildings are habitable.

- b) Notify staff/students of any modification in schedule, via special bulletin or telephone tree.
- c) Work with Emergency Operations Center to put messages on TV, radio and telephone system regarding any modifications in schedule.
- d) Arrange school site meeting to discuss plan.

Principal's Secretary

- a) Screen all calls. Refer calls to Emergency Operations Center.
- b) Prepare necessary bulletins.

Teachers

- a) Read bulletins/announcements as provided by principal.
- b) Refer all media to principal's office.
- c) Cooperate with school site team to provide follow-up as appropriate.
- d) Refer for counseling students who may be at risk.
- e) Return to normal instructional activities as soon as possible.

EXPLOSION OR THREAT OF EXPLOSION

1. DEFINITION/DESCRIPTION

An explosion at the school, or the threat of an explosion, may be caused by leaking gas or a faulty boiler within a school building.

2. IMMEDIATE ACTION – EXPLOSION

Principal

- Sound the school alarm.
- Notify the Superintendent or Assistant Superintendent.
- Notify utility companies of a break or suspected break.
- Notify fire and police departments and direct further action as required.
- Notify teachers of proper action (DROP or LEAVE BUILDING).

Teachers

- Command DROP is given. Instruct students to react in the same manner on their own to this type of catastrophe in case it occurs when the teacher is temporarily not present.
- If the explosion occurred within the building, or threatened the building, immediately implement Action LEAVE BUILDING.
- Move to an area of safety and maintain control of students.
- Notify principal of students needing first aid as necessary.
- Fight incipient fires without endangering life.
- Take roll. Report absent students to principal.
- Students and staff should not return to the school until Fire Department officials declare the area safe.

IMMEDIATE ACTION - THREAT OF EXPLOSION:

Principal

- Sound the school fire alarm, or silent evacuation if electronic means could set off explosion. This will automatically implement Action LEAVE BUILDING.
- Follow procedures for principal -- 'c' and 'd' above.

Teacher

- Follow procedures for teachers -- 'c' through 'g' above.

Disorderly Conduct

CIVIL DISOBEDIENCE/MENACING INDIVIDUALS:

1. DEFINITION/DESCRIPTION

Civil disobedience is defined as any assemblage on the school premises by unauthorized persons whose purpose and conduct is inimical to the orderly conduct of the school and the laws relating to the conduct of schools and the welfare of students.

WARNING: The presence of unauthorized individuals or an alert of an impending visitation. When this condition has been reported to the principal or authority in charge, he shall transmit the warning to all classes by the public address system. If the PA system is inoperable, a messenger will be sent to each classroom.

2. IMMEDIATE ACTION

The major plan of action will be to protect all personnel from undue exposure to danger. Every effort must be made to keep classes within their rooms. The following specific steps will be taken to implement the plan of action:

Principal or Designee

- a) Transmit a Shelter in Place alert to all staff members.
- b) Call the local law enforcement agencies to provide protection and to handle arrests.
- c) Make certain that a specific crime is committed before requesting arrests.
- d) School civil disobedience crimes involving arrest are listed in the Criminal Code Procedure and include the following:
 - 1. Disturbing the Peace
 - 2. Trespassing
 - 3. Loitering Around the School Grounds
- e) The principal should make an announcement to the demonstrators similar to the following:
"I am the principal of this school. You are interfering with the orderly process of education in this school. I request that you leave. If you do not leave, I shall ask for your arrest. You are causing a disturbance."

Teachers

- a) Keep students within their locked classrooms until further notice, regardless of the bells and schedules.
- b) Lock classroom doors.
- c) Remain in charge of your class, utilizing the best judgment in occupying the students within the classroom.
- d) Precaution should be taken to protect personnel from flying glass in case of broken windows. Drapes, venetian blinds, or jalousies should be closed.
- e) Where there is evidence of a potential problem, all P.E. classes will immediately return to the locker rooms.

Custodians

Lock and secure all exterior doors.

3. FOLLOW UP ACTION

Principal

- a) Determine, in coordination with M.O.F., whether building(s) is/are habitable.
- b) Notify staff/students of any modification in schedule, via special bulletin or telephone tree.
- c) Work with Communications director to put messages regarding any modifications in schedule.
- d) Arrange school site meeting to discuss plan.

Principal's Secretary

- a) Screen all calls. Refer public to Director of Communications
- b) Refer media to Director of Communications
- c) Prepare necessary communication to community.

Teachers

- a) Read announcements as provided by principal.
- b) Refer all media to principal's office.
- c) Cooperate with school site team to provide follow-up, as appropriate.
- d) Refer for counseling students who may be at risk.
- e) Return to normal instructional activities as soon as possible.

Earthquake

EARTHQUAKE:

Although the probability of an earthquake occurring is lower than most other emergency types, the potential for injuries and damage from one is high. It is essential that students and staff remain aware of the following basic actions:

This section removed from posted plan for security purposes. If you wish to see the full plan, contact the school principal for an appointment.

If an earthquake or other situation warrants, drop to the floor, take protective position under desks or furniture with backs to windows and hands covering head and face. Stay in position until directed to evacuate or take other protective action. If outside, move away from buildings and trees and take protective position. When situation permits, proceed to the designated assembly point. Standby: Alert students in your area to stand by for further information. Make whatever assessment of the situation is possible. Render emergency first aid as required. If inside, stay inside during ground shaking. In classrooms or offices, move away from windows, shelves and heavy objects or furniture that may fall. Take cover under a safe table, desk or counter. At the teacher's command, students should take the DROP position.

If a "shelter" (table, desk, etc.) is not available, move to an inside wall or corner, turn away from windows, kneel alongside wall, and bend head close to knees, with elbows firmly behind neck protecting face. If notebooks or jackets are handy, hold these overhead for added protection from flying glass and ceilings debris. Remain in sheltered position for at least 60 seconds or until directed to move by an adult. If in halls, on stairways, or other areas where no cover is available, students must follow the directions of the nearest teacher or school employee.

If in the library, immediately move away from windows and bookshelves and take appropriate cover. In the science lab or shops, all burners should be extinguished (if possible) before taking cover. Stay clear of hazardous chemicals that may spill. The duration of ground shaking depends on a number of factors, including the severity of the earthquake. Advise students to anticipate shorter or longer episodes of ground shaking during actual earthquakes and their aftershocks.

EARTHQUAKE HAZARDS COMMONLY FOUND IN SCHOOL BUILDINGS:

- Glass that shatters or flies around
- Objects stored above head-level on shelves, walls, and ceilings (such as unused projectors, books, science equipment, boxes)
- Objects that block movement to safe places (books on floors, tipped desks and bookcases)
- Cabinets without latches
- Objects stored on wheels
- Open shelving without a lip or restraining wire
- Free standing cabinets
- Blocked exits
- Objects in hallways that block movement (glass, tables, locker contents)

SETTLING DOWN AFTER THE FIRST SHOCK:

- After the first shock, teachers will evacuate the classrooms, being alert to the possibility of aftershocks.
- When leaving the classroom, teachers should make every effort to take with them the roll book and emergency supplies.
- Announce that no student is to return to the room unless directed to do so.
- Teachers will take classes to pre-arranged places on the campus.
- Teachers and students will remain in designated areas until re-entry to the building has been approved or they are directed to move elsewhere.
- School will remain open indefinitely until every student has been released to parents or to an authorized person.
- Do not light any fires after the earthquake because of possible gas leaks.
- If possible, notify utility companies of any break or suspected breaks in service.

THE GREAT SHAKEOUT EARTHQUAKE DRILLS

All AUSD schools are encouraged to participate in the annual Great ShakeOut Earthquake Drills. See <https://www.shakeout.org/index.html> for more information.

Explosion or Risk Of Explosion

EXPLOSION OR THREAT OF EXPLOSION:

DEFINITION/DESCRIPTION

An explosion at the school, or the threat of an explosion, may be caused by leaking gas or a faulty boiler within a school building.

IMMEDIATE ACTION – EXPLOSION

Principal

- a) Sound the school alarm and report on Share911.
- b) Notify teachers of proper action (DROP or LEAVE BUILDING).

Teachers

- a) Command DROP is given. Instruct students to react in the same manner on their own to this type of catastrophe in case it occurs when the teacher is temporarily not present.
- b) If the explosion occurred within the building, or threatened the building, immediately implement Action LEAVE BUILDING.
- c) Move to an area of safety, and maintain control of students.
- d) Use Share911 to report students absent, found or needing first aid as necessary.
- e) Fight incipient fires without endangering life.
- g) Students and staff should not return to the school until Fire Department officials declare the area safe.

IMMEDIATE ACTION - THREAT OF EXPLOSION:

Principal

Sound the school fire alarm, or silent evacuation if electronic means could set off explosion. This will automatically implement Action LEAVE BUILDING.
Follow procedures for principal -- 'c' and 'd' above.

Teacher

Follow procedures for teachers -- 'c' through 'g' above.

Fire in Surrounding Area

FIRE IN SURROUNDING AREA:

Follow Shelter In Place procedures

Fire on School Grounds

FIRE ON SCHOOL GROUNDS:

DEFINITION/DESCRIPTION: A fire detected in or adjacent to any building at the school site.

IMMEDIATE ACTION :

Principal or Site Safety Coordinator

- View fire or take report to determine that evacuation routes are safe.
- Notify teachers of alternate route if necessary.
- Sound school fire alarm and report on Share911.
- Determine what further action to take (i.e. send students/staff home).

Teachers

- Implement Action LEAVE BUILDING, using alternate route in necessary.
- Maintain control of students at a safe distance from the fire and fire fighting equipment.
- Take roll upon arrival at designated area. students.
- Remain with students in designated area until notified of next action.
- Notify principal of any hazards observed in/around area through Share911.
- Notify principal of need for first aid as appropriate through Share911.

Custodians

- View fire to identify location and extent.
- Report findings to principal.
- Fight incipient fire without endangering life.
- Be prepared to direct fire department to fire site.
- Shut off gas/water as appropriate.
- Shut off electricity after all necessary use of P.A. system is complete.

FOLLOW-UP ACTION

Principal

- Determine, in coordination with M.O.F. and Fire Department whether buildings) is/are habitable.
- Notify staff/students of any modification in schedule, via Share911 and special bulletin or telephone tree.
- Work with Director of Communications to put messages on TV, radio and communication system regarding any modifications in schedule
- Arrange school site meeting to discuss plan.

Principal's Secretary

- Screen all calls.
- Refer media to Director of Communication.
- Prepare necessary communications to community.

Teachers

- Read announcements as provided by principal.
- Refer all media to principal's office.
- Cooperate with school site team to provide follow-up as appropriate.
- Refer for counseling students who may be at risk.
- Return to normal instructional activities as soon as possible.

Flooding

FLOODING:

DESCRIPTION/DEFINITION

There should be some thought and preparation for this eventuality should any sources around the school create flooding. Flooding may be the secondary effect of another disaster, such as an earthquake.

IMMEDIATE ACTION

Principal

- View flood or take report to determine that evacuation routes are safe.
- Broadcast Alert on Share911 and PA as appropriate.
- Determine what further action to take.

Teachers

- Implement appropriate Action in response to principal direction.
- Take roll upon arrival at evacuation area. Report absent students, needs for first aid and any hazards observed in/around area to principal through Share911.
- Maintain control of students at evacuation area.

Custodians

- View flood to identify location and extent.
- Report findings to principal.
- Be prepared to direct M.O.F./City to flood site/source.
- If flooding is result of school site damage, turn off water.

Follow up Plan

Principal

- Determine, in coordination with M.O.F. and Fire Department whether buildings) is/are habitable.
- Notify staff/students of any modification in schedule, via Share911 and special bulletin or telephone tree.
- Work with Director of Communications to put messages on TV, radio and communication system regarding any modifications in schedule
- Arrange school site meeting to discuss plan.

Principal's Secretary

- Screen all calls.
- Refer media to the Director of Communication.
- Prepare necessary communications to the community.

Teachers

- Read announcements as provided by the principal.
- Refer all media to the principal's office.
- Cooperate with the school site team to provide follow-up as appropriate.
- Refer for counseling students who may be at risk.
- Return to normal instructional activities as soon as possible.

Loss or Failure Of Utilities

UTILITIES LOSS OR FAILURE:

CALL MOF - They will call the appropriate public works system based on the loss or failure.

LOSS OF ELECTRICAL POWER:

Consult Alameda Power

LOSS of GAS

PG&E

WATER EMERGENCY:

East Bay Municipal Utility District, colloquially referred to as "East Bay Mud

PHONE ISSUES:

Contact Technology Information Services to report phone issues.

ADDITIONAL INFORMATION:

Contact Maintenance, Operations & Facilities at extension if any utility will be off for an extended period of time.

Notify the superintendent of the situation.

If necessary, make appropriate arrangements with Maintenance and Operations for temporary communications, water delivery and portable rest rooms.

In the event of an extended outage, consult with the cafeteria manager. The cafeteria manager will consult with Food and Nutritional Services.

If an extended outage is likely, provide an update to keep parents/guardians informed.

Motor Vehicle Crash

MOTOR VEHICLE CRASH:

Step1: Respond to the injured party and determine if first aid or CPR should be provided

Step 2: If 911 needs to be called have another person call while you deliver first aid or CPR

Step 3: Send another person to notify others and get any emergency equipment or information that would be helpful to the emergency

Step 4: When safe to do so, activate share 911 to communicate to staff if an ambulance is on its way

Step 5: Designate staff to the appropriate gate/entrance to help emergency services get in close proximity to injured party

Step 6: Staff are required to complete and turn in an Accident Report to administration for any injuries to any one on campus

Step 7: Accident forms need to be sent to the business office

Psychological Trauma

PSYCHOLOGICAL TRAUMA:

The sudden death, serious injury to a student or staff member either through natural causes, accidents or as the result of an act of violence, such as school shooting, missing students (known or suspected abduction), physical assault, sexual assault, non-natural or non-accidental causes or other unexpected events are, without question, a crisis. Responding to these kinds of crisis situations in a timely and effective manner is as critical as dealing with an earthquake or a fire.

1. Contact Student Services to request the District Crisis Intervention Team immediately following a serious injury, accident or death of a student or staff member.
2. Work with your school psychologist and or counselors to determine identification of short- and long-term interventions for students or staff traumatized by the event.
3. Work with the Superintendent's office to formulate a public statement.
4. Discuss the crisis in a factual manner in follow up meetings and/or communications.
5. Be sensitive to latent behavior problems that are trauma-related.

A general message will be prepared and whenever possible parents will be contacted first in order to be the first adults to provide the information and support their children. All staff will be debriefed and supported. Activities to best meet the needs of the community will be provided aimed at providing counseling, a way for all to process (writing, drawing, and sharing). Activities such as games, music and reading may be planned over a short period of time to reduce anxiety and work demands. Follow and close monitoring for students and staff to insure latent reactions and responses.

Opioid Overdose

Step (1) Call 911 An overdose is a medical emergency. It is important to have trained medical professionals assess the condition of the overdose victim. Even though Naloxone can reverse the overdose, there may be other health problems of which the responder may not be aware. In addition, people who survive any type of overdose are at risk of experiencing other health complications because of the overdose. Getting someone examined by a medical professional is an important part of reducing the harms associated with overdosing.

It is important for trained staff to remember that Naloxone only works if there are opioids involved with the overdose. It cannot reverse an overdose from benzodiazepines, meth, cocaine, or alcohol.

Step (2) Administer Naloxone (Narcan)

Open the Naloxone blister pack; do not push the plunger.

With the victim's head tilted slightly back, place two (2) fingers over the top of the medication with your thumb securing it from the bottom.

Insert the atomizer fully and gently into their nostril

Push the plunger forward with the thumb and deliver spray of medication. (There is no need to plug the opposing nostril).

Place the person to their side (recovery position).

If the individual is still not responding within two (2) minutes, give a second dose in the opposite nostril.

Follow Up

If the victim is a student, contact parent/guardian per school policy.

Complete an Accident/Injury Report

Facilitate a debriefing with responding staff

Consider a plan of care for the students' safe return to school

Emergency Evacuation Map

See attachment

SCHOOL MAP

Edison School
2700 Buena Vista Ave.
Alameda, CA 94501

Buena Vista Ave.



Main
Electrical
Switch

Main
Gas
Valve

Water
Main
Shut-o-
Valve

Multi-Purpose
Room

Boys/Girls
Restroom

Custodian
Office

Media
Center

Supply
Room

Faculty
Lounge

Work
Room

Restrooms

Office Work Room
Health Office

Principal

Room 1
AIK

Room 2
Howell
Grade: 3

Room 3
Isola
Grade: 3

Room 4
Aitkens
Grade: 3

Room 5
Lonsdale
Grade: 5

Girls
Restroom

Boys
Restroom

Closet
P.E.

Room 6
Valler
Grade: 1

Room 10
Dunn Ruiz
Grade: K

Room 9
Hinds
Grade: 2

Room 8
del
Rosario
Grade: 2

Room 7
Dodge
Grade: 1

Room 16
Lee
Resource

Room 11
Korpell
Grade: K

Room 12
Soria
Kevy
Grade: K

Room 13
Schroeder
Grade: 2

Room 14
Geritz
Grade: 1

Room 21
Lee
Intervention

Room 20
Serrano
Special Day Class 3-5

Room 22
Singh
Special Day K-2

Room 17
Carpenter
Grade: 4

Room 18
Westlund
Grade: 4

Room 19
Flanagan
Grade: 5

Open Courtyard

Fire Extinguisher
Fire Hose

Versailles Ave.

Pearl St.

Comprehensive School Safety Plan

**2023-24
School Year**

School: Encinal Junior/Senior High School
CDS Code: 01611190132142
District: Alameda Unified School District
Address: 210 Central Avenue
Alameda, CA, 94501-3246
Date of Adoption: 10/30/23
Date of Update: 3/7/2024
Date of Review:
- with Staff 10/25/23
- with Law Enforcement
- with Fire Authority

Table of Contents

Comprehensive School Safety Plan Purpose.....	4
Safety Plan Vision.....	4
Components of the Comprehensive School Safety Plan (EC 32281).....	5
(A) Child Abuse Reporting Procedures (EC 35294.2 [a] [2]; PC 11166).....	5
(B) Disaster Procedures (EC 35295-35297; GC 8607 and 3100).....	8
(C) School Suspension, Expulsion and Mandatory Expulsion Guidelines	10
(D) Procedures to Notify Teachers of Dangerous Pupils (EC 49079).....	30
(E) Sexual Harassment Policies (EC 212.6 [b]).....	31
(F) School-wide Dress Code Relating to Gang-Related Apparel (EC 35183).....	34
(G) Procedure for Safe Ingress and Egress of Pupils, Parents, and Staff to and from School (EC 35294.2)	37
(H) A Safe and Orderly School Environment Conducive to Learning (EC 35294.2)	39
(I) School Discipline Rules and Consequences (EC 35291 and EC 35291.5)	41
(K) Hate Crime Reporting Procedures and Policies	41
(J) Procedures to Prepare for Active Shooters.....	43
Procedures for Preventing Acts of Bullying and Cyber-bullying.....	44
Emergency Contact Numbers	48
Safety Plan Review, Evaluation and Amendment Procedures	49
Encinal Junior/Senior High School Incident Command System	50
Incident Command Team Responsibilities.....	51
Types of Emergencies & Specific Procedures.....	58
Aircraft Crash	58
Animal Disturbance.....	58
Armed Assault on Campus	58
Biological or Chemical Release.....	58
Bomb Threat/ Threat Of violence	59
Disorderly Conduct	61
Earthquake	63
Explosion or Risk Of Explosion	63

Fire in Surrounding Area64

Fire on School Grounds64

Flooding66

Loss or Failure Of Utilities67

Motor Vehicle Crash67

Psychological Trauma.....67

Opioid Overdose68

Emergency Evacuation Map.....69

Comprehensive School Safety Plan Purpose

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

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

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

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

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

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

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

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

A copy of the Comprehensive School Safety Plan is available for review at Encinal Main Office: A-103.

Safety Plan Vision

The Alameda Unified School District is committed to providing a quality educational environment that is safe, secure, and peaceful. The primary goal of the District is to help each student develop to the maximum of his/her capacity and function as a responsible member of a democratic society. When parents, students and staff are aware of our mutual responsibilities to keep our community safe, we can effectively promote positive student participation in all of our schools.

The School Site Emergency Plan is designed for use as a school resource for prevention/mitigation, preparedness, response, and recovery planning and training as well as functioning as a template for meeting the requirements for the annual Safety Plan Process under Senate Bill 187, Education Code Section 35294, Statutes of 1998, and the National Incident Management System. It is designed to be a living document that is updated as necessary to meet site, District, and community needs, forms, and/or requirements—therefore, it should be maintained in hard copy and electronic form.

This document is NOT intended to be a “grab and go” guide in an actual emergency.

Components of the Comprehensive School Safety Plan (EC 32281)

Encinal Junior/Senior High School Safety Committee

Safety Team Roster

Tim Zolezzi - Lachelle Morris - Jenna Phillips - Josh Linville - Amy Dellefield - Cat Silverman

Assessment of School Safety

Assessment of Safety

There have been 25 cases of "Willful Use of Force" recorded this school year, of those cases, 8 were the result of a fight that happened in front of school on a single afternoon. There have been no recommendations for expulsion. Only one of the suspensions resulted in bodily injury that required medical attention and that altercation took place on the campus of Alameda High School.

There has been an increase in suspensions due to smoking. This is less the result of an increase in cases and more a result of a tougher stance of this particular infraction.

Our score on the "Perceived School Safety" has climbed for the last 4 school years, with 67% of students feeling very safe on campus. This trend of increased school safety is corroborated by a decrease in reported feelings of being the target of rumors, harassment, victimization, fear of being beaten up. No weapons have been found/confiscated on campus this school year.

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

Strategies and Programs to Maintain High Levels of Safety

We've held two all staff safety meetings (9/20/'23 & 10/18/'23) where we reviewed staff responsibilities for active shooter scenarios, natural disasters, and fire threats. Emergency response committees were established at this time. We have held 2 planned drills as of 10/25/'23; one Active Shooter and one Fire Drill. Our front office safety team debriefs after each drill to tighten up protocols and procedures. Our average evacuation time is still under 3 minutes.

All students have engaged in an ALICE (active shooter lesson) where students learned how to play a positive role in a potentially dangerous situation. We also have conducted a lesson about bystanders and upstanders, and how to support potential dangerous situations in a positive way. Students have also had lessons on each element of our PRIDE acronym, as well as formal lessons on the impact done by hate speech.

We have Narcan and Fentanyl test stripes on campus, and 7 staff members were just trained in the usage of epi-pens.

A detailed plan for our advisory and other safety and PBIS related interventions are highlighted in our Fall TFI self assessment rubric (attached).

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

Child Abuse Reporting Procedures

With concern for the total well-being of each student, employees of the district shall report known or suspected incidences of child abuse in accordance with state law and district regulations. Our employees cooperate with the child protective agencies responsible for reporting, investigating and prosecuting cases of child abuse.

A. Definition of Child Abuse

"Child Abuse," as defined by law, pursuant to Penal Code 273 and 11165, includes:

1. Physical abuse resulting in a non-accidental physical injury.
2. Physical neglect, including both severe and general neglect, resulting in negligent treatment or maltreatment of a child.
3. Sexual abuse including both sexual assault and sexual exploitation.
4. Emotional abuse and emotional deprivation including willful cruelty or unjustifiable punishment.
5. Severe corporal punishment.

B. Legal Duty to Report

Mandated child abuse reporting is governed by the Child Abuse and Neglect Reporting Act, P.C. 11164. The intent and purpose of the law is to protect children from abuse. The definition of a child is any person under 18 years of age.

Within the scope of his or her employment, any childcare custodian who has knowledge of, observes, or reasonably suspects a child is a victim of child abuse, shall report the known or suspected abuse to a child protective agency by telephone and written report. Additionally, any suspicion of mental suffering inflicted on a child where his or her well-being is endangered in any way, will also be reported.

"Mandated Reporters" are those people defined by law as "childcare custodians," "medical practitioners" and "non-medical practitioners" and include virtually all school employees.

(Penal Code 11165.7 and 11165.8) The following school personnel are required to report: teachers, administrators, supervisors of child welfare and attendance, certificated student personnel employees, employees of a child care programs, preschool teachers, school psychologists, licensed nurses, counselors, para-educators instructional aides or other classified employees trained in child abuse reporting. Employees do not need to have their employer's permission to make a child abuse report.

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

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

3. Employees will report known or suspected child abuse to a child protective agency by telephone immediately or as soon as practically possible and in writing within 36 hours. The reporting duties are individual and cannot be delegated to another individual.
4. When two or more persons who are required to report and both have knowledge of suspected child abuse, and when there is agreement among them, the telephone report may be made by any one of them who is selected by mutual agreement, and a single report may be made and signed by the person selected. However, if any person who knows or should know that the person designated to report failed to do so, that person then has a duty to make the report.
5. The duty to report child abuse is an individual duty and no supervisor or administrator may impede or inhibit such reporting duties. Furthermore, no person making such a report shall be subject to any sanction. Any supervisor or administrator in violation (Section 11166) is guilty of an infraction punishable by a fine not to exceed five thousand dollars (\$5000).

C. Legal Responsibility and Liability

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

2. Any mandated reporter who fails to report an incident of known reasonably suspected child abuse or neglect as required by this section is guilty of a misdemeanor punishable by up to six months confinement in a county jail or by fine of one thousand dollars (\$1000) or by both that fine and punishment. The mandated reporter may also be held civilly liable for damages of any injury to the child after a failure to report.

D. Reporting Procedures

The person who first observes or learns about the abuse is to complete the "Suspected Child Abuse Report" form (BCIA 8572) and call the Child Abuse Reporting phone number. Call our hotline now at 510-259-1800, available 24 hours a day, 7 days a week or if it is an emergency call:

OR Immediately telephone the appropriate law enforcement agency (based upon where the abuse is suspected to have occurred). Jurisdiction, as to whether the county or the city responds, is determined by where the abuse took place.

a. City: Call the Alameda Police Department (510) 337-8340

3. Employees are not required to identify themselves to their employer when they make a child abuse report. If an employee wishes to waive his/her confidentiality rights he/she may wish to make photocopies of the "Suspected Child Abuse Report" form (SS8572) and forward a copy to the principal and to the Executive Director of Student and Family Support Services.

E. Victim Interviews

Upon request, a child protective agency representative may interview a suspected victim of child abuse, during school hours and on school premises, concerning a report of suspected child abuse that occurred within the child's home. The child shall be given the choice of being interviewed in private or in the presence of any adult school employee or volunteer aide selected by the child. A staff member or volunteer aide selected by a child may decline to present at the interview. If the selected person accepts, the principal or designee shall inform him/her, before the interview takes place, of the following legal requirements:

1. The purpose of the selected person's presence at the interview is to lend support to the child and enable him/her to be as comfortable as possible.
2. The selected person shall not participate in the interview.
3. The selected person shall not discuss the facts or circumstances of the case with the child.
4. The selected person is subject to the confidentiality requirements of Article 2.5 (Penal Code 11165 et seq.), a violation of which is punishable as specified by 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)

F. Release of Child to Peace Officer or to a Child Protective Services Worker

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

G. Staff Training

The Principal or designee shall provide training in child abuse identification and reporting for all certificated personnel, instructional and teacher aides, teacher assistants, para-educators and other classified employees. (Penal Code 11165.7) All employees trained in child abuse identification and reporting shall be given, as a part of that training, written notice of the child abuse reporting requirements and the employees' confidentiality rights. (Penal Code 11165.7). The absence of training does not excuse a mandated reporter from the duties imposed by the penal code.

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

Disaster Plan (See Appendix C-F)

Purpose of the Plan

This response plan is designed to assist school staff, students, parents and local agencies organize resources of the school and community to respond to a crisis situation while school is in session. Regulatory Authority State laws and regulations require school districts develop emergency plans and train staff in emergency response procedures. These include laws applicable to school staff and students as well as Cal/OSHA regulations specifically addressing the safety of district employees. The Katz Act [California Education Code, §35295-35297] requires schools plan for earthquakes and other emergencies. It also requires training in earthquake preparedness procedures for both certificated and classified staff. The Petris Bill [Government Code, §8607] requires school districts be prepared to utilize the Standardized Emergency Management System (SEMS) when responding to emergencies. This requires that principles of SEMS are incorporated in District plans; that the Incident Command System (ICS) are used at school sites; that all school personnel are trained in how the respective systems work and correlate; and that schools have drills and exercises in order to practice using the systems. This plan is designed and structured to ensure compliance with the mandates of state law as well as with Cal/OSHA's Emergency Action Plan Standard Title 8, California Code of Regulations §3220. This regulation requires each employer facility have an Emergency Action Plan which focuses on specific emergency contingencies, response personnel roles, and evacuation plans of each employer's site where employees work. Schools and school districts are included in this mandate. School Site Emergency Preparedness and Response Coordination Each principal shall supervise the planning, operating and testing of their respective school's Emergency Preparedness and Crisis Response Plan. Each principal will also ensure that all school staff and students are familiar with the basic elements of the District's Emergency Operations Plan, which will be utilized at the district office in the event of a major emergency or district-wide disaster. The principal must ensure that the Incident Command System are utilized by all staff personnel in the event of an emergency incident and shall serve as the Incident Commander at all school crises or emergencies.

Campus and Facility Site Preparedness Duties

This school and the District have designated specific persons to assume emergency position responsibilities in the event of a site emergency or District-wide disaster. The following information provides a breakdown of these responsibilities:

All School Staff:

- Become familiar with the school's emergency and evacuation procedures.
- Participate in First Aid and CPR training, as appropriate.

Annually each principal shall:

- Designate Staff Incident Command Structure Assignments.
- Update this site Emergency Preparedness and Crisis Response Plan.
- Ensure personnel are properly trained in their respective assignments.
- Conduct survey of personnel to determine CPR/First Aid/Disaster Preparedness/Medical Training.
- Survey parents to determine who may wish to volunteer during an extended emergency or disaster.
- Ensure needs of students and staff with disabilities are provided for in the event of an emergency.
- Designate primary and alternate locations for command post, evacuation, first aid, student release, and morgue.
- See that parents are informed of the plan and its effect upon students.
- Compile/maintain list of local emergency agencies including telephone numbers and addresses.
- Practice building evacuation plans including testing of warning systems, alarm signals, and communications methods.
- With Maintenance and Operations, complete a site and building hazard survey.
- Ensure all emergency equipment and supplies are in usable condition at all times.

Teachers:

- Teachers are responsible for the supervision of students in their charge.
- Understand emergency response procedures.
- Have planned activities for use during disasters to lessen possible tension.

School Office Managers or Designee:

- Organize and maintain the emergency first aid supplies and distribute back-up supplies.
- Assist principal in developing procedures to protect essential records.

- Ensure battery-operated AM/FM radio is available in working condition; know the call number and frequency of disaster information station.
- Maintain an up-to-date list of students and staff who require life sustaining medication.

School Custodians or designee:

- Assist principal in planning control procedures for different types of building damage.
- Routinely check that battery-operated equipment is in working condition. Directions for the Instructional Staff During a Declared Emergency

Crisis Response

The primary goals of crisis response are to:

- Prevent a potentially chaotic situation from escalating into a catastrophic event.
- Help those affected to return, as quickly as possible, to a normal level of functioning.
- Decrease the potential long-term effects of the crisis.

Incident Command System (ICS)

The Incident Command System is an emergency response system used to manage an emergency incident at a specific facility or site. The ICS, as designated by the AUD, will be used by this school as the formal emergency response structure. This is in contrast to the Standardized Emergency Management System (SEMS) which is used to manage resources at a district-wide level.

Foundations of Crisis Response

The primary foundation for any emergency or crisis response system is to ensure, as much as is humanly possible, the application of the three C's at all times.

These three C's are:

- Control – Control is the cornerstone of every crisis/emergency response. In emergency response this is initiated and maintained through the effective use of the Incident Command System.
- Communication - Communication is essential to maintaining effective coordination of all response actions. Ongoing communication must be maintained between response persons, school staff, and the command team.
- Coordination - Coordination is essential to ensure that the most effective and appropriate response actions are used throughout a response operation. Proper utilization of the Incident Command System will ensure that all response operations are coordinated from a central point and that no response action is taken at cross purposes to any other.

Insert link to REMS packet here

Public Agency Use of School Buildings for Emergency Shelters

If the Superintendent declares a District emergency during the school day, the District has a clear statement of policy governing its actions.

Alameda Unified School District Policy is as follows:

IN CASE OF A DECLARED EMERGENCY BY THE SUPERINTENDENT DURING SCHOOL HOURS, ALL STUDENTS WILL BE REQUIRED TO REMAIN AT SCHOOL OR AN ALTERNATE, SAFE SITE UNDER THE SUPERVISION OF DISTRICT PERSONNEL:

1. Until regular dismissal time and then released only if it is considered safe, OR
 2. Until released to an adult authorized by the parent or legal guardian whose name appears on District records.
- a) If students are on their way to school they should proceed to school.
b) If students are on their way home from school they are to continue home.

3. To provide this supervision and care, Alameda Unified School District personnel will be utilized under Title 1, Division 4, Chapter 8 Government Code and other legal statutes. The statute states that all public employees are designated disaster service workers when an emergency is declared. The District Superintendent, or designee, has the legal authority to declare an emergency in this District. The authority also extends to Alameda County to declare an emergency and impress public employees into service as disaster service workers.

4. Alameda Unified School District encourages the utilization of a buddy system at District sites wherein staff responsibilities for specific emergency functions are assigned to pairs of employees who could, with approval of the Site Manager, carry on legally required supervision and care requirements while allowing emergency home visits to assure welfare of their own families.

(C) School Suspension, Expulsion and Mandatory Expulsion Guidelines

Definitions

Suspension from school means removal of a student from ongoing instruction for adjustment purposes.

The teacher of any class from which a student is suspended pursuant to Section 48910 shall require the student to complete any assignments and tests missed during the suspension. The school will monitor and address the educational needs of the student that arise due to the loss of instructional time. (Education Code 48913). However, suspension does not mean any of the following: (Education Code 48925)

- Reassignment to another education program or class at the same school where the student will receive continuing instruction for the length of day prescribed by the Governing Board for students of the same grade level.
- Referral to a certificated employee designated by the principal to advise students.
- Removal from the class, but without reassignment to another class or program, for the remainder of the class period without sending the student to the principal or designee as provided in Education Code 48910. Removal from a particular class shall not occur more than once every five school days.

Referral means removal from classroom instruction for discipline reasons.

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

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

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

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

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

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

The District database is the Aeries Student Information System.

Restorative Practices (RP) is a continuum of practices by which schools build community through circles and other activities, where students learn to use affective statements and the process where all stakeholders affected by an injustice have an opportunity to discuss how they have been affected by the injustice and to decide what should be done to repair the harm.

Positive Behavioral Interventions and Supports (PBIS) is a framework for providing a range of systemic and individualized strategies for achieving important academic and behavioral outcomes while preventing problem behaviors.

Social and Emotional Learning (SEL) is a process through which children and adults develop the fundamental skills for life effectiveness. The five SEL competencies are: self-awareness, self-management, social awareness, relationship skills, and responsible decision-making.

Multi Tiered System of Support (MTSS) is a way of organizing instruction and intervention to help all students. The goal of the multi-tiered framework is to provide high-quality instruction and supports based on student need. This framework helps educators by providing information (data) to identify students needing additional support (academic and behavioral) and also identify students who may need special education services. MTSS includes three levels (or tiers) of instruction. Each tier has a set of evidence-based practices to meet the instructional goals.

Tier 1

For MTSS, a school must first establish its Tier 1 or universal supports. Universal supports are the instructional practices that help all students in a school. Once the universal supports are in place, staff can use assessment data to determine which students need additional supports.

Tiers 2 and 3

The intensity and duration of supports increase for Tiers 2 and 3. The appropriate level of support for each student is determined by assessment data.

Grounds for Suspension and Expulsion

The following is a list of grounds for which suspension and expulsion may be permitted or shall be imposed subject to the

restrictions and requirements herein:

- Caused, attempted to cause, or threatened to cause physical injury to another person or willfully used force or violence upon another person, except in self-defense (Education Code 48900(a))
- A student who aids or abets the infliction or attempted infliction of physical injury on another person, as defined in Penal Code 31, may be suspended, but not expelled. However, such a student may be suspended or expelled pursuant to Education Code 48900(a) when he/she has been adjudged by a juvenile court to have committed, as an aider or abettor, a crime of physical violence in which the victim suffered great or serious bodily injury. (Education Code 48900(t))
- 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))
- 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))
- 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))
- Committed or attempted to commit robbery or extortion (Education Code 48900(e))
- Caused or attempted to cause damage to school property or private property (Education Code 48900(f))
- Stole or attempted to steal school property or private property (Education Code 48900(g))
- 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))
- Committed an obscene act or engaged in habitual profanity or vulgarity (Education Code 48900(i))
- Unlawfully possessed, offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Health and Safety Code 11014.5 (Education Code 48900(j))

As provided in California Education Code section 48900(k), no student enrolled in grades T-Kindergarten through third grade may be suspended or expelled for disrupting school activities or willfully defying the authority of school personnel ("disruption and willful defiance") and no student in TK-12 may be expelled for willful disruption or defiance.

Effective July 1, 2019, no student enrolled in grades T-Kindergarten through twelve (TK-12) grades may be suspended or expelled for disrupting school activities or willfully defying the authority of school personnel. The Board will review data regarding suspensions for defiance in Grades 4 through 12 in August 2019 and January 2020. If, based on review of the data, it appears further steps should be undertaken to meet the goal of eliminating suspensions for defiance by July 1, 2019, the Board will direct the Superintendent to implement such additional measures to achieve the goal of no suspensions for defiance by July 1, 2020.

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

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

- 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.

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 (items #20-22 below), that has any of the effects described above on a reasonable student.

Electronic act means the transmission of a communication, 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.

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))

- 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)

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

- 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)

- 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)

- 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)

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

- While on school grounds
- While going to or coming from school
- During the lunch period, whether on or off the school campus
- During, going to, or coming from a school-sponsored activity

Teacher-Initiated Suspensions Pursuant to Section 48910

The Board desires the adoption of a Multi-Tiered System of Support which includes Positive Behavior Intervention Supports to facilitate a consistent approach for positive, pro-social behavior management (BP 5144). The District expects teachers to attempt interventions prior to initiating a suspension pursuant to Section 48910 except where suspension for a first offense is permitted or mandated by law, as described on pp. 8-9 below.

When removing a student from his/her class pursuant to Section 48910, 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 removed. (Education Code 48910)

The site administrator or designee shall ensure that site staff completed the following:

- The teacher completed the Teacher-Initiated Pupil Suspension Report and, starting in the 2019-20 school year, the office referral form.
- The teacher contacted the parent/guardian to request their participation in a parent-teacher conference regarding the suspension within 24 hours. 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)
- The site administrator or designee reviewed the office referral form and completed the in-school suspension form if warranted.
- The site administrator or designee contacted parent/guardian regarding the suspension.
- The site administrator or designee recorded the classroom interventions and referral in the District database.

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

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

The teacher of any class from which a student is suspended pursuant to Section 48910 shall require the student to complete any assignments and tests missed during the suspension. The school will monitor and address the educational needs of the student that arise due to the loss of instructional time. (Education Code 48913)

When suspending a student in Grades TK-3 from class for committing an obscene act or engaging in habitual profanity or vulgarity, the teacher of the class may require any parent/guardian who lives with the student to attend a portion of the school day in the class from which the student is being suspended, to assist in resolving the classroom behavior problems. (Education Code 48900.1) The teacher of the class may also require any parent/guardian who lives with the student to attend a portion of the school day in the class to assist in resolving classroom behavior problems.

When suspending a student in Grades 4-12 from class for committing an obscene act or engaging in habitual profanity or vulgarity, disrupting school activities, or otherwise willfully defying valid staff authority, the teacher of the class may require any parent/guardian who lives with the student to attend a portion of the school day in the class from which the student is being suspended, to assist in resolving the classroom behavior problems. (Education Code 48900.1)

When suspending a student in any grade from class for committing an obscene act, engaging in habitual profanity or vulgarity, the teacher of the class may require any parent/guardian who lives with the student to attend a portion of the school day in the class from which the student is being suspended, to assist in resolving the classroom behavior problems. (Education Code 48900.1) The teacher of the class may also require any parent/guardian who lives with the student to attend a portion of the school day in the class to assist in resolving classroom behavior problems.

Teachers should reserve the option of required parental attendance for cases in which they have determined that it is the best strategy to promote positive interaction between the teacher and the student and his/her parents/guardians and to improve the student's behavior.

Any teacher requiring parental attendance pursuant to this policy shall apply the policy uniformly to all students within the classroom. (Education Code 48900.1)

When a teacher makes this request, the principal shall send the parent/guardian a written notice that the parent/guardian's attendance is requested pursuant to law. (Education Code 48900.1)

The notice shall specify that the attendance may be on either the date the student is scheduled to return to class or within one week thereafter.

This notice shall also:

- Inform the parent/guardian when his/her presence is expected and by what means he/she may arrange an alternate date
- Ask the parent/guardian to meet with the principal after the visit and before leaving school, as required by Education Code 48900.1

At the meeting with the student's parent/guardian, the principal or designee shall explain the district's and school's discipline policies, including the disciplinary strategies that may be used to achieve proper student conduct.

When a parent/guardian does not respond to the request to attend school, the principal or designee shall contact him/her by telephone, mail, or other method that maintains the confidentiality of the student's records.

District regulations shall include procedures for implementing parental attendance requirements. Parents/guardians shall be notified of this policy prior to its implementation. (Education Code 48900.1)

Suspensions by Superintendent, Principal, or Designee

The Board does not support a zero tolerance approach to discipline except where mandated by law. Schools may not adopt zero tolerance policies that conflict with District discipline policies. The Board desires that schools will adopt, engage, and implement positive approaches to addressing problem behavior prior to initiating the suspension of a student.

Suspension for a first time offense is limited to certain serious offenses (listed below in permissible and mandatory categories) or where it can be documented that the presence of a student causes a danger to persons.

Defiance

As provided in California Education Code section 48900(k), no student enrolled in grades T-Kindergarten through third grade may be suspended or expelled for disrupting school activities or willfully defying the authority of school personnel ("disruption and willful defiance") and no student regardless of grade may be expelled for willful defiance or disruption.

Effective July 1, 2019, no student enrolled in grades T-Kindergarten through twelve (TK-12) grades may be suspended or expelled for disrupting school activities or willfully defying the authority of school personnel. Suspension and expulsion shall not be imposed for a violation of Education Code section 48900(k), including disruption of school activities or willful defiance. The District expects schools to develop appropriate interventions, for example, behavioral plans, restorative circles, or SEL groups for students who engage in a pattern of defiant behavior.

Defiance is when a student continues to disobey a school official, teacher, or administrator after having been taught the rules and expectations of the school and the student displays behavior that directly interferes with the rights of others to learn.

The Board will review data regarding suspensions for defiance in Grades 4 through 12 in August and January. If, based on review of the data, it appears further steps should be undertaken to meet the goal of eliminating suspensions for defiance, the Board will direct the Superintendent to implement such additional measures to achieve the goal of no suspensions for defiance by July 1, 2020.

Discipline and Intervention Matrix for Administrators

Attached to this Administrative Regulation is the discipline and intervention matrix aligned to the District's Multi-Tiered System of Support framework that models a progressive and holistic approach to discipline. As provided in the Board Policy, each school is responsible for adopting strategies, programs, and interventions within this framework to facilitate a positive approach to behavior management. Even if suspension is appropriate, administrators must first consider whether other interventions should be used.

Except where suspension for a first offense is permitted or mandatory (as described above), in-school and out-of-school suspension and other sanctions that result in a student's loss of instruction shall only be imposed when the principal or designee has determined that other means of correction that are consistent with District policies and procedures have failed to bring about proper conduct. (Education Code 48900.5)

As described in AR 5144, interventions and other alternatives to suspension should be attempted and evaluated prior to referral from the classroom. In addition, the principal or designee shall document the other means of correction used and retain them in the student's record. (Education Code 48900.5)

The Principal or designee shall complete the suspension form and record the suspension in the District's database.

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

A student may be suspended from school for not more than 20 school days in any school year unless, for purposes of adjustment, the student enrolls in or is transferred to another regular school, an opportunity school, or continuation school or class, in which case suspension shall not exceed 30 days in any school year. However, this restriction on the number of days of suspension does not apply when the suspension is extended pending an expulsion. (Education Code 48903, 48911, 48912)

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)

Suspensions shall be initiated according to the following procedures:

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 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. 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)

Administrative Actions: All requests for student suspension are to be processed by the principal or designee. All suspensions shall be recorded in the District database. 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)

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

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

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

Parent/Guardian Conference: Whenever a student is suspended, school officials may meet 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)

Although the parent/guardian is required to respond without delay to a request for a conference about his/her child's behavior, 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 readmission solely because the parent/guardian failed to attend the conference. (Education Code 48911)

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 Principal may, in writing, extend the suspension until such time as the Board has made a decision. (Education Code 48911)

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

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

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

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.

The student shall be responsible for contacting the school to receive assignments to be completed during the period of the suspension. The school shall make available all assignments and tests that the student will miss while suspended.

Suspension by the Board

The Board may suspend a student for any of the acts listed in "Grounds for Suspension and Expulsion" above and within the limits specified in "Suspensions by Superintendent, Principal, or Designee" above. (Education Code 48912)

The Board may suspend a student enrolled in a continuation school or class for a period not longer than the remainder of the semester if any of the acts listed in "Grounds for Suspension and Expulsion" occurred. The suspension shall meet the requirements of Education Code 48915. (Education Code 48912.5)

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

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

Supervised Suspension Classroom

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 a supervised suspension classroom in a separate classroom, building, or site for the entire period of suspension. The following conditions shall apply: (Education Code 48911.1)

The supervised suspension classroom shall be staffed in accordance with law and by certificated employees.

The student shall have access to appropriate counseling services.

The supervised suspension classroom shall promote completion of schoolwork and tests missed by the student during the suspension.

The student shall be responsible for contacting his/her teacher(s) to receive assignments to be completed in the supervised suspension classroom except where otherwise set out in the student's Individualized Education Program (IEP) or Section 504 plan. 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.

The Principal or designee shall complete the in-school suspension form and record the suspension in the District's database.

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

Involuntary Transfer

The District may not involuntarily transfer a student in Grades TK- 3rd grade to another school based on a finding of disruption of school activities or willful defiance of the authority of school personnel (California Education Code section 48900(k)).

Effective July 1, 2019, the District may not involuntarily transfer a student to another school based on a finding of disruption of school activities or willful defiance of the authority of school personnel (California Education Code section 48900(k)).

Involuntary transfers may only occur following a recommendation for expulsion and after a hearing before the District's Disciplinary Hearing Panel (DHP) consistent with the requirements in Education Code section 48918 and the notice and hearing procedures set forth below for expulsions. In addition, an involuntary transfer to a continuation school must be made pursuant to Education Code section 48432.5.

Expulsions

The Board shall expel, as required by law, any student found to have committed any offense listed below under "Mandatory Recommendation and Mandatory Expulsion" (see page 13). (Education Code 48915)

For all other grounds listed under "Grounds for Suspension and Expulsion," the Board shall order a student expelled upon the recommendation of the Superintendent, principal, or designee only if the Board makes a finding of either or both of the following: (Education Code 48915(b) and (e))

- That other means of correction have repeatedly failed to bring about proper conduct
- 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

Authority to Expel

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

The Board shall expel, as required by law, any student found to have committed any offense listed below under "Mandatory Recommendation and Mandatory Expulsion." (Education Code 48915)

For all other grounds listed above under "Grounds for Suspension and Expulsion," the Board shall order a student expelled upon the recommendation of the Superintendent, principal, or designee, only if the Board makes a finding of either or both of the following: (Education Code 48915(b) and (e))

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

Recommendation for Expulsion Expected Unless It Is Not Appropriate or Alternative Means of Correction Would Address the Conduct

Unless the Superintendent, principal, or designee 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(a))

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

- Possession of any knife as defined in Education Code 48915(g), explosive, or other dangerous object of no reasonable use to the student
- 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
- Robbery or extortion
- 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)

Mandatory Recommendation and Mandatory Expulsion

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

Possessing, as verified by a district employee, selling, or otherwise furnishing a firearm.

Possession of an imitation firearm, as defined in Education Code 48900(m), shall not be regarded as an offense requiring a mandatory recommendation for expulsion and mandatory expulsion. However, an administrator shall have discretion on a case-by-case basis to recommend expulsion for the possession of an imitation firearm.

Brandishing a knife as defined in Education Code 48915(g) at another person

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

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

Possessing an explosive as defined in 18 USC 921

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

Student's Right to Expulsion Hearing

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 one of the acts listed above under "Grounds for Suspension and Expulsion." (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))

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)

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

Have up to two adult support persons of his/her choosing present at the hearing at the time he/she testifies

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)

The rights of a complaining witness are further outlined in Administrative Regulation 5145.7 (Sexual Harassment).

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))

- The date and place of the hearing.
- A statement of the specific facts, charges, and offense upon which the proposed expulsion is based.
- A copy of district disciplinary rules which relate to the alleged violation.
- 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).
- 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 advisor.

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

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

- The right to inspect and obtain copies of all documents to be used at the hearing.
- The opportunity to confront and question all witnesses who testify at the hearing.
- 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

At least 10 days prior to a hearing to determine if a student who is a foster youth as defined under Education Code 48853.5 should be expelled for an offense not requiring a mandatory recommendation for expulsion, the Superintendent or designee shall notify the student's attorney and a representative of an appropriate county child welfare agency. If the hearing is pursuant to an offense requiring a mandatory expulsion recommendation, the Superintendent or designee may provide the same notification. The notice shall be provided by the most cost-effective method possible, including by email or a telephone call. (Education Code 48918.1)

Conduct of Expulsion Hearing

Closed Session: Notwithstanding the provisions of Government Code 54953 and Education Code 35145, the Board shall conduct a hearing to consider the expulsion of the student in a session closed to the public unless the student requests in writing at least five days prior to the hearing that the hearing be a public meeting. If such a request is made, the meeting shall be public unless another student's privacy rights would be violated. (Education Code 48918(c))

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))

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))

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))

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" 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.

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)

- Any complaining witness shall be given five days' notice before being called to testify.
- Any complaining witness shall be entitled to have up to two adult support persons, including, but not limited to, a parent/guardian or legal counsel, present during his/her testimony.
- Before a complaining witness testifies, support persons shall be admonished that the hearing is confidential.
- The person presiding over the hearing may remove a support person whom he/she finds is disrupting the hearing.
- If one or both support persons are also witnesses, the hearing shall be conducted in accordance with Penal Code 868.5.

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.

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.

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

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.

The person conducting the hearing may:

- Arrange the seating within the hearing room so as to facilitate a less intimidating environment for the complaining witness
- 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
- Permit one of the support persons to accompany the complaining witness to the witness stand

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. Alternatively, the Board may appoint an impartial administrative panel composed of three or more certificated personnel, none of whom shall be members of the Board or on the staff of the school in which the student is enrolled. (Education Code 48918(d))

A hearing conducted by the hearing officer or administrative panel shall conform to the same procedures applicable to a hearing conducted by the Board as specified above in "Conduct of Expulsion Hearing," including the requirement to issue its 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 expulsion referral was made, unless the parent, guardian, or responsible adult of the pupil requests another school placement in writing. Before the placement decision is made by the parent, guardian, or responsible adult, the superintendent of schools or the superintendent's designee shall consult with school district personnel, including the pupil's teachers, and the parent, guardian, or responsible adult regarding any other school placement options for the pupil in addition to the option to return to his or her classroom instructional program from which the expulsion referral was made. If the hearing officer or administrative panel finds that the pupil committed any of the acts specified in subdivision (c) of Section 48915, but does not recommend expulsion, the pupil shall be immediately reinstated and may be referred to his or her prior school or another comprehensive school, or, pursuant to the procedures set forth in Section 48432.5, a continuation school of the school district. The decision not to 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 for a period of one year. (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, the final action to expel shall be taken by the Board at a public meeting. (Education Code 48918(j))

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

Upon ordering an expulsion, the Board shall set a date when the student shall be reviewed for readmission to a school within the district. For a student expelled for 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)

- Periodic review, as well as assessment at the time of review, for readmission
- 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:

- The specific offense committed by the student for any of the causes for suspension or expulsion listed above under "Grounds for Suspension and Expulsion" (Education Code 48900.8)
- The fact that a description of readmission procedures will be made available to the student and his/her parent/guardian (Education Code 48916)
- Notice of the right to appeal the expulsion to the County Board of Education (Education Code 48918)
- Notice of the alternative educational placement to be provided to the student during the time of expulsion (Education Code 48918)
- Notice of the student's or parent/guardian's obligation to inform any new district in which the student seeks to enroll of the student's status with the expelling district, pursuant to Education Code 48915.1 (Education Code 48918)

Decision Not to Enforce Expulsion Order

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

- The student's pattern of behavior
- 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:

- 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)
- During the period when enforcement of the expulsion order is suspended, the student shall be on probationary status. (Education Code 48917)
- The suspension of the enforcement of an expulsion order may be revoked by the Board if the student commits any of the acts listed under "Grounds for Suspension and Expulsion" above or violates any of the district's rules and regulations governing student conduct. (Education Code 48917)
- 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)

- 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)

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))

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)

Right to 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)

The student shall submit 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 furnishment 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)

Post-Expulsion Placements

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

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

When the placement described above is not available and when the County Superintendent so certifies, students expelled for acts described in items #6-13 and #20-22 under "Grounds for Suspension and Expulsion" 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

Readmission procedures shall be as follows:

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

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)

If the Board denies the readmission of a student, the Board shall determine either to continue the student's placement in the alternative educational program initially selected or to place the student in another program that serves expelled students, including placement in a county community school. (Education Code 48916)

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 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)

Outcome Data

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

- The number of students recommended for expulsion
- The specific grounds for each recommended expulsion
- Whether the student was subsequently expelled
- Whether the expulsion order was suspended
- The type of referral made after the expulsion
- The disposition of the student after the end of the expulsion period

Public Reporting of Discipline Data

The Superintendent or designee shall ensure that the following data is publicly available on the District's public website twice annually, within 60 days after the completion of each semester:

- The aggregate number and rates of office referrals, teacher suspensions, supervised in-school and out-of-school suspensions, involuntary transfers, expulsion referrals, expulsions, on-campus citations, school-based arrests, and four-year graduation and drop-out rates, disaggregated by all subgroups, including race, gender, ethnicity, English Language Learner status, socio-economic status, foster youth, homeless youth, and disability and by offense for the district and by school-site.
- The number of instructional days and ADA funding lost to suspensions, transfers, and expulsions.
- The school sites to which students were transferred after the Disciplinary Review Hearing procedure or through any involuntary transfer process, whether they enrolled subsequently, and the outcomes for such students, including, but not limited to, graduation and drop-out rates.

In reporting such data, the privacy of individual students and teachers shall be protected. Data will not be disaggregated in any manner that could reveal student identity to the public or to knowledgeable members of the school community. The data shall be reported for the district as a whole and for each school-site.

The procedures shall also include requirements that appropriate district and school officials regularly review this data and take action to address disparities or disproportionate use of punitive discipline measures for particular subgroups.

Expungement of Student Disciplinary Records

As provided in Board Policy 5144.3, a student, parent, guardian, appointed advocate on behalf of the student, or Superintendent on behalf of a student may apply for expungement of student disciplines record which meet the criteria set forth in BP 5144.3.

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

Notice Regarding Student Offenses

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

Acts That Are Grounds for Suspension or Expulsion

The Superintendent or designee shall inform the teacher(s) of each student who, during the previous three school years, has engaged in or is reasonably suspected to have engaged in any act, except the possession or use of tobacco products, that would constitute a ground for suspension or expulsion as specified in AR 5144.1 - Suspension and Expulsion/Due Process. This information shall be based upon district records maintained in the ordinary course of business or records received from a law enforcement agency. (Education Code 49079)

Upon receiving a transfer student's record regarding acts committed by the student that resulted in suspension or expulsion, the Superintendent or designee shall inform the student's teacher(s) that the student was suspended from school or expelled from the former district and of the act that resulted in the suspension or expulsion. (Education Code 48201)

Information received by teacher(s) shall be received in confidence for the limited purpose for which it was provided and shall not be further disseminated by the teacher. (Education Code 48201, 49079)

Offenses Reported to the District by a Court

When informed by a court that a minor student has been found by the court to have committed any felony or any misdemeanor involving curfew, gambling, alcohol, drugs, tobacco products, carrying of weapons, a sex offense listed in Penal Code 290, assault or battery, larceny, vandalism, or graffiti, the Superintendent or designee shall expeditiously notify the school principal. (Welfare and Institutions Code 827)

The principal shall expeditiously disseminate this information to any counselor who directly supervises or reports on the student's behavior or progress and to any teacher or administrator directly supervising or reporting on the student's behavior or progress whom the principal thinks may need the information in order to work with the student appropriately, avoid being needlessly vulnerable, or protect others from vulnerability. (Welfare and Institutions Code 827)

Any court-initiated information that a teacher, counselor, or administrator receives shall be kept confidential and used only to rehabilitate the student and protect other students and staff. The information shall be further disseminated only when communication with the student, parent/guardian, law enforcement staff, and probation officer is necessary to rehabilitate the student or to protect students and staff. (Welfare and Institutions Code 827)

When a student is removed from school as a result of an offense, the Superintendent shall hold the court's information in a separate confidential file until the student is returned to the district. If the student is returned to a different district, the Superintendent shall transmit the information provided by the student's parole or probation officer to the superintendent of the new district of attendance. (Welfare and Institutions Code 827)

Any confidential file of court-initiated information shall be kept until the student becomes 18, graduates from high school, or is released from juvenile court jurisdiction, whichever occurs first, and shall then be destroyed. (Welfare and Institutions Code 827)

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

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

Definitions

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, regardless of whether or not the conduct is motivated by sexual desire. Conduct is considered to be sexual harassment when made against another person of the same or opposite sex in the work or educational setting under any of the following conditions: (Education Code 212.5; Government Code 12940; 2 CCR 11034)

- Submission to the conduct is made explicitly or implicitly a term or condition of the individual's employment.
- Submission to or rejection of the conduct is used as the basis for an employment decision affecting the individual.
- The conduct has the purpose or effect of having a negative impact upon the individual's work performance or of creating an intimidating, hostile, or offensive work environment.
- 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. For purposes of applying the complaint procedures specified in Title IX of the Education Amendments of 1972, sexual harassment is defined as any of the following forms of conduct that occurs in an education program or activity in which a district school exercises substantial control over the context and respondent: (34 CFR 106.30, 106.44)
- A district employee conditioning the provision of a district aid, benefit, or service on the student's participation in unwelcome sexual conduct
- Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the district's education program or activity

Sexual assault, dating violence, domestic violence, or stalking as defined in 20 USC 1092 or 34 USC 12291

Examples of Sexual Harassment

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

- 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
- Unwelcome visual conduct such as drawings, pictures, graffiti, or gestures; sexually explicit emails; displaying sexually suggestive objects
- 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

Title IX Coordinator/Compliance Officer

The district designates the following individual(s) as the responsible employee(s) to coordinate its efforts to comply with Title IX of the Education Amendments of 1972 in accordance with AR 4119.12/4219.12/4319.12 - Title IX Sexual Harassment Complaint Procedures, as well as to oversee, investigate, and resolve sexual harassment complaints processed under AR 4030 - Nondiscrimination in Employment.

The Title IX Coordinator(s) may be contacted at:

Asst. Superintendent of Educational Services
2060 Challenger Drive
Alameda, CA 94501
(510) 337-7095
kzazo@alamedaunified.org

Training

Every two years, the Superintendent or designee shall ensure that supervisory employees receive at least two hours, and nonsupervisory employees receive at least one hour, of classroom or other effective interactive training and education regarding sexual harassment. All newly hired employees and employees promoted to a supervisory position 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)

Such training may be completed by employees individually or as part of a group presentation, may be completed in shorter segments as long as the applicable hourly requirement is met, and may be provided in conjunction with other training provided to the employees. The training shall be presented by trainers or educators with knowledge and expertise in the prevention of harassment, discrimination, and retaliation. (Government Code 12950.1)

The district's sexual harassment training and education program shall include, but is not limited to, the following: (Government Code 12950.1; 2 CCR 11024)

- Information and practical guidance regarding federal and state laws concerning the prohibition, prevention, and correction of sexual harassment
- The types of conduct that constitute sexual harassment
- Remedies available for victims in civil actions, and potential employer/individual exposure/liability
- Strategies to prevent harassment in the workplace

- Supervisors' obligation to report sexual harassment, discrimination, and retaliation of which they become aware
- 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
- The limited confidentiality of the complaint process
- Resources for victims of unlawful harassment, such as to whom they should report any alleged harassment
- Steps necessary to take appropriate remedial measures to correct harassing behavior, which includes the district's obligation to conduct an effective workplace investigation of a harassment complaint
- What to do if the supervisor is personally accused of harassment
- The essential elements of the district's anti-harassment policy, and how to use the policy if a harassment complaint is filed

Employees shall receive a copy of the district's sexual harassment policy and administrative regulations, which they shall read and acknowledge that they have received. Information, including practical examples, of harassment based on gender identity, gender expression, and sexual orientation. Prevention of abusive conduct, including a review of the definition and elements of abusive conduct pursuant to Government Code 12950.1, the negative effects that abusive conduct has on the victim and other in the workplace, the detrimental consequences of this conduct on employee productivity and morale, and that a single act does not constitute abusive conduct unless the act is severe or egregious.

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

The Superintendent or designee shall notify employees that the district does not discriminate on the basis of sex as required by Title IX, that the Title IX nondiscrimination requirement extends to employment, and that inquiries about the application of Title IX to the district may be referred to the district's Title IX Coordinator and/or to the Assistant Secretary for Civil Rights, U.S. Department of Education. (34 CFR 106.8)

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

A copy of the Board policy and this administrative regulation shall:

- 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 (Education Code 231.5)
- 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 (Education Code 231.5)
- Appear in any school or district publication that sets forth the school's or district's comprehensive rules, regulations, procedures, and standards of conduct (Education Code 231.5)
- Be posted, along with the name or title and contact information of the Title IX Coordinator, in a prominent location on the district's web site (34 CFR 106.8)

- Be included, along with the name or title and contact information of the Title IX Coordinator, in any handbook provided to employees or employee organizations (34 CFR 106.8)

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

- The illegality of sexual harassment
- The definition of sexual harassment under applicable state and federal law
- A description of sexual harassment, with examples
- The district's complaint process available to the employee
- The legal remedies and complaint process available through DFEH and the Equal Employment Opportunity Commission (EEOC)
- Directions on how to contact DFEH and the EEOC

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, the DFEH poster on discrimination in employment and the illegality of sexual harassment and the DFEH poster regarding transgender rights. (Government Code 12950)

Complaint Procedures

All complaints and allegations of sexual harassment by and against employees shall be investigated and resolved in accordance with law and district procedures. The Title IX Coordinator shall review the allegations to determine the applicable procedure for responding to the complaint. All complaints that meet the definition of sexual harassment under Title IX shall be investigated and resolved in accordance with AR 4119.12/4219.12/4319.12 - Title IX Sexual Harassment Complaint Procedures. Other sexual harassment complaints shall be investigated and resolved pursuant to AR 4030 - Nondiscrimination in Employment.

If sexual harassment is found following an investigation, the Title IX Coordinator, or designee in consultation with the Coordinator, shall take prompt action to stop the sexual harassment, prevent recurrence, and address any continuing effects.

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

Basic Principles:

All students are encouraged to dress in a manner that is comfortable and conducive to an active school day.

Students should be able to wear clothing without fear of or actual unnecessary discipline or body shaming.

The student dress code should serve to support all students to develop a body-positive self-image.

All items listed in the "must wear" and "may wear" categories below must meet these basic principles.

Students MUST Wear:

- Top
- Bottom
- Shoes

Clothing that covers specific body parts (genitals, buttocks, and areolae/nipples) with opaque material. Courses or specific class activities that include attire as part of the curriculum may include assignment-specific dress, but should not focus on covering students' bodies or promoting culturally-specific attire. Activity specific shoe requirements are permitted (Examples include but are not limited to physical education and shop class).

Students MAY Choose to Wear:

- Sun-protective clothing, including but not limited to hats, for outdoor use during the school day. (Education Code 35183.5)
- Hats, including religious headwear
- Hooded shirts/jackets (over head is allowed)*

Teachers may direct students to remove/adjust the position of hats/hoods over the head in class during the administration of a test/exam, to address headphone/earbud use issues, or to enable visual identification of a student's face. This does NOT apply to any headwear worn for religious reasons.

Students CANNOT Wear:

- Clothing that includes violent language or images
- Clothing that includes images or language depicting drugs or alcohol (or any illegal item or activity) or the use of same
- Clothing that includes hate speech, profanity, pornography
- Clothing that includes images or language that create a hostile or intimidating environment based on any protected class
- Visible underwear or bathing suits of similar design - Visible waistbands or straps on undergarments worn under other clothing are not a violation
- Helmets, hoods, or other headgear that obscures a student's identity (except as a religious observance).

A student's face must be clearly visible when taking their school photo for identification purposes. This may require the removal of a hood and/or hat. No grade of a student participating in a physical education class shall be adversely affected if the student does not wear standardized physical education apparel because of circumstances beyond the student's control. (Education Code 49066)

Training and Enforcement:

- All staff should be trained to understand the purpose/spirit of the code, the actual code, and how to enforce with the least impact on student learning and self-confidence.
- All staff must enforce the district dress code consistently, once it is adopted. All staff should not have discretion to vary the requirements in ways that lead to discriminatory enforcement.
- All staff should be trained and able to use student/body-positive language to explain the code and to address code violations.
- Enforcement should be consistent with a school's overall discipline plan. Failure to comply with the student dress code should be enforced consistently with comparable behavior and conduct violations, including access to a student advocate or ombudsperson and appeals process.

- Enforcement for students should be limited to safety and non-violence/non-discrimination and will not include messages based on body maturity.
- Violations should be treated as minor on the continuum of school rule violations.
- Students should never be removed from a classroom for a dress code violation unless they are violating the 'Students Cannot Wear' and 'Students MUST Wear' sections of the dress code. Loss of class time should be avoided or kept to a minimum.
- Students should never be forced to wear extra school clothing (that isn't their own) when they are in violation of the code. Students should be presented with a variety of options to rectify the situation. This could include but is not limited to: personal on-site clothing, school-offered clothing, and delivery of alternate clothing.
- Parents/guardians should never be called during the school day to bring alternative clothing for the student to wear for the remainder of the day unless by student request.
- No student should be disproportionately affected by dress code enforcement because of gender, race, body size, or body maturity.
- Students should not be shamed or required to display their body in front of others (students, parents, or staff) in school. "Shaming" includes but is not limited to kneeling or bending over to check attire fit, measuring/commenting on straps, skirt length, or cleavage, asking students to account for their attire in the classroom, and directing students to correct a dress code violation during instructional time.

Evaluation:

The Superintendent or designee shall annually review the effectiveness of this policy and determine, as appropriate, if any further review or revision is required.

Gang-Related Apparel

At individual schools that have a dress code prohibiting gang-related apparel at school or school activities, the principal, staff, and parents/guardians participating in the development of the school safety plan shall define "gang-related apparel" and shall limit this definition to apparel that reasonably could be determined to threaten the health and safety of the school environment if it were worn or displayed on a school campus. (Education Code 32282)

Because gang-related symbols are constantly changing, definitions of gang-related apparel shall be reviewed at least once each semester and updated whenever related information is received. As necessary, the school shall collaborate with law enforcement agencies to update definitions of gang-related apparel.

Uniforms

In schools that require a schoolwide uniform, the principal, staff, and parents/guardians of the school shall jointly select the specific uniform to be worn. (Education Code 35183)

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

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

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

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

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

EVACUATION PROCEDURES

EVACUATION ALARM SYSTEM

A crisis or emergency may warrant an evacuation of the school building(s). Once notified of an emergency situation, the Incident Commander, will carry out the initial response actions delineated in the Emergency Preparedness and Crisis Response Plan. In consultation with members of the Incident Command Team, the principal will determine whether an evacuation is warranted or is the safest action given the character of the emergency. Incident Command Team members will immediately assume their designated response duties as activated by the Incident Commander. The Disaster Response Officer will ensure, during the evacuation itself, that all evacuation assistance personnel are operative and performing their respective duties as assigned. When a decision is made to evacuate, the Assembly /Shelter and Care Team leader will immediately report to the assembly area and inspect the area for hazards. The Assembly /Shelter and Care Team leader will notify the Disaster Response Officer immediately if the area is safe. If not, the Assembly /Shelter and Care Team will advise that the evacuation be done to the alternate assembly location. This evacuation may be a partial evacuation of only portions of the building in a localized emergency [e.g., a small chemical spill] or it may be a general evacuation of all building. When an evacuation is ordered, students and staff will be notified according to the site's Preparedness and Crisis Response REMS packet. If deemed appropriate and safe, the school's fire alarm will sound in the event of a general building evacuation. If neither mechanical system is operable, the Incident Commander will utilize office, custodial or student personnel to notify classrooms of the need to evacuate.

COORDINATING THE EVACUATION

Upon receiving the order to evacuate, staff will assume their designated positions in the school. They will then monitor the evacuation procedures and assure that all persons have left the building. Staff are also responsible to ensure that all disabled persons in the building are assisted as necessary.

1. Take emergency backpack, and attendance information.
2. Teachers evacuate with current class. If evacuation occurs outside of a class period: Return to previous class
3. Upon exit lock door to indicate room is all clear and lock door. Keep unlocked if victim is inside.
4. Check with buddy teacher. Assist/evacuate both classes if needed.
5. If on prep or don't have a class: move to nearest evacuation area and assist
6. Check common areas while evacuating.
7. Evacuate to primary location via assigned route, adjust as needed.
8. At evacuation location, line up, and take attendance.
9. List missing students on Share 911
10. Stay with class unless you are released to assume other duties.
11. Release from drill will be PA announcement/bell
12. Communicate with your students and maintain control.

EVACUATION ASSEMBLY AREAS

When ordered to evacuate, students and staff will follow the evacuation route prescribed for their respective areas and exit the building in an orderly and controlled manner. Any volunteers or visitors to the classroom should be advised to go with the classroom to the assembly area. ALL students and staff must report to the assembly area and remain there until the Incident Command Team, via the Assembly/Shelter and Care Team, notifies them it is clear to return to the building. Under no circumstances are students to leave the area unless released by the teacher in strict accordance with the school's Student Release Procedures as outlined in the site's Preparedness and Crisis Response Cliff Notes. This will not be done unless it is authorized by the Incident Command Team. Teachers MUST take a head count of all persons under their care to ensure that all students, volunteers and visitors are present. This will be reported to the Assembly /Shelter and Care Team as outlined in the site's Preparedness and Crisis Response Cliff Notes.. If someone is deemed missing, the teacher is to immediately report this fact to the Assembly /Shelter and Care Team as outlined in the site's Preparedness and Crisis REMS packet.

ACCESS CONTROL PERSONNEL

Whenever an evacuation is called, the designated Security/Traffic response team (designated prior to an emergency) will automatically assume duties as traffic controllers to prevent unauthorized public vehicles or persons access to the school campus and building(s). They will function according to the duties delineation shown in the Emergency Preparedness and Crisis Response Plan.

STUDENT EARLY DISMISSAL AND EMERGENCY SCHOOL CLOSURE

During school hours, all students are considered under the care and supervision of school staff. In all circumstances, and especially in the event of emergency incidents or circumstances, the safety of the students and the school staff is of paramount importance. All actions taken shall bear in mind the safety and well-being of both students and school employees. Thus, in the event of a major emergency incident or disaster during school hours, school will not be dismissed without the expressed and clear authorization of the District Superintendent or a designee, and children will remain under the supervision of school authorities. Students will only be released from school and District responsibility in strict accordance with the procedures outlined in the District's Early Release Policy as described below. Parents/guardians or designated emergency contacts who come to the school to pick up students must properly identify themselves in order for their children to be released.

RELEASE OF STUDENTS FROM SCHOOL

AUSD and this school want to reunite parents with their children at the earliest time possible after an emergency situation or major disaster event. However, if it is not possible for parents to pick up their children or make arrangements for others to do so, students will be held at the school or other area until such time as they can be safely released. Each year the school will notify all parents of the procedure for reuniting parents with children in the event of an emergency at school. Parents are encouraged to print out and complete data confirmation each year and update their emergency contacts. In the event students are held at a school, they may be released only to the student's own parent(s) or a person authorized beforehand by the parent. As a part of annual registration, sites collect emergency contact information in AERIES. From AERIES, Emergency Cards shall be printed and used for this purpose. It is recommended sites print copies for teachers to have on hand in their emergency packs along with roll information. Office shall also print out the Emergency Student List or Emergency Cards and Parents or others must check with this school's Student Release team at the emergency Student Release Location prior to pick up of their children. Teachers will release students according to the procedure outlined under the Emergency Student Release Procedures described below.

EMERGENCY RELEASE PLAN PROCEDURES

Teachers will utilize the following procedures to properly release students from their care to a parent, legal guardian or person authorized in writing to pick up the student:

1. At time of emergency, students remain with their current classes. Teacher takes roll on an Accountability Form and await direction from Incident Commander via Student Release team.
2. Incident Command will communicate with district office for dismissal directive. Students will report to (first period or other) classes, upon Student Release team directive.
3. Students will be released only to authorized adults listed on the Emergency Card or Emergency Student List. Adults picking up students must sign Student Release Log and indicate destination. Unless otherwise directed by Incident Commander via Student Release officer, a runner takes message to teacher with name of student being released and name of adult picking up student. Teacher double-checks sign-out sheet, stamps/marks student and releases.
4. Students may go home with people listed on Emergency Card or Emergency Student List if parent can't be reached.
5. Periodically, as students are released, remaining students will be consolidated.
7. Teacher takes attendance after each consolidation, informs Assembly/Shelter and Care team as well as the Student Release team, and keeps all documentation.

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

Component:

Component I: The Social Climate, People, and Programs

Element:

Identify proposed changes to or the addition of curriculum, strategies and programs that ensure a safe and orderly environment.

Opportunity for Improvement:

Goal: Increase student understanding of school values via formal Advisory lessons and intentional community building.

Objectives	Action Steps	Resources	Lead Person	Evaluation
80% of students will report having a safe adult with whom they can connect on campus.	Creation of the Advisory class at the beginning of the day for each student.	Curriculum for advisory lessons being created by the PBIS Team.	Sara Rousseve & Melissa Sackett	Melissa Sackett and Admin Team
Students will have the knowledge, confidence and skills to be "upstanders" in potentially dangerous situation.	Students will receive a series 3 lessons in Advisory	Advisory Slides and supplemental materials.	Sara Rousseve & Zolezzi	PBIS/School Culture Committee
At least 70% of interviewed students can list all the expectations Yearly calendar is available that shows the expectations teaching for the year & included in PBIS manual Calendar available that shows when expectations are taught school-wide and in classrooms.	Expectations taught/retaught at least 4 times over year	Weekly Advisory slides created by the PBIS/School Culture Committee	Sara Rousseve	Periodic check of participation by monitoring the advisory slide doc history.
Decrease chronic absenteeism by 10%	Increased home communication; postcards, ineligibility notifications	Aeries & Schoolzilla attendance data	Tim Zolezzi	Data review at Attendance & Admin meetings

Component:

Component II: Physical Environment

Element:

Identify proposed changes to or the addition of strategies and programs that ensure a safe and orderly environment.

Opportunity for Improvement:

Goal: Increase safety on campus by tightening up our perimeter and increasing capacity to monitor.

Objectives	Action Steps	Resources	Lead Person	Evaluation
Increased campus safety	Mesh added to exterior gates	Mesh	Kirstin Snyder	MOF
Increased campus safety. Ability to investigate and follow through in discipline cases.	New camera system as of 2021. Two new cameras as of 2022. 4 more cameras added in 2023	New cameras.	Zolezzi & Snyder	Ongoing
Increased campus safety	Exterior doors locked at set times.	Gates & Campus Supervisors	Zolezzi & Campus Supervisors	Ongoing
Increased campus safety by adding a fence around the front of campus	Fence committee convened twice in 2023 to finalize plans. Fence construction will begin in 2024.	District Funds	MOF	MOF

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

Encinal Junior/Senior High School Student Conduct Code

ALAMEDA UNIFIED SCHOOL DISTRICT DISCIPLINE AND INTERVENTION PROTOCOL

Alameda Unified School District is committed to creating a safe and positive school culture in which all students feel included, supported, and respected. We want to help eliminate inequality in the use of punitive consequences and provide each child with excellent teachers who are equipped to promote academic and social emotional growth in all students. AUSD takes a positive approach to student behavior and the use of restorative practices to minimize the need for punitive consequences and maximize instructional time for every student. We recognize the importance of developing the social and emotional health of all youth and adults in our organization.

The following chart indicates the types of disciplinary action that may apply to each type of infraction. In each instance, an opportunity to teach appropriate behavior through the use of intervention, restorative practices and a corrective action is stated. Each situation or violation involving student conduct should be individualized and the least punitive action based on the violation should be taken. The administrator shall, however, determine whether a specific infraction warrants the corrective action described on the chart. Corrective action taken by the administrator shall take place after progressive discipline interventions by the school fail to bring about proper conduct. These corrective measures are intended to assist in teaching appropriateness and responsibility, while maintaining consistent student discipline on campus.

See Link to discipline matrix: <https://docs.google.com/document/d/1YyzYC48Eq5WsTycFdS35jhrGP4G3nALhYghgdznwzuQ/edit#>

Conduct Code Procedures

(K) Hate Crime Reporting Procedures and Policies

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

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

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

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

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

As necessary, the district shall provide counseling, guidance, and support to students who are victims of hate-motivated behavior and to students who exhibit such behavior.

When appropriate, students who engage in hate-motivated behavior shall be disciplined.

The Superintendent or designee shall provide staff with training that:

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

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

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

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

Complaints

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

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

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

(J) Procedures to Prepare for Active Shooters

When responding to a situation that requires our school to go into lockdown (this may include, but is not limited to, an active shooter in the building), the ALICE (Alert, Lockdown, Inform, Counter, Evacuate) protocol will be followed.

ALERT

Purpose: To use clear, concise language to indicate presence and location of active shooter or other harmful individual.

Indicate lockdown and the harmful presence and/or location of threat. For example, "LOCKDOWN, There is an active shooter in the Computer Lab," or "LOCKDOWN, an armed gunman is walking through the first floor long hallway."

Anyone can alert the school community to such a situation. Do not wait for or rely on Administration or the front office staff to make the announcement. If a staff or faculty member undoubtedly sees or is notified of a harmful individual inside the school building, he or she has the authority to alert the rest of the school community of a lockdown. Some ways to alert include: the PA system, Using the classroom phone to activate LOCKDOWN, yelling, using share 911. Faculty and staff must use any means available to them to alert the school community and to spread the word. This may be a team effort where a group of individuals work together to inform everyone. If the opportunity to escape presents itself, you should do so and report to the predetermined Rally Point.

LOCKDOWN

Purpose: To allow for an aggressive use of current technology and procedures.

A traditional lockdown procedure is the first best option when in a high-risk area (or near the harmful individual). If you do not know if you are in a high-risk area, assume you are high risk and proceed to lockdown. If remaining in lockdown remains the best option, all members of the school community should work together to protect themselves.

First, close and lock classroom doors. Use belt or backpack strap to secure door handle if possible.

Create a barricade between you and students in the classroom and the intruder on the outside; use desks, chairs, shelves, cabinets and other pieces of furniture to block entry and to provide more time for survival (have smaller items near at hand in event intruder enters the room)

Gather in the area furthest from the entry point to the room; greater distance means greater safety.

Taking attendance and maintaining order are not the priority.

INFORM

Purpose: To continually communicate the shooter's whereabouts using direct and clear language. (Use Share 911 and the PA system)

By communicating with the school community, all members can make well-informed judgment calls and can be aggressive in protecting themselves. Students, faculty and staff should use every opportunity to alert others and to communicate the whereabouts of the harmful individual.

The use of share 911, phones (school or cell), yelling, and PA system are encouraged to communicate the whereabouts and will keep the intruder off balance. Working together to make informed decisions will put the intruder at a disadvantage.

COUNTER

Purpose: To apply skills to distract, confuse and gain control.

Counter is an absolute last resort. If one finds himself in close proximity to the intruder (no chance to flee or safely get away), he should apply the following counter movements to increase chances of survival:

- Throw objects at the intruder
- Distract the intruder by noise and/or movement
- Run away in a zig zag pattern
- Swarm the intruder
- Flight or fight but do not freeze
- Turn chaos into an advantage
- Use body weight and gravity to gain control

EVACUATE

Purpose: To remove as many people as possible from the danger zone to minimize targets of opportunity.

If you know the intruder's whereabouts and you are not in a high-risk area, you should Evacuate to the school's Rally Point. Only people on the first floor should exit through the windows if necessary. People on the 2nd and 3rd floors should not evacuate through windows as this may cause harm and use the safest stairwell then exit the school to the Rally Point.

REUNIFICATION

Purpose: To reunify students with their parent/guardians in a safe location

Procedures for Preventing Acts of Bullying and Cyber-bullying

Definitions:

Bullying is an unwanted, aggressive behavior that involves a real or perceived imbalance of power between individuals with the intent to cause emotional or physical harm. Bullying can be physical, verbal, or social/relational and involves repetition or potential repetition of a deliberate act.

Cyberbullying includes the electronic creation or transmission of harassing communications, direct threats, or other harmful texts, sounds, or images. Cyberbullying also includes breaking into another person's electronic account or assuming that person's online identity in order to damage that person's reputation.

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

- Physical bullying that inflicts harm upon a person's body or possessions, such as hitting, kicking, pinching, spitting, tripping, pushing, taking or breaking someone's possessions, or making cruel or rude hand gestures
- Verbal bullying that includes saying or writing hurtful things, such as teasing, name-calling, inappropriate sexual comments, taunting, or threats to cause harm
- Social/relational bullying that harms a person's reputation or relationships, such as leaving a person out of an activity on purpose, influencing others not to be friends with someone, spreading rumors, or embarrassing someone in public
- Cyberbullying, such as sending demeaning or hateful text messages or emails, sending rumors by email or by posting on social networking sites, or posting embarrassing photos, videos, web site, or fake profiles

Measures to Prevent Bullying:

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

- Ensuring that each school establishes clear rules for student conduct and implements strategies to promote a positive, collaborative school climate
- Providing to students, through student handbooks and other age-appropriate means, information about district and school rules related to bullying, mechanisms available for reporting incidents or threats, and the consequences for engaging in bullying
- Encouraging students to notify school staff when they are being bullied or when they suspect that another student is being bullied, and providing means by which students may report threats or incidents confidentially and anonymously

- Conducting an assessment of bullying incidents at each school and, if necessary, increasing supervision and security in areas where bullying most often occurs, such as classrooms, playgrounds, hallways, restrooms, and cafeterias
- Annually notifying district employees that, pursuant to Education Code 234.1, any school staff who witnesses an act of bullying against a student has a responsibility to immediately intervene to stop the incident when it is safe to do so

Staff Development:

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

The Superintendent or designee shall provide training to teachers and other school staff to raise their awareness about the legal obligation of the district and its employees to prevent discrimination, harassment, intimidation, and bullying of district students. Such training shall be designed to provide staff with the skills to:

- Discuss the diversity of the student body and school community, including their varying immigration experiences
- Discuss bullying prevention strategies with students, and teach students to recognize the behavior and characteristics of bullying perpetrators and victims
- Identify the signs of bullying or harassing behavior
- Take immediate corrective action when bullying is observed
- Report incidents to the appropriate authorities, including law enforcement in instances of criminal behavior

Student Instruction:

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

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

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

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

Reporting and Filing of Complaints:

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

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

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

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

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

Discipline/Corrective Actions:

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

When appropriate based on the severity or pervasiveness of the bullying, the Superintendent or designee shall notify the parents/guardians of victims and perpetrators and may contact law enforcement.

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

(Education Code 48900.9)

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

Emergency Contact Numbers

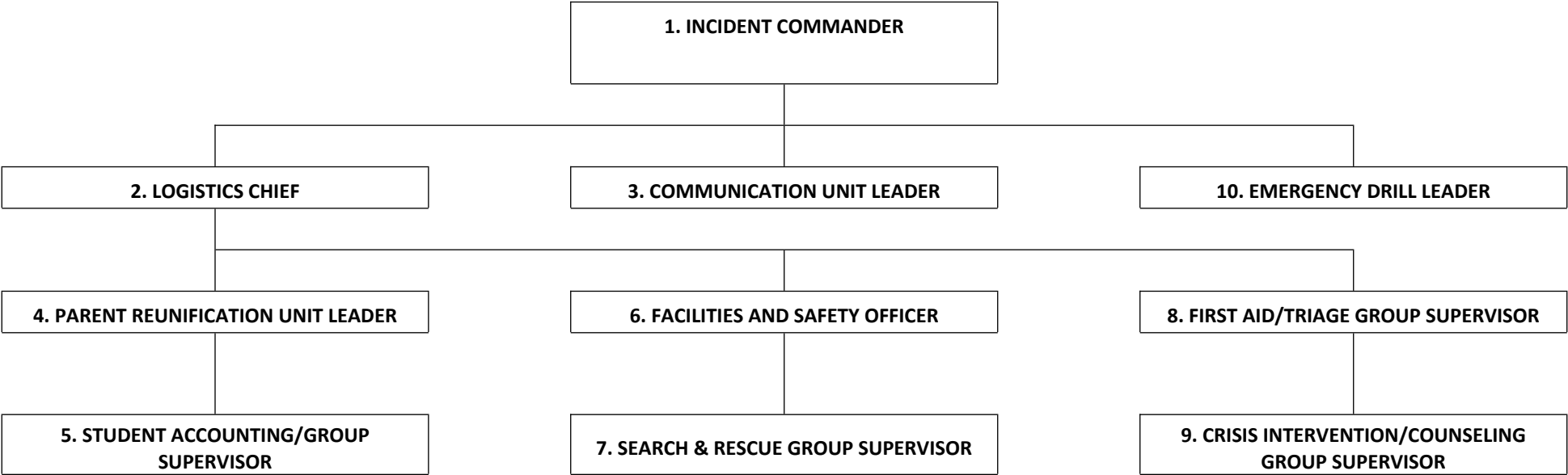
Utilities, Responders and Communication Resources

Type	Vendor	Number	Comments
City Services	City of Alameda	510-747-7400	
Other	County of Alameda	510-208-9770	
Law Enforcement/Fire/Paramedic	APD Non-Emergency	510-337-8340	
Law Enforcement/Fire/Paramedic	POLICE DEPARTMENT 911	911	
Other	Hazardous Materials Unit	510-567-6702	
Other	HEALTH DEPARTMENT - Alameda County	510-267-8000	
Local Hospitals	Alameda Hospital (Emergency Room)	510-522-3700	
American National Red Cross	RED CROSS	510-595-4400	

Safety Plan Review, Evaluation and Amendment Procedures

Activity Description (i.e. review steps, meetings conducted, approvals, etc)	Date and Time	Attached Document (description and location)
Faculty Meeting	9/20/23	Emergency response training with all staff
Safety Committee Meeting	9/22/23	Review of Safety Plan and procedures, roles and responsibilities, maps and evacuation routes
Faculty Meeting	10/4/23	Safety Committee share out
Safety Committee Meeting	11/29/23	Table top drill and training planning
Faculty Meeting	2/7/24	Review of REMS roles and responsibilities
Safety Committee Meeting	2/2/24	Update Safety plan with revisions
Public Hearing	3/7/24	Safety plan review with community
School Community Meeting	3/7/24	SSC approval of plan

Encinal Junior/Senior High School Incident Command System



Incident Command Team Responsibilities

Standardized Emergency Response Management System Overview

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

SITE ORGANIZATION DURING A DECLARED EMERGENCY COMMAND POST PERSONNEL AND DUTIES

If notified of a Declared Emergency from the Superintendent's Office, OR if the site suffers a severe disaster, the Site Manager shall immediately implement the plans and procedures in the Site Emergency Plan.

The Site Manager or Incident Commander shall:

- A. Activate alarm/Broadcast Alert on Share911 and PA to notify staff
- B. Activate Command Post and 2-way radio
- C. Activate Emergency Teams
- D. Assess total school situation
- E. Make initial site assessment report on Share911 to District Emergency Operations Center.
- F. Check to see that Site Emergency Teams are operating
- G. Assign messengers to needed areas
- H. Request help from 911 or Emergency Operations Center as required
- I. Secure information from Emergency Teams Update Site Status Reports - Report to the Emergency Operations Center
- J. Reassign team members to other duties as required when they finish initial assignment duties
- K. Personally address these items:
 - 1. Is campus secure?
 - 3. Are utilities off or secure?
 - 4. Are signs directing adults to release area up?
 - 5. Are traffic controllers needed?
 - 6. Is First Aid Center functioning?
 - 7. Have buildings been searched for victims?
 - 8. Is the student release program set up and operational?

Logistics Chief: The Site Office Manager shall:

- A. Report immediately to the Command Post with:

1. Master keys
2. Current roster of students and staff
3. Emergency forms and documents
4. Office supplies to assist unit leads

B. Assume responsibilities as directed by Site Manager

The Site Clerical Staff shall:

A. Team up with other personnel as a member of a Site Emergency Team, otherwise:

B. Report to the Site Command Post and assume responsibilities as directed by the Site Manager

The Attendance Clerk shall:

A. Keep a current file of all students release information from forms parents are required to fill out authorizing listed persons to pick up their children in case of a severe emergency. The Attendance Clerk will take these records to the Student Release Area in the Cafeteria and give them to the Student Release Team to use.

The Site Custodians shall:

A. Check the condition of the utilities and connecting pipes and lines and if necessary, turn them off.

B. Check the site completely for:

1. Fire and electrical hazards
2. Chemical hazards (Chlorine storage)
3. Other hazards

C. Notify Site Manager of hazards and services needed

D. Barricade hazardous areas using whatever materials handy

E. When site is secure, report to the Command Post for direction

F. Open emergency container and provide emergency sanitation areas if toilets are unavailable

Directions for the Instructional Staff During a Declared Emergency

Teachers and Para Professionals shall:

A. Respond immediately to emergency signals requiring specific actions and check in on Share911

B. If signal is one to Leave Building, know if signal is for:

1. Fire evacuation

2. Earthquake evacuation
3. Chemical spill evacuation

Evacuate Accordingly!

A. When leaving building:

1. Take emergency backpack
2. Require students to be silent in order to hear instructions
3. Close doors to classroom
4. Go directly to pre-assigned location

B. Check with nearby classrooms when evacuating. If there are seriously injured persons who cannot be moved, assign one teacher to remain and the other to evacuate the rest of the students. Report on Share911

C. Teachers shall provide First Aid to the best of their ability to students under their supervision until the emergency First Aid station is activated. Students with major injuries are to remain in the classroom supervised by a teacher or aide. Students with minor injuries are to be cared for after evacuation.

D. Upon reaching evacuation destination, teachers shall:

1. Take roll
2. List missing students on Share 911 and on paper
3. Give list to Assembly Area Team members
4. Calm students. Remind them of District policies about remaining at school
5. Monitor warmth and protection of students. Move if necessary

E. If assigned to a Site Emergency Team, transfer your students to paired teacher to supervise, report immediately to the Command Post for supplies and begin implementation of Team responsibilities.

USE REMS TO ESTABLISH YOUR EMERGENCY SITE TEAM

Note: Contact listing is intended to be shared with team members to enhance communication in the event of a critical incident. It is recommended that the Principal and Designee establish an intranet list server to further enhance communications. The personal information listed is intended for team members. Please type name and number under each assignment.

REMS Team Members Primary Contact/Cell number Secondary Contact/Cell number

Incident Commander: Tim Zolezzi

Establishes an Incident Command Center, lists incident objectives and designates the following positions to perform the following duties.

Logistics Chief: Jamilah Jones-McLean

Supports each unit leader with where to find the necessary tools to support the team fulfilling their duties.

Report immediately to the Command Post with:

- Master keys
- Current roster of students and staff
- Emergency forms and documents
- Office supplies to assist unit leads
- Computers and walkie talkies
- Assume responsibilities as directed by Site Manager

Communication Unit Leader: Blanca Cardenas

Works with the incident commander to communicate out important information to all supervisors and the public.

Report immediately to the Command Post with:

- Computer
- Office supplies

Parent Reunification Unit Leader: Vi Doan

Reunification refers to getting students reunited with their parents or guardians in an efficient and orderly manner. Reunification can be an enormous challenge and takes a lot of planning.

The Student Release Team is responsible for: Michelle Mason

- Setting up secure reunion area
- Checking student emergency cards for authorized releases
- Completing release logs
- Coordinating with the Public Information Office on external messages

Student Accounting/Group Supervisor: Ralph Nelson

Evacuation, shelter, and student care in an emergency is one of the most important tasks faced by schools. It includes student accounting, protection from weather, providing for sanitation needs, and providing for food and water and releasing of students to their guardians.

The Evacuation/Shelter/Care Team is responsible for:

- Accounting for the whereabouts of all students, staff, and volunteers
- Setting up secure assembly area
- Managing sheltering and sanitation operations
- Managing student feeding and hydration
- Coordinating with the Student Release Team
- Coordinating with the Logistics Section to secure the needed space and supplies

Search & Rescue Group Supervisor: Kevin Gorham

Search & Rescue Teams search the entire school facility, entering only after they have checked the outside for signs of structural damage and determined that it is safe to enter. Search & Rescue Teams are responsible for ensuring that all students and staff evacuate the building (or, if it is unsafe to move the persons, that their locations are documented so that professional responders can locate them easily and extricate them).

Search & Rescue Teams are also responsible for:

- Using Share 911 to identify where injuries may exist
- Obtaining injury and missing student reports from teachers
- Moving injured members from building if emergency responders are unable to do so
- Identifying and marking unsafe areas
- Conducting initial damage assessment

First Aid/Triage Group Supervisor: Frances Johnson

First Aid Teams provide triage and treatment for students and other disaster victims. First Aid Teams are responsible for setting up first aid area for students, assessing and treating injuries, and completing master injury report.

First Aid Teams are responsible for:

- Setting up a first aid area for students
- Assessing and treating injuries
- Completing master injury report

Note: The Logistics Section Medical Unit provides care to responders. The Operations Section First Aid Team is dedicated to students or other disaster victims.

Crisis Intervention/ Counseling Group Supervisor: Tiffany Meissan

The Crisis Intervention Team is responsible for assisting students and school personnel who are unable to cope with the fears and psychological trauma associated with emergencies and disasters.

This includes:

- Assessing need for onsite mental health support
- Determining need for outside agency assistance
- Providing onsite intervention/counseling
- Monitoring well-being of school emergency team, staff, and students, and reporting all findings to the Operations Section Chief

Facilities and Safety Officer: Greg Clayton

The Facilities & Security Response Team is responsible for:

- Locating all utilities and turning them off, if necessary
- Securing and isolating fire/HazMat
- Opening Emergency Trailer
- Assessing and notifying officials of fire/HazMat
- Conducting perimeter control

Emergency Drill Leader: Tim Zolezzi

The Emergency Drill Leader is responsible for:

- Training staff
- Coordinating and running all required drills
- Monitoring participations
- Reviewing after action reports
- Reporting to the incident commander

LIST SEARCH TEAM DUTY DESCRIPTIONS

EXAMPLE: If assignment is SEARCH TEAM:

Take heavy gloves, flashlight, hard hat and masking tape (no entry) from Emergency Backpack.

Leave Emergency Backpack and students with designated teacher (see previous page).

Report to INCIDENT COMMAND CENTER near gate in lower yard meet with search team partner(s).

Receive directions for search instructions from Search team supervisor.

LIST WHO WILL BE:

SEARCH TEAM #1 Search team will be delegated by Kevin Gorham

Team Members: Kate Werner - Jack Lane

LIST FIRST AID FUNCTION

EXAMPLE: Minimize injuries and loss of life: provide temporary care of injured students.

Set up desk at picnic tables behind multipurpose room (or if unsafe here, on blacktop near multipurpose room).
Organize supplies and treatment area.
Help with wounded.
Keep Check Out Station informed.
Request additional help (ambulances, etc.) through Check Out Station.
Look up emergency information if necessary.

LIST WHO WILL BE:

TREATMENT: Frances Kahuanui-Johnson

TRIAGE: Lori McDonald & Lachelle Morris

RECORDER: Amy Dellefield

List the things you will have to accomplish and assign to operations section or logistics section.

Examples:

Set up table, chairs and sign "Incident Command Center"

Set up operations table, logistics table.

Set up a first aid station

Put traffic cones in the street, blocking off access to the parking lot entry drive

Set up people to handle the check out of students. Display signs A-L, M-Z. Have emergency card information forms out.

Record finding of search teams

List any unaccounted for students and those in First Aid or in need of first aid.

Keep track of the walkie-talkies

Listen to radio

Use runners as necessary to retrieve information and students

Organize parent line-up and announce using bullhorn to parents that students have been evacuated

Assist in calming and organizing parents

Provide pen and paper for non-English speaking students to write their name

Communicate to District Personnel

INCIDENT COMMAND POST – Located

The Site Manager or designee is the final authority at each school. He/she must be available for all decisions, information and authority during the time the schools are isolated.

Therefore, the Site Manager and the Command Post should be housed in a central area, i.e., the front of the school, where the manager is available to radio, telephone, emergency equipment or personnel and parents.

The Command Post will begin to operate immediately after a disaster.

This is where the record keeping, communication, and major decision making will take place. The Site Manager or Incident commander will be here.

In addition, a separate Student Release Area will be established to coordinate the release of students to authorized adults. Student release area will be in the bike cage (if inaccessible at the end of the parking lot behind the second gate).

Emergency Release Information Forms are needed at the Release Area to document the release of all students.

While the Command Post is functioning, The First Aid and Search/Assessment Teams will carry out their functions and provide information to the Incident commander about the:

1. Condition of students
2. Condition of staff
3. Condition of facilities

Management

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

Planning & Intelligence

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

Operations

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

Logistics

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

Finance & Administration

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

Types of Emergencies & Specific Procedures

Aircraft Crash

FALLEN AIRCRAFT

DEFINITION/DESCRIPTION

If an aircraft falls near the school, the principal will determine which emergency action, if any, will be taken. Local fire and police departments will be responding also. All students and staff should be kept at a safe distance to protect them from possible explosions and/or fire.

IMMEDIATE ACTION

Principal

- Determine which Action, if any, should be implemented.
- Where necessary, tell teachers they may need to take immediate action for the safety of students without waiting for directions from the principal.
- Determine, if possible, whether the aircraft is military, commercial or private. Contact the local police to determine appropriate action and refer all members of the press to the Emergency Operations Center.

Principal's Secretary

- Respond to calls.
- Assist principal as needed.
- Refer all members of the press to the Emergency Operations Center.

Teachers

- Follow principal's direction as to appropriate Action.
- Depending on the nature of the accident you may need to take Action DROP or Action TAKE COVER to protect students from a possible explosion and/or fire.

FOLLOW UP ACTION

Principal

- Provide up-to-date information to staff and students as it becomes available and arrange school site meetings to make assignments and determine plans.
- Coordinate activities of the school site team.
- Maintain contact with Emergency Operations Center and Superintendent's office.
- Arrange after-school staff meetings to debrief and clarify events.

Teachers

- Read bulletins/announcements as provided by the principal.
- Refer all media to the principal's office.
- Cooperate with the school site team to provide follow-up as appropriate.
- Refer for counseling students who may be at risk.
- Return to normal instructional activities as soon as possible.

Animal Disturbance

If a rabid or vicious animal is at or in the vicinity of the school, the Animal Control Center should be notified immediately. Teachers shall be notified Shelter In Place. Students outside of the building will be quietly and cautiously sent into the nearest building and secured in a room behind closed doors. Notify the Superintendent's Office.

Armed Assault on Campus

Follow A.L.I.C.E Procedures

Biological or Chemical Release

CHEMICAL SPILL

1. An announcement will be made to either Shelter in Place or evacuate the building and gather in the Assembly Area, depending on the situation.
2. The announcement will be made by the P.A. system, or if this fails to operate, messenger will alert classes.
3. If the Assembly Area is not safe, students will be evacuated to Lincoln Park, depending on the area of the spill and direction of the wind.

CHEMICAL ACCIDENT

1. DEFINITION/DESCRIPTION

Chemical accidents of disaster magnitude would include tank truck accidents involving large quantities of toxic gases or toxic liquids. This type of accident will likely be reported by an outside source unless the accident has occurred immediately adjacent to the school site.

2. IMMEDIATE ACTION

Principal

- a) Receive information about/review situation to determine if evacuation routes are safe (move crosswind to avoid fumes).
- b) Determine which action should be implemented.
- c) Sound alarm for appropriate action.
- d) Notify/maintain contact with Superintendent/Emergency Operations Center.
- e) Determine what further action to take.

Teachers

- a) Implement appropriate action, using alternate evacuation route if required.
- b) Maintain control of students.
- c) Take roll. Report students who are absent.
- d) Notify principal of any problems in/around area
- e) Notify principal of need for first aid, as appropriate.

Custodian

- a) Review situation to assess extent of spill, wind direction and proximity to building.
- b) Report findings to principal.
- c) Be prepared to direct fire/police department to spill site.
- d) Assist in spill clean-up or containment, as appropriate.

3. FOLLOW UP ACTION

Principal

- a) Determine, in coordination with M.O.F./Fire Department, whether buildings are habitable.
- b) Notify staff/students of any modification in schedule.
- c) Work with Emergency Operations Center to publicize information regarding accident.
- d) Arrange school site meeting to provide information to staff.

Principal's Secretary

- a) Screen all calls. Refer public to Emergency Operations Center.
- b) Refer media to Emergency Operations Center.
- c) Prepare necessary bulletins.

Teachers

- a) Read bulletins/announcements as provided by principal.
- b) Refer all media to principal's office.
- c) Cooperate with school site team to provide follow-up, as appropriate.
- d) Refer for counseling students who may be at risk.
- e) Return to normal instructional activities as soon as possible.

Bomb Threat/ Threat Of violence

1. DEFINITION/DESCRIPTION

A bomb threat will typically be received in writing or by telephone call. Responses will generally be the same with the initial exception of a person receiving a telephone threat. A copy of the Bomb Threat Checklist should be readily available for every administrative phone responder.

2. IMMEDIATE ACTION – Telephone Threat

Person Receiving Call

- a) Keep the caller on the line. Delay the caller with such statements as: “I’m sorry, I did not understand you. What did you say?”
- b) Use Bomb Threat Checklist (see form at the end of this “Bomb Threat” section). Get as much information as possible from the caller.
- c) Immediately after caller hangs up, report all information to principal.

All Office Personnel

Immediately search your work area for foreign or suspicious objects or packages. If one is found, DO NOT TOUCH OR MOVE IT!!

IMMEDIATE ACTION – Written Threat

Person Receiving Written Message

Give the message to the principal immediately upon identification.

Principal

- a) Receive/review all information about bomb threat.
- b) Determine which action should be taken.
- c) Initiate non-electronic evacuation procedure; i.e. runner or bullhorn, since electronic warnings could activate any device, being sure all evacuation routes are clear.
- d) Notify Superintendent/Police/Fire Department.
- e) Direct search of office complex, evacuation site and classrooms.
- f) Determine what further action should be taken.

Teachers

- a) Implement appropriate action, using alternate evacuation route if required.
- b) Maintain control of students.
- c) Take roll. Report students who are absent.
- d) Notify principal of any problems in or around area.
- e) Hold students until designated evacuation area has been searched and declared safe, and then conduct students to the cleared area.

Teachers assigned to the designated evacuation area will remain with the pupils; personnel who are assigned to search teams will report to the principal for briefing.

If notification of a threat is received and immediate evacuation is not ordered, teachers will search their classrooms for any unidentifiable objects. If nothing is found, resume instruction until the evacuation order is received.

Custodians

- a) Under the direction of the principal, immediately proceed with a thorough search of designated evacuation area (or other area large enough to contain the students) to provide a safe place for students evacuated from the buildings.
- b) Search, as required, to determine that no explosive is hidden in a book, clothes locker or restroom.

3. FOLLOW UP ACTION

Principal

- a) Determine, in coordination with M.O.F. and Fire Department, whether buildings are habitable.
- b) Notify staff/students of any modification in schedule, via special bulletin or telephone tree.
- c) Work with Emergency Operations Center to put messages on TV, radio and telephone system regarding any modifications in schedule.
- d) Arrange school site meeting to discuss plan.

Principal’s Secretary

- a) Screen all calls. Refer calls to Emergency Operations Center.
- b) Prepare necessary bulletins.

Teachers

- a) Read bulletins/announcements as provided by principal.
- b) Refer all media to principal's office.
- c) Cooperate with school site team to provide follow-up as appropriate.
- d) Refer for counseling students who may be at risk.
- e) Return to normal instructional activities as soon as possible.

EXPLOSION OR THREAT OF EXPLOSION

1. DEFINITION/DESCRIPTION

An explosion at the school, or the threat of an explosion, may be caused by leaking gas or a faulty boiler within a school building.

2. IMMEDIATE ACTION – EXPLOSION

Principal

Sound the school alarm.

Notify the Superintendent or Assistant Superintendent.

Notify utility companies of a break or suspected break.

Notify fire and police departments and direct further action as required.

Notify teachers of proper action (DROP or LEAVE BUILDING).

Teachers

Command DROP is given. Instruct students to react in the same manner on their own to this type of catastrophe in case it occurs when the teacher is temporarily not present.

If the explosion occurred within the building, or threatened the building, immediately implement Action LEAVE BUILDING.

Move to an area of safety and maintain control of students.

Notify principal of students needing first aid as necessary.

Fight incipient fires without endangering life.

Take roll. Report absent students to principal.

Students and staff should not return to the school until Fire Department officials declare the area safe.

IMMEDIATE ACTION - THREAT OF EXPLOSION:

Principal

Sound the school fire alarm, or silent evacuation if electronic means could set off explosion. This will automatically implement Action LEAVE BUILDING.

Follow procedures for principal -- 'c' and 'd' above.

Teacher

Follow procedures for teachers -- 'c' through 'g' above.

Disorderly Conduct

CIVIL DISOBEDIENCE/MENACING INDIVIDUALS

1. DEFINITION/DESCRIPTION

Civil disobedience is defined as any assemblage on the school premises by unauthorized persons whose purpose and conduct is inimical to the orderly conduct of the school and the laws relating to the conduct of schools and the welfare of students.

WARNING: The presence of unauthorized individuals or an alert of an impending visitation. When this condition has been reported to the principal or authority in charge, he shall transmit the warning to all classes by the public address system. If the PA system is inoperable, a messenger will be sent to each classroom.

2. IMMEDIATE ACTION

The major plan of action will be to protect all personnel from undue exposure to danger. Every effort must be made to keep classes within their rooms. The following specific steps will be taken to implement the plan of action:

Principal or Designee

- a) Transmit a Shelter in Place alert to all staff members.

- b) Call the local law enforcement agencies to provide protection and to handle arrests.
- c) Make certain that a specific crime is committed before requesting arrests.
- d) School civil disobedience crimes involving arrest are listed in the Criminal Code Procedure and include the following:
 - 1. Disturbing the Peace
 - 2. Trespassing
 - 3. Loitering Around the School Grounds
- e) The principal should make an announcement to the demonstrators similar to the following:
 "I am the principal of this school. You are interfering with the orderly process of education in this school. I request that you leave. If you do not leave, I shall ask for your arrest. You are causing a disturbance."

Teachers

- a) Keep students within their locked classrooms until further notice, regardless of the bells and schedules.
- b) Lock classroom doors.
- c) Remain in charge of your class, utilizing the best judgment in occupying the students within the classroom.
- d) Precaution should be taken to protect personnel from flying glass in case of broken windows. Drapes, venetian blinds, or jalousies should be closed.
- e) Where there is evidence of a potential problem, all P.E. classes will immediately return to the locker rooms.

Custodians

Lock and secure all exterior doors.

3. FOLLOW UP ACTION

Principal

- a) Determine, in coordination with M.O.F., whether building(s) is/are habitable.
- b) Notify staff/students of any modification in schedule, via special bulletin or telephone tree.
- c) Work with Communications director to put messages regarding any modifications in schedule.
- d) Arrange school site meeting to discuss plan.

Principal's Secretary

- a) Screen all calls. Refer public to Director of Communications
- b) Refer media to Director of Communications
- c) Prepare necessary communication to community.

Teachers

- a) Read announcements as provided by principal.
- b) Refer all media to principal's office.
- c) Cooperate with school site team to provide follow-up, as appropriate.
- d) Refer for counseling students who may be at risk.
- e) Return to normal instructional activities as soon as possible.

Earthquake

Although the probability of an earthquake occurring is lower than most other emergency types, the potential for injuries and damage from one is high. It is essential that students and staff remain aware of the following basic actions:

This section removed from posted plan for security purposes. If you wish to see the full plan, contact the school principal for an appointment.

If an earthquake or other situation warrants, drop to the floor, take protective position under desks or furniture with backs to windows and hands covering head and face. Stay in position until directed to evacuate or take other protective action. If outside, move away from buildings and trees and take protective position. When situation permits, proceed to the designated assembly point. Standby: Alert students in your area to stand by for further information. Make whatever assessment of the situation is possible. Render emergency first aid as required. If inside, stay inside during ground shaking. In classrooms or offices, move away from windows, shelves and heavy objects or furniture that may fall. Take cover under a safe table, desk or counter. At the teacher's command, students should take the DROP position.

If a "shelter" (table, desk, etc.) is not available, move to an inside wall or corner, turn away from windows, kneel alongside wall, and bend head close to knees, with elbows firmly behind neck protecting face. If notebooks or jackets are handy, hold these overhead for added protection from flying glass and ceilings debris. Remain in sheltered position for at least 60 seconds or until directed to move by an adult. If in halls, on stairways, or other areas where no cover is available, students must follow the directions of the nearest teacher or school employee.

If in the library, immediately move away from windows and bookshelves and take appropriate cover. In the science lab or shops, all burners should be extinguished (if possible) before taking cover. Stay clear of hazardous chemicals that may spill. The duration of ground shaking depends on a number of factors, including the severity of the earthquake. Advise students to anticipate shorter or longer episodes of ground shaking during actual earthquakes and their aftershocks.

EARTHQUAKE HAZARDS COMMONLY FOUND IN SCHOOL BUILDINGS:

- Glass that shatters or flies around
- Objects stored above head-level on shelves, walls, and ceilings (such as unused projectors, books, science equipment, boxes)
- Objects that block movement to safe places (books on floors, tipped desks and bookcases)
- Cabinets without latches
- Objects stored on wheels
- Open shelving without a lip or restraining wire
- Free standing cabinets
- Blocked exits
- Objects in hallways that block movement (glass, tables, locker contents)

SETTLING DOWN AFTER THE FIRST SHOCK:

- After the first shock, teachers will evacuate the classrooms, being alert to the possibility of aftershocks.
- When leaving the classroom, teachers should make every effort to take with them the roll book and emergency supplies.
- Announce that no student is to return to the room unless directed to do so.
- Teachers will take classes to pre-arranged places on the campus.
- Teachers and students will remain in designated areas until re-entry to the building has been approved or they are directed to move elsewhere.
- School will remain open indefinitely until every student has been released to parents or to an authorized person.
- Do not light any fires after the earthquake because of possible gas leaks.
- If possible, notify utility companies of any break or suspected breaks in service.

THE GREAT SHAKEOUT EARTHQUAKE DRILLS

All AUSD schools are encouraged to participate in the annual Great ShakeOut Earthquake Drills. See <https://www.shakeout.org/index.html> for more information.

Explosion or Risk Of Explosion

EXPLOSION OR THREAT OF EXPLOSION

DEFINITION/DESCRIPTION

An explosion at the school, or the threat of an explosion, may be caused by leaking gas or a faulty boiler within a school building.

IMMEDIATE ACTION – EXPLOSION

Principal

- a) Sound the school alarm and report on Share911.
- b) Notify teachers of proper action (DROP or LEAVE BUILDING).

Teachers

- a) Command DROP is given. Instruct students to react in the same manner on their own to this type of catastrophe in case it occurs when the teacher is temporarily not present.
- b) If the explosion occurred within the building, or threatened the building, immediately implement Action LEAVE BUILDING.
- c) Move to an area of safety, and maintain control of students.
- d) Use Share911 to report students absent, found or needing first aid as necessary.
- e) Fight incipient fires without endangering life.
- g) Students and staff should not return to the school until Fire Department officials declare the area safe.

IMMEDIATE ACTION - THREAT OF EXPLOSION:

Principal

Sound the school fire alarm, or silent evacuation if electronic means could set off explosion. This will automatically implement Action LEAVE BUILDING.

Follow procedures for principal -- 'c' and 'd' above.

Teacher

Follow procedures for teachers -- 'c' through 'g' above.

Fire in Surrounding Area

Follow shelter in place procedures

Fire on School Grounds

DEFINITION/DESCRIPTION: A fire detected in or adjacent to any building at the school site.

IMMEDIATE ACTION

Principal or Site Safety Coordinator

- View fire or take report to determine that evacuation routes are safe.
- Notify teachers of alternate route if necessary.
- Sound school fire alarm and report on Share911.
- Determine what further action to take (i.e. send students/staff home).

Teachers

- Implement Action LEAVE BUILDING, using alternate route in necessary.
- Maintain control of students at a safe distance from the fire and fire fighting equipment.
- Take roll upon arrival at designated area. students.
- Remain with students in designated area until notified of next action.
- Notify principal of any hazards observed in/around area through Share911.
- Notify principal of need for first aid as appropriate through Share911.

Custodians

- View fire to identify location and extent.
- Report findings to principal.
- Fight incipient fire without endangering life.
- Be prepared to direct fire department to fire site.
- Shut off gas/water as appropriate.
- Shut off electricity after all necessary use of P.A. system is complete.

FOLLOW-UP ACTION

Principal

- Determine, in coordination with M.O.F. and Fire Department whether buildings) is/are habitable.
- Notify staff/students of any modification in schedule, via Share911 and special bulletin or telephone tree.
- Work with Director of Communications to put messages on TV, radio and communication system regarding any modifications in schedule
- Arrange school site meeting to discuss plan.

Principal's Secretary

- Screen all calls.
- Refer media to Director of Communication.
- Prepare necessary communications to community.

Teachers

- Read announcements as provided by principal.
- Refer all media to principal's office.
- Cooperate with school site team to provide follow-up as appropriate.
- Refer for counseling students who may be at risk.
- Return to normal instructional activities as soon as possible.

Flooding

DESCRIPTION/DEFINITION

There should be some thought and preparation for this eventuality should any sources around the school create flooding. Flooding may be the secondary effect of another disaster, such as an earthquake.

IMMEDIATE ACTION

Principal

- View flood or take report to determine that evacuation routes are safe.
- Broadcast Alert on Share911 and PA as appropriate.
- Determine what further action to take.

Teachers

- Implement appropriate Action in response to principal direction.
- Take roll upon arrival at evacuation area. Report absent students, needs for first aid and any hazards observed in/around area to principal through Share911.
- Maintain control of students at evacuation area.

Custodians

- View flood to identify location and extent.
- Report findings to principal.
- Be prepared to direct M.O.F./City to flood site/source.
- If flooding is result of school site damage, turn off water.

Follow up Plan

Principal

- Determine, in coordination with M.O.F. and Fire Department whether buildings) is/are habitable.
- Notify staff/students of any modification in schedule, via Share911 and special bulletin or telephone tree.
- Work with Director of Communications to put messages on TV, radio and communication system regarding any modifications in schedule
- Arrange school site meeting to discuss plan.

Principal's Secretary

- Screen all calls.
- Refer media to the Director of Communication.
- Prepare necessary communications to the community.

Teachers

- Read announcements as provided by the principal.
- Refer all media to the principal's office.
- Cooperate with the school site team to provide follow-up as appropriate.
- Refer for counseling students who may be at risk.
- Return to normal instructional activities as soon as possible.

Loss or Failure Of Utilities

UTILITIES LOSS OR FAILURE

CALL MOF - They will call the appropriate public works system based on the loss or failure.

LOSS OF ELECTRICAL POWER:

Consult Alameda Power

LOSS of GAS

PG&E

WATER EMERGENCY:

East Bay Municipal Utility District, colloquially referred to as "East Bay Mud

PHONE ISSUES:

Contact Technology Information Services to report phone issues.

ADDITIONAL INFORMATION:

Contact Maintenance, Operations & Facilities at extension if any utility will be off for an extended period of time.

Notify the superintendent of the situation.

If necessary, make appropriate arrangements with Maintenance and Operations for temporary communications, water delivery and portable rest rooms.

In the event of an extended outage, consult with the cafeteria manager. The cafeteria manager will consult with Food and Nutritional Services.

If an extended outage is likely, provide an update to keep parents/guardians informed.

Motor Vehicle Crash

Step1: Respond to the injured party and determine if first aid or CPR should be provided

Step 2: If 911 needs to be called have another person call while you deliver first aid or CPR

Step 3: Send another person to notify others and get any emergency equipment or information that would be helpful to the emergency

Step 4: When safe to do so, activate share 911 to communicate to staff if an ambulance is on its way

Step 5: Designate staff to the appropriate gate/entrance to help emergency services get in close proximity to injured party

Step 6: Staff are required to complete and turn in an Accident Report to administration for any injuries to any one on campus

Step 7: Accident forms need to be sent to the business office

Psychological Trauma

The sudden death, serious injury to a student or staff member either through natural causes, accidents or as the result of an act of violence, such as school shooting, missing students (known or suspected abduction), physical assault, sexual assault, non-natural or non-accidental causes or other unexpected events are, without question, a crisis. Responding to these kinds of crisis situations in a timely and effective manner is as critical as dealing with an earthquake or a fire.

1. Contact Student Services to request the District Crisis Intervention Team immediately following a serious injury, accident or death of a student or staff member.

2. Work with your school psychologist and or counselors to determine identification of short- and long-term interventions for students or staff traumatized by the event.
3. Work with the Superintendent's office to formulate a public statement.
4. Discuss the crisis in a factual manner in follow up meetings and/or communications.
5. Be sensitive to latent behavior problems that are trauma-related.

A general message will be prepared and whenever possible parents will be contacted first in order to be the first adults to provide the information and support their children. All staff will be debriefed and supported. Activities to best meet the needs of the community will be provided aimed at providing counseling, a way for all to process (writing, drawing, and sharing). Activities such as games, music and reading may be planned over a short period of time to reduce anxiety and work demands. Follow and close monitoring for students and staff to insure latent reactions and responses.

Opioid Overdose

Step (1) Call 911 An overdose is a medical emergency. It is important to have trained medical professionals assess the condition of the overdose victim. Even though Naloxone can reverse the overdose, there may be other health problems of which the responder may not be aware. In addition, people who survive any type of overdose are at risk of experiencing other health complications because of the overdose. Getting someone examined by a medical professional is an important part of reducing the harms associated with overdosing.

It is important for trained staff to remember that Naloxone only works if there are opioids involved with the overdose. It cannot reverse an overdose from benzodiazepines, meth, cocaine, or alcohol.

Step (2) Administer Naloxone (Narcan)

Open the Naloxone blister pack; do not push the plunger.

With the victim's head tilted slightly back, place two (2) fingers over the top of the medication with your thumb securing it from the bottom.

Insert the atomizer fully and gently into their nostril

Push the plunger forward with the thumb and deliver spray of medication. (There is no need to plug the opposing nostril).

Place the person to their side (recovery position).

If the individual is still not responding within two (2) minutes, give a second dose in the opposite nostril.

Follow Up

If the victim is a student, contact parent/guardian per school policy.

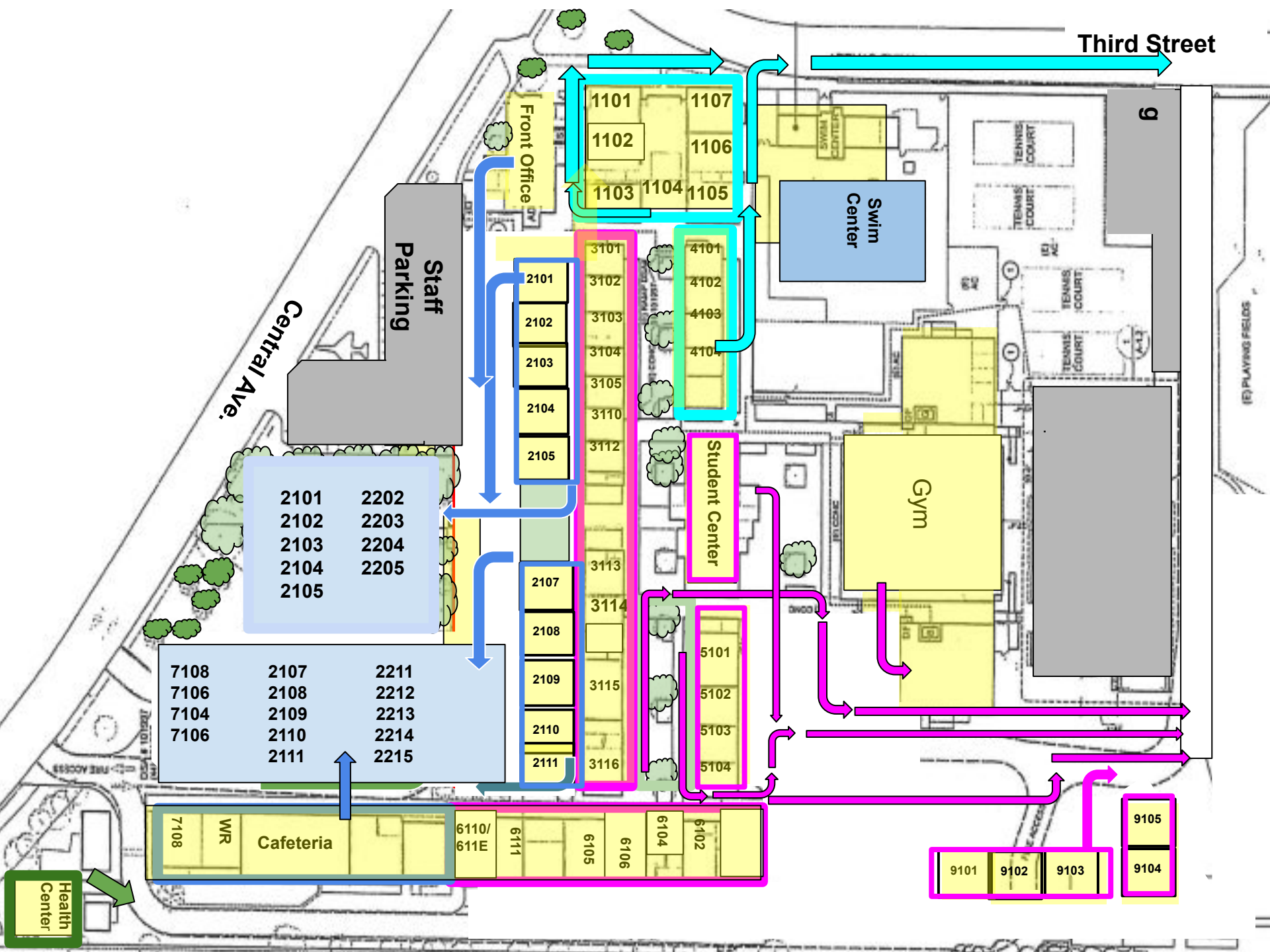
Complete an Accident/Injury Report

Facilitate a debriefing with responding staff

Consider a plan of care for the students' safe return to school

Emergency Evacuation Map

[See Attachments](#)



Comprehensive School Safety Plan

**2023-24
School Year**

School: Franklin Elementary School
CDS Code: 01611196090039
District: Alameda Unified School District
Address: 1433 San Antonio Ave.
Alameda, California 94501
Date of Adoption: 2/15/23
Date of Update: 3/4/2024
Date of Review:
- with Staff 9/11/2023
- with Law Enforcement
- with Fire Authority

Table of Contents

Comprehensive School Safety Plan Purpose.....	4
Safety Plan Vision.....	4
Components of the Comprehensive School Safety Plan (EC 32281).....	5
(A) Child Abuse Reporting Procedures (EC 35294.2 [a] [2]; PC 11166).....	6
(B) Disaster Procedures (EC 35295-35297; GC 8607 and 3100).....	8
(C) School Suspension, Expulsion and Mandatory Expulsion Guidelines	12
(D) Procedures to Notify Teachers of Dangerous Pupils (EC 49079).....	32
(E) Sexual Harassment Policies (EC 212.6 [b]).....	33
(F) School-wide Dress Code Relating to Gang-Related Apparel (EC 35183).....	36
(G) Procedure for Safe Ingress and Egress of Pupils, Parents, and Staff to and from School (EC 35294.2)	39
(H) A Safe and Orderly School Environment Conducive to Learning (EC 35294.2)	41
(I) School Discipline Rules and Consequences (EC 35291 and EC 35291.5)	44
(K) Hate Crime Reporting Procedures and Policies	46
(J) Procedures to Prepare for Active Shooters.....	48
Procedures for Preventing Acts of Bullying and Cyber-bullying.....	49
Emergency Contact Numbers	53
Safety Plan Review, Evaluation and Amendment Procedures	54
Franklin Elementary School Incident Command System	55
Incident Command Team Responsibilities.....	56
Types of Emergencies & Specific Procedures.....	63
Aircraft Crash	63
Animal Disturbance.....	63
Armed Assault on Campus	63
Biological or Chemical Release.....	64
Bomb Threat/ Threat Of violence	65
Disorderly Conduct	66
Earthquake	68
Explosion or Risk Of Explosion	68

Fire in Surrounding Area69

Fire on School Grounds69

Flooding70

Loss or Failure Of Utilities71

Motor Vehicle Crash72

Psychological Trauma.....72

Opioid Overdose72

Emergency Evacuation Map.....74

Comprehensive School Safety Plan Purpose

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

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

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

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

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

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

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

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

A copy of the Comprehensive School Safety Plan is available for review at the Franklin Elementary School Office.

Safety Plan Vision

The Alameda Unified School District is committed to providing a quality educational environment that is safe, secure, and peaceful. The primary goal of the District is to help each student develop to the maximum of his/her capacity and function as a responsible member of a democratic society. When parents, students and staff are aware of our mutual responsibilities to keep our community safe, we can effectively promote positive student participation in all of our schools.

The School Site Emergency Plan is designed for use as a school resource for prevention/mitigation, preparedness, response, and recovery planning and training as well as functioning as a template for meeting the requirements for the annual Safety Plan Process under Senate Bill 187, Education Code Section 35294, Statutes of 1998, and the National Incident Management System. It is designed to be a living document that is updated as necessary to meet site, District, and community needs, forms, and/or requirements—therefore, it should be maintained in hard copy and electronic form.

This document is NOT intended to be a “grab and go” guide in an actual emergency.

Components of the Comprehensive School Safety Plan (EC 32281)

Franklin Elementary School Safety Committee

Lynnette Chirrick, Principal

Tim Smith, Custodian

Hyunji Lee, Health Assistant

Martha Zenk, Intervention Lead

Erin Gilchrist-Brown, Office Manager

Assessment of School Safety

Current Status of School Crime: There has been no crime reported to law enforcement in the 2022-2023 school year, or to date in the 2023-2024 school year. Similarly, we have had no suspensions or expulsions in these past two years. In review of behavior referrals, there has been some minor vandalism, such as urinating on the bathroom floor, not criminal. Last year's Office Discipline referral rate was 6.4%. We are also addressing rough play, as according to minor behavior and office referrals, it results in larger conflicts. Another priority for us this year is incorporating kindness into our SOAR expectations - Safe, On-task, Accountable, Respectful. We find that as we have developed respect, the extra step of kindness is a next goal. Improving student attendance is a goal in our Single Plan for Student Achievement. To date in the 2023-2024 school year, we have 19.1% of students chronically absent. Last year in June it was 11.7%.

Our renewed commitment will be to continually monitor chronic absenteeism throughout the year, responding with compassion, support, and an inquiry based approach for identifying root causes and addressing each family's needs." The highest percentages of chronic absenteeism were in kindergarten and first grade in the 2022-2023 school year. We continue to have certain student populations with disproportionate amounts of chronic absenteeism. We believe by taking the measures indicated in our SPSA goal 2, we can take an individualized approach to lessening chronic absenteeism as a whole school and within student populations where there is disproportionality.

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

During August staff site PD staff engaged in circle using affective statements and questions to discuss PBIS. A site menu of Tier 1 interventions has been created and shared with teachers/PD provided; common practices exist across the site (ex. reflection forms). Tier 1 features (schoolwide expectations, routines, acknowledgements, in-class continuum of consequences, circles) are implemented within classrooms and consistent with school-wide systems. At least once a week, classroom teachers are conducting circles or class meetings/community-building. Teachers model affective language and active listening when responding to students. Behavior matrix clearly delineates when and how RP should be used to respond to problem behaviors, but will change to RP reflection forms. For those needing T2 and T3 supports, each student's support team meets at least monthly and uses data to modify the support plan to improve fidelity and/or impact on quality of life, behavior, or academics; COST meets and reviews and members consult individually with families and students.

For next steps, per our most recent TFI, we will be:

Monitoring implementation amongst our Recess Coaches in Restorative Conversations to respond to challenging behavior. Ms. Guha has trained the recess coaches (formerly Conflict Managers), and Mr. Brantley and Ms. Manalili has also worked on Restorative Conversation implementation.

Considering roles for students on our PBIS Team.

Mx. Martha will offer Restorative Practices Discussion sheets to staff.

Ms. Chirrick will agendaize RP follow up with staff.

Students participate in community-building circles, are taught how to have informal RP conversations or participate in repair circles

New system for entering minor discipline data in AERIES

Pre and Post intervention progress is reported to teachers in Aeries and parents in email (make standard form), consider inclusion of GEMS

COST team tracks the proportion of students experiencing success in T2 interventions and makes adjustments based on this data;

Team can show evidence of adjustments that have been made to interventions based on outcome data for academics - need formal for behavior

T3 team is in contact with outside agencies able to be included in support plans. Agency involvement is documented in support plans; next step AFS

August PD- Mx. Martha engaged staff in activity about connection/inclusion; Lynnette to schedule presentation by either School Psychologist or Behaviorist for a review of functions of behavior. Check-in's with individual students based on Wellness Survey Resources, and monitor overall results data for progress monitoring. Our School Site Council believes that communication surrounding events such as those described in this plan, should also be a part of response. Specific information about this will be a next step discussion with AUSD Communications Department.

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

Child Abuse Reporting Procedures

With concern for the total well-being of each student, employees of the district shall report known or suspected incidences of child abuse in accordance with state law and district regulations. Our employees cooperate with the child protective agencies responsible for reporting, investigating and prosecuting cases of child abuse.

A. Definition of Child Abuse

"Child Abuse," as defined by law, pursuant to Penal Code 273 and 11165, includes:

1. Physical abuse resulting in a non-accidental physical injury.
2. Physical neglect, including both severe and general neglect, resulting in negligent treatment or maltreatment of a child.
3. Sexual abuse including both sexual assault and sexual exploitation.
4. Emotional abuse and emotional deprivation including willful cruelty or unjustifiable punishment.
5. Severe corporal punishment.

B. Legal Duty to Report

Mandated child abuse reporting is governed by the Child Abuse and Neglect Reporting Act, P.C. 11164. The intent and purpose of the law is to protect children from abuse. The definition of a child is any person under 18 years of age.

Within the scope of his or her employment, any childcare custodian who has knowledge of, observes, or reasonably suspects a child is a victim of child abuse, shall report the known or suspected abuse to a child protective agency by telephone and written report. Additionally, any suspicion of mental suffering inflicted on a child where his or her well-being is endangered in any way, will also be reported.

"Mandated Reporters" are those people defined by law as "childcare custodians," "medical practitioners" and "non-medical practitioners" and include virtually all school employees.

(Penal Code 11165.7 and 11165.8) The following school personnel are required to report: teachers, administrators, supervisors of child welfare and attendance, certificated student personnel employees, employees of a child care programs, preschool teachers, school psychologists, licensed nurses, counselors, para-educators instructional aides or other classified employees trained in child abuse reporting. Employees do not need to have their employer's permission to make a child abuse report.

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

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

3. Employees will report known or suspected child abuse to a child protective agency by telephone immediately or as soon as practically possible and in writing within 36 hours. The reporting duties are individual and cannot be delegated to another individual.
4. When two or more persons who are required to report and both have knowledge of suspected child abuse, and when there is agreement among them, the telephone report may be made by any one of them who is selected by mutual agreement, and a single report may be made and signed by the person selected. However, if any person who knows or should know that the person designated to report failed to do so, that person then has a duty to make the report.
5. The duty to report child abuse is an individual duty and no supervisor or administrator may impede or inhibit such reporting duties. Furthermore, no person making such a report shall be subject to any sanction. Any supervisor or administrator in violation (Section 11166) is guilty of an infraction punishable by a fine not to exceed five thousand dollars (\$5000).

C. Legal Responsibility and Liability

1. Mandated reporters have absolute immunity. School employees required to report are not civilly or criminally liable for filing a required or authorized report of known or suspected child abuse.
2. Any mandated reporter who fails to report an incident of known reasonably suspected child abuse or neglect as required by this section is guilty of a misdemeanor punishable by up to six months confinement in a county jail or by fine of one thousand dollars (\$1000) or by both that fine and punishment. The mandated reporter may also be held civilly liable for damages of any injury to the child after a failure to report.

D. Reporting Procedures

The person who first observes or learns about the abuse is to complete the "Suspected Child Abuse Report" form (BCIA 8572) and call the Child Abuse Reporting phone number Call our hotline now at 510-259-1800, available 24 hours a day, 7 days a week or if it is an emergency call:

OR Immediately telephone the appropriate law enforcement agency (based upon where the abuse is suspected to have occurred). Jurisdiction, as to whether the county or the city responds, is determined by where the abuse took place.

a. City: Call the Alameda Police Department (510) 337-8340

3. Employees are not required to identify themselves to their employer when they make a child abuse report. If an employee wishes to waive his/her confidentiality rights he/she may wish to make photocopies of the "Suspected Child Abuse Report" form (SS8572) and forward a copy to the principal and to the Executive Director of Student and Family Support Services.

E. Victim Interviews

Upon request, a child protective agency representative may interview a suspected victim of child abuse, during school hours and on school premises, concerning a report of suspected child abuse that occurred within the child's home. The child shall be given the choice of being interviewed in private or in the presence of any adult school employee or volunteer aide selected by the child. A staff member or volunteer aide selected by a child may decline to present at the interview. If the selected person accepts, the principal or designee shall inform him/her, before the interview takes place, of the following legal requirements:

1. The purpose of the selected person's presence at the interview is to lend support to the child and enable him/her to be as comfortable as possible.
2. The selected person shall not participate in the interview.
3. The selected person shall not discuss the facts or circumstances of the case with the child.
4. The selected person is subject to the confidentiality requirements of Article 2.5 (Penal Code 11165 et seq.), a violation of which is punishable as specified by 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)

F. Release of Child to Peace Officer or to a Child Protective Services Worker

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

G. Staff Training

The Principal or designee shall provide training in child abuse identification and reporting for all certificated personnel, instructional and teacher aides, teacher assistants, para-educators and other classified employees. (Penal Code 11165.7) All employees trained in child abuse identification and reporting shall be given, as a part of that training, written notice of the child abuse reporting requirements and the employees' confidentiality rights. (Penal Code 11165.7). The absence of training does not excuse a mandated reporter from the duties imposed by the penal code.

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

Disaster Plan (See Appendix C-F)

Purpose of the Plan

This response plan is designed to assist school staff, students, parents and local agencies organize resources of the school and community to respond to a crisis situation while school is in session. Regulatory Authority State laws and regulations require school districts develop emergency plans and train staff in emergency response procedures. These include laws applicable to school staff and students as well as Cal/OSHA regulations specifically addressing the safety of district employees. The Katz Act [California Education Code, §35295-35297] requires schools plan for earthquakes and other emergencies. It also requires training in earthquake preparedness procedures for both certificated and classified staff. The Petris Bill [Government Code, §8607] requires school districts be prepared to utilize the Standardized Emergency Management System (SEMS) when responding to emergencies. This requires that principles of SEMS are incorporated in District plans; that the Incident Command System (ICS) are used at school sites; that all school personnel are trained in how the respective systems work and correlate; and that schools have drills and exercises in order to practice using the systems. This plan is designed and structured to ensure compliance with the mandates of state law as well as with Cal/OSHA's Emergency Action Plan Standard Title 8, California Code of Regulations §3220. This regulation requires each employer facility have an Emergency Action Plan which focuses on specific emergency contingencies, response personnel roles, and evacuation plans of each employer's site where employees work. Schools and school districts are included in this mandate. School Site Emergency Preparedness and Response Coordination Each principal shall supervise the planning, operating and testing of their respective school's Emergency Preparedness and Crisis Response Plan. Each principal will also ensure that all school staff and students are familiar with the basic elements of the District's Emergency Operations Plan, which will be utilized at the district office in the event of a major emergency or district-wide disaster. The principal must ensure that the Incident Command System are utilized by all staff personnel in the event of an emergency incident and shall serve as the Incident Commander at all school crises or emergencies.

Campus and Facility Site Preparedness Duties

This school and the District have designated specific persons to assume emergency position responsibilities in the event of a site emergency or District-wide disaster. The following information provides a breakdown of these responsibilities:

All School Staff:

- Become familiar with the school's emergency and evacuation procedures.
- Participate in First Aid and CPR training, as appropriate.

Annually each principal shall:

- Designate Staff Incident Command Structure Assignments.
- Update this site Emergency Preparedness and Crisis Response Plan.
- Ensure personnel are properly trained in their respective assignments.
- Conduct survey of personnel to determine CPR/First Aid/Disaster Preparedness/Medical Training.
- Survey parents to determine who may wish to volunteer during an extended emergency or disaster.
- Ensure needs of students and staff with disabilities are provided for in the event of an emergency.
- Designate primary and alternate locations for command post, evacuation, first aid, student release, and morgue.
- See that parents are informed of the plan and its effect upon students.
- Compile/maintain list of local emergency agencies including telephone numbers and addresses.
- Practice building evacuation plans including testing of warning systems, alarm signals, and communications methods.
- With Maintenance and Operations, complete a site and building hazard survey.
- Ensure all emergency equipment and supplies are in usable condition at all times.

Teachers:

- Teachers are responsible for the supervision of students in their charge.
- Understand emergency response procedures.
- Have planned activities for use during disasters to lessen possible tension.

School Office Managers or Designee:

- Organize and maintain the emergency first aid supplies and distribute back-up supplies.
- Assist principal in developing procedures to protect essential records.
- Ensure battery-operated AM/FM radio is available in working condition; know the call number and frequency of disaster information station.
- Maintain an up-to-date list of students and staff who require life sustaining medication.

School Custodians or designee:

- Assist principal in planning control procedures for different types of building damage.
 - Routinely check that battery-operated equipment is in working condition.
- Directions for the Instructional Staff During a Declared Emergency

Crisis Response

The primary goals of crisis response are to:

- Prevent a potentially chaotic situation from escalating into a catastrophic event.
- Help those affected to return, as quickly as possible, to a normal level of functioning.
- Decrease the potential long-term effects of the crisis.

Incident Command System (ICS)

The Incident Command System is an emergency response system used to manage an emergency incident at a specific facility or site. The ICS, as designated by the AUSD, will be used by this school as the formal emergency response structure. This is in contrast to the Standardized Emergency Management System (SEMS) which is used to manage resources at a district-wide level.

Foundations of Crisis Response

The primary foundation for any emergency or crisis response system is to ensure, as much as is humanly possible, the application of the three C's at all times.

These three C's are:

- Control – Control is the cornerstone of every crisis/emergency response. In emergency response this is initiated and maintained through the effective use of the Incident Command System.
- Communication - Communication is essential to maintaining effective coordination of all response actions. Ongoing communication must be maintained between response persons, school staff, and the command team.
- Coordination - Coordination is essential to ensure that the most effective and appropriate response actions are used throughout a response operation. Proper utilization of the Incident Command System will ensure that all response operations are coordinated from a central point and that no response action is taken at cross purposes to any other.

Franklin REMS Packet:

https://docs.google.com/document/d/1jQJWMTMWScZ6DRh_Oz7te0KMoPcTpNOhceO8Hj6a3BrQ/edit?usp=sharing

Public Agency Use of School Buildings for Emergency Shelters

If the Superintendent declares a District emergency during the school day, the District has a clear statement of policy governing its actions.

Alameda Unified School District Policy is as follows:

IN CASE OF A DECLARED EMERGENCY BY THE SUPERINTENDENT DURING SCHOOL HOURS, ALL STUDENTS WILL BE REQUIRED TO REMAIN AT SCHOOL OR AN ALTERNATE, SAFE SITE UNDER THE SUPERVISION OF DISTRICT PERSONNEL:

1. Until regular dismissal time and then released only if it is considered safe, OR
2. Until released to an adult authorized by the parent or legal guardian whose name appears on District records.
 - a) If students are on their way to school they should proceed to school.
 - b) If students are on their way home from school they are to continue home.
3. To provide this supervision and care, Alameda Unified School District personnel will be utilized under Title 1, Division 4, Chapter 8 Government Code and other legal statutes. The statute states that all public employees are designated disaster service workers when an emergency is declared. The District Superintendent, or designee, has the legal authority to declare an emergency in this District. The authority also extends to Alameda County to declare an emergency and impress public employees into service as disaster service workers.
4. Alameda Unified School District encourages the utilization of a buddy system at District sites wherein staff responsibilities for specific emergency functions are assigned to pairs of employees who could, with approval of the Site Manager, carry on legally required supervision and care requirements while allowing emergency home visits to assure welfare of their own families.

(C) School Suspension, Expulsion and Mandatory Expulsion Guidelines

Definitions

Suspension from school means removal of a student from ongoing instruction for adjustment purposes.

The teacher of any class from which a student is suspended pursuant to Section 48910 shall require the student to complete any assignments and tests missed during the suspension. The school will monitor and address the educational needs of the student that arise due to the loss of instructional time. (Education Code 48913). However, suspension does not mean any of the following: (Education Code 48925)

- Reassignment to another education program or class at the same school where the student will receive continuing instruction for the length of day prescribed by the Governing Board for students of the same grade level.
- Referral to a certificated employee designated by the principal to advise students.
- Removal from the class, but without reassignment to another class or program, for the remainder of the class period without sending the student to the principal or designee as provided in Education Code 48910. Removal from a particular class shall not occur more than once every five school days.

Referral means removal from classroom instruction for discipline reasons.

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

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

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

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

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

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

The District database is the Aeries Student Information System.

Restorative Practices (RP) is a continuum of practices by which schools build community through circles and other activities, where students learn to use affective statements and the process where all stakeholders affected by an injustice have an opportunity to discuss how they have been affected by the injustice and to decide what should be done to repair the harm.

Positive Behavioral Interventions and Supports (PBIS) is a framework for providing a range of systemic and individualized strategies for achieving important academic and behavioral outcomes while preventing problem behaviors.

Social and Emotional Learning (SEL) is a process through which children and adults develop the fundamental skills for life effectiveness. The five SEL competencies are: self-awareness, self-management, social awareness, relationship skills, and responsible decision-making.

Multi Tiered System of Support (MTSS) is a way of organizing instruction and intervention to help all students. The goal of the multi-tiered framework is to provide high-quality instruction and supports based on student need. This framework helps educators by providing information (data) to identify students needing additional support (academic and behavioral) and also identify students who may need special education services. MTSS includes three levels (or tiers) of instruction. Each tier has a set of evidence-based practices to meet the instructional goals.

Tier 1: For MTSS, a school must first establish its Tier 1 or universal supports. Universal supports are the instructional practices that help all students in a school. Once the universal supports are in place, staff can use assessment data to determine which students need additional supports.

Tiers 2 and 3: The intensity and duration of supports increase for Tiers 2 and 3. The appropriate level of support for each student is determined by assessment data.

Grounds for Suspension and Expulsion

The following is a list of grounds for which suspension and expulsion may be permitted or shall be imposed subject to the restrictions and requirements herein:

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

- A student who aids or abets the infliction or attempted infliction of physical injury on another person, as defined in Penal Code 31, may be suspended, but not expelled. However, such a student may be suspended or expelled pursuant to Education Code 48900(a) when he/she has been adjudged by a juvenile court to have committed, as an aider or abettor, a crime of physical violence in which the victim suffered great or serious bodily injury. (Education Code 48900(t))
- 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))
- 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))
- 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))
- Committed or attempted to commit robbery or extortion (Education Code 48900(e))
- Caused or attempted to cause damage to school property or private property (Education Code 48900(f))
- Stole or attempted to steal school property or private property (Education Code 48900(g))
- 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))
- Committed an obscene act or engaged in habitual profanity or vulgarity (Education Code 48900(i))
- Unlawfully possessed, offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Health and Safety Code 11014.5 (Education Code 48900(j))

As provided in California Education Code section 48900(k), no student enrolled in grades T-Kindergarten through third grade may be suspended or expelled for disrupting school activities or willfully defying the authority of school personnel ("disruption and willful defiance") and no student in TK-12 may be expelled for willful disruption or defiance.

Effective July 1, 2019, no student enrolled in grades T-Kindergarten through twelve (TK-12) grades may be suspended or expelled for disrupting school activities or willfully defying the authority of school personnel. The Board will review data regarding suspensions for defiance in Grades 4 through 12 in August 2019 and January 2020. If, based on review of the data, it appears further steps should be undertaken to meet the goal of eliminating suspensions for defiance by July 1, 2019, the Board will direct the Superintendent to implement such additional measures to achieve the goal of no suspensions for defiance by July 1, 2020.

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

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

- 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.

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 (items #20-22 below), that has any of the effects described above on a reasonable student.

Electronic act means the transmission of a communication, 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.

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))

- 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)

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

- 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)

- 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)

- 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)

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

- While on school grounds
- While going to or coming from school
- During the lunch period, whether on or off the school campus
- During, going to, or coming from a school-sponsored activity

Teacher-Initiated Suspensions Pursuant to Section 48910

The Board desires the adoption of a Multi-Tiered System of Support which includes Positive Behavior Intervention Supports to facilitate a consistent approach for positive, pro-social behavior management (BP 5144). The District expects teachers to attempt interventions prior to initiating a suspension pursuant to Section 48910 except where suspension for a first offense is permitted or mandated by law, as described on pp. 8-9 below.

When removing a student from his/her class pursuant to Section 48910, 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 removed. (Education Code 48910)

The site administrator or designee shall ensure that site staff completed the following:

- The teacher completed the Teacher-Initiated Pupil Suspension Report and, starting in the 2019-20 school year, the office referral form.
- The teacher contacted the parent/guardian to request their participation in a parent-teacher conference regarding the suspension within 24 hours. 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)
- The site administrator or designee reviewed the office referral form and completed the in-school suspension form if warranted.
- The site administrator or designee contacted parent/guardian regarding the suspension.
- The site administrator or designee recorded the classroom interventions and referral in the District database.

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

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

The teacher of any class from which a student is suspended pursuant to Section 48910 shall require the student to complete any assignments and tests missed during the suspension. The school will monitor and address the educational needs of the student that arise due to the loss of instructional time. (Education Code 48913)

When suspending a student in Grades TK-3 from class for committing an obscene act or engaging in habitual profanity or vulgarity, the teacher of the class may require any parent/guardian who lives with the student to attend a portion of the school day in the class from which the student is being suspended, to assist in resolving the classroom behavior problems. (Education Code 48900.1) The teacher of the class may also require any parent/guardian who lives with the student to attend a portion of the school day in the class to assist in resolving classroom behavior problems.

When suspending a student in Grades 4-12 from class for committing an obscene act or engaging in habitual profanity or vulgarity, disrupting school activities, or otherwise willfully defying valid staff authority, the teacher of the class may require any parent/guardian who lives with the student to attend a portion of the school day in the class from which the student is being suspended, to assist in resolving the classroom behavior problems. (Education Code 48900.1)

When suspending a student in any grade from class for committing an obscene act, engaging in habitual profanity or vulgarity, the teacher of the class may require any parent/guardian who lives with the student to attend a portion of the school day in the class from which the student is being suspended, to assist in resolving the classroom behavior problems. (Education Code 48900.1) The teacher of the class may also require any parent/guardian who lives with the student to attend a portion of the school day in the class to assist in resolving classroom behavior problems.

Teachers should reserve the option of required parental attendance for cases in which they have determined that it is the best strategy to promote positive interaction between the teacher and the student and his/her parents/guardians and to improve the student's behavior.

Any teacher requiring parental attendance pursuant to this policy shall apply the policy uniformly to all students within the classroom. (Education Code 48900.1)

When a teacher makes this request, the principal shall send the parent/guardian a written notice that the parent/guardian's attendance is requested pursuant to law. (Education Code 48900.1)

The notice shall specify that the attendance may be on either the date the student is scheduled to return to class or within one week thereafter.

This notice shall also:

- Inform the parent/guardian when his/her presence is expected and by what means he/she may arrange an alternate date
- Ask the parent/guardian to meet with the principal after the visit and before leaving school, as required by Education Code 48900.1

At the meeting with the student's parent/guardian, the principal or designee shall explain the district's and school's discipline policies, including the disciplinary strategies that may be used to achieve proper student conduct.

When a parent/guardian does not respond to the request to attend school, the principal or designee shall contact him/her by telephone, mail, or other method that maintains the confidentiality of the student's records.

District regulations shall include procedures for implementing parental attendance requirements. Parents/guardians shall be notified of this policy prior to its implementation. (Education Code 48900.1)

Suspensions by Superintendent, Principal, or Designee

The Board does not support a zero tolerance approach to discipline except where mandated by law. Schools may not adopt zero tolerance policies that conflict with District discipline policies. The Board desires that schools will adopt, engage, and implement positive approaches to addressing problem behavior prior to initiating the suspension of a student.

Suspension for a first time offense is limited to certain serious offenses (listed below in permissible and mandatory categories) or where it can be documented that the presence of a student causes a danger to persons.

Defiance

As provided in California Education Code section 48900(k), no student enrolled in grades T-Kindergarten through third grade may be suspended or expelled for disrupting school activities or willfully defying the authority of school personnel ("disruption and willful defiance") and no student regardless of grade may be expelled for willful defiance or disruption.

Effective July 1, 2019, no student enrolled in grades T-Kindergarten through twelve (TK-12) grades may be suspended or expelled for disrupting school activities or willfully defying the authority of school personnel. Suspension and expulsion shall not be imposed for a violation of Education Code section 48900(k), including disruption of school activities or willful defiance. The District expects schools to develop appropriate interventions, for example, behavioral plans, restorative circles, or SEL groups for students who engage in a pattern of defiant behavior.

Defiance is when a student continues to disobey a school official, teacher, or administrator after having been taught the rules and expectations of the school and the student displays behavior that directly interferes with the rights of others to learn.

The Board will review data regarding suspensions for defiance in Grades 4 through 12 in August and January. If, based on review of the data, it appears further steps should be undertaken to meet the goal of eliminating suspensions for defiance, the Board will direct the Superintendent to implement such additional measures to achieve the goal of no suspensions for defiance by July 1, 2020.

Discipline and Intervention Matrix for Administrators

Attached to this Administrative Regulation is the discipline and intervention matrix aligned to the District's Multi-Tiered System of Support framework that models a progressive and holistic approach to discipline. As provided in the Board Policy, each school is responsible for adopting strategies, programs, and interventions within this framework to facilitate a positive approach to behavior management. Even if suspension is appropriate, administrators must first consider whether other interventions should be used.

Except where suspension for a first offense is permitted or mandatory (as described above), in-school and out-of-school suspension and other sanctions that result in a student's loss of instruction shall only be imposed when the principal or designee has determined that other means of correction that are consistent with District policies and procedures have failed to bring about proper conduct. (Education Code 48900.5)

As described in AR 5144, interventions and other alternatives to suspension should be attempted and evaluated prior to referral from the classroom. In addition, the principal or designee shall document the other means of correction used and retain them in the student's record. (Education Code 48900.5)

The Principal or designee shall complete the suspension form and record the suspension in the District's database.

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

A student may be suspended from school for not more than 20 school days in any school year unless, for purposes of adjustment, the student enrolls in or is transferred to another regular school, an opportunity school, or continuation school or class, in which case suspension shall not exceed 30 days in any school year. However, this restriction on the number of days of suspension does not apply when the suspension is extended pending an expulsion. (Education Code 48903, 48911, 48912)

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)

Suspensions shall be initiated according to the following procedures:

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 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. 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)

Administrative Actions: All requests for student suspension are to be processed by the principal or designee. All suspensions shall be recorded in the District database. 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)

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

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

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

Parent/Guardian Conference: Whenever a student is suspended, school officials may meet 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)

Although the parent/guardian is required to respond without delay to a request for a conference about his/her child's behavior, 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 readmission solely because the parent/guardian failed to attend the conference. (Education Code 48911)

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 Principal may, in writing, extend the suspension until such time as the Board has made a decision. (Education Code 48911)

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

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

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

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.

The student shall be responsible for contacting the school to receive assignments to be completed during the period of the suspension. The school shall make available all assignments and tests that the student will miss while suspended.

Suspension by the Board

The Board may suspend a student for any of the acts listed in "Grounds for Suspension and Expulsion" above and within the limits specified in "Suspensions by Superintendent, Principal, or Designee" above. (Education Code 48912)

The Board may suspend a student enrolled in a continuation school or class for a period not longer than the remainder of the semester if any of the acts listed in "Grounds for Suspension and Expulsion" occurred. The suspension shall meet the requirements of Education Code 48915. (Education Code 48912.5)

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

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

Supervised Suspension Classroom

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 a supervised suspension classroom in a separate classroom, building, or site for the entire period of suspension. The following conditions shall apply: (Education Code 48911.1)

The supervised suspension classroom shall be staffed in accordance with law and by certificated employees.

The student shall have access to appropriate counseling services.

The supervised suspension classroom shall promote completion of schoolwork and tests missed by the student during the suspension.

The student shall be responsible for contacting his/her teacher(s) to receive assignments to be completed in the supervised suspension classroom except where otherwise set out in the student's Individualized Education Program (IEP) or Section 504 plan. 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.

The Principal or designee shall complete the in-school suspension form and record the suspension in the District's database.

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

Involuntary Transfer

The District may not involuntarily transfer a student in Grades TK- 3rd grade to another school based on a finding of disruption of school activities or willful defiance of the authority of school personnel (California Education Code section 48900(k)).

Effective July 1, 2019, the District may not involuntarily transfer a student to another school based on a finding of disruption of school activities or willful defiance of the authority of school personnel (California Education Code section 48900(k)).

Involuntary transfers may only occur following a recommendation for expulsion and after a hearing before the District's Disciplinary Hearing Panel (DHP) consistent with the requirements in Education Code section 48918 and the notice and hearing procedures set forth below for expulsions. In addition, an involuntary transfer to a continuation school must be made pursuant to Education Code section 48432.5.

Expulsions

The Board shall expel, as required by law, any student found to have committed any offense listed below under "Mandatory Recommendation and Mandatory Expulsion" (see page 13). (Education Code 48915)

For all other grounds listed under "Grounds for Suspension and Expulsion," the Board shall order a student expelled upon the recommendation of the Superintendent, principal, or designee only if the Board makes a finding of either or both of the following: (Education Code 48915(b) and (e))

- That other means of correction have repeatedly failed to bring about proper conduct
- 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

Authority to Expel

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

The Board shall expel, as required by law, any student found to have committed any offense listed below under "Mandatory Recommendation and Mandatory Expulsion." (Education Code 48915)

For all other grounds listed above under "Grounds for Suspension and Expulsion," the Board shall order a student expelled upon the recommendation of the Superintendent, principal, or designee, only if the Board makes a finding of either or both of the following: (Education Code 48915(b) and (e))

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

Recommendation for Expulsion Expected Unless It Is Not Appropriate or Alternative Means of Correction Would Address the Conduct

Unless the Superintendent, principal, or designee 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(a))

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

- Possession of any knife as defined in Education Code 48915(g), explosive, or other dangerous object of no reasonable use to the student
- 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
- Robbery or extortion
- 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)

Mandatory Recommendation and Mandatory Expulsion

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

Possessing, as verified by a district employee, selling, or otherwise furnishing a firearm.

Possession of an imitation firearm, as defined in Education Code 48900(m), shall not be regarded as an offense requiring a mandatory recommendation for expulsion and mandatory expulsion. However, an administrator shall have discretion on a case-by-case basis to recommend expulsion for the possession of an imitation firearm.

Brandishing a knife as defined in Education Code 48915(g) at another person

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

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

Possessing an explosive as defined in 18 USC 921

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

Student's Right to Expulsion Hearing

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 one of the acts listed above under "Grounds for Suspension and Expulsion." (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))

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)

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

Have up to two adult support persons of his/her choosing present at the hearing at the time he/she testifies

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)

The rights of a complaining witness are further outlined in Administrative Regulation 5145.7 (Sexual Harassment).

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))

- The date and place of the hearing.
- A statement of the specific facts, charges, and offense upon which the proposed expulsion is based.
- A copy of district disciplinary rules which relate to the alleged violation.
- 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).
- 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 advisor.

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

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

- The right to inspect and obtain copies of all documents to be used at the hearing.
- The opportunity to confront and question all witnesses who testify at the hearing.
- 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

At least 10 days prior to a hearing to determine if a student who is a foster youth as defined under Education Code 48853.5 should be expelled for an offense not requiring a mandatory recommendation for expulsion, the Superintendent or designee shall notify the student's attorney and a representative of an appropriate county child welfare agency. If the hearing is pursuant to an offense requiring a mandatory expulsion recommendation, the Superintendent or designee may provide the same notification. The notice shall be provided by the most cost-effective method possible, including by email or a telephone call. (Education Code 48918.1)

Conduct of Expulsion Hearing

Closed Session: Notwithstanding the provisions of Government Code 54953 and Education Code 35145, the Board shall conduct a hearing to consider the expulsion of the student in a session closed to the public unless the student requests in writing at least five days prior to the hearing that the hearing be a public meeting. If such a request is made, the meeting shall be public unless another student's privacy rights would be violated. (Education Code 48918(c))

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))

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))

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))

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" 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.

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)

- Any complaining witness shall be given five days' notice before being called to testify.
- Any complaining witness shall be entitled to have up to two adult support persons, including, but not limited to, a parent/guardian or legal counsel, present during his/her testimony.
- Before a complaining witness testifies, support persons shall be admonished that the hearing is confidential.
- The person presiding over the hearing may remove a support person whom he/she finds is disrupting the hearing.
- If one or both support persons are also witnesses, the hearing shall be conducted in accordance with Penal Code 868.5.

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.

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.

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

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.

The person conducting the hearing may:

- Arrange the seating within the hearing room so as to facilitate a less intimidating environment for the complaining witness
- 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
- Permit one of the support persons to accompany the complaining witness to the witness stand

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. Alternatively, the Board may appoint an impartial administrative panel composed of three or more certificated personnel, none of whom shall be members of the Board or on the staff of the school in which the student is enrolled. (Education Code 48918(d))

A hearing conducted by the hearing officer or administrative panel shall conform to the same procedures applicable to a hearing conducted by the Board as specified above in "Conduct of Expulsion Hearing," including the requirement to issue its 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 expulsion referral was made, unless the parent, guardian, or responsible adult of the pupil requests another school placement in writing. Before the placement decision is made by the parent, guardian, or responsible adult, the superintendent of schools or the superintendent's designee shall consult with school district personnel, including the pupil's teachers, and the parent, guardian, or responsible adult regarding any other school placement options for the pupil in addition to the option to return to his or her classroom instructional program from which the expulsion referral was made. If the hearing officer or administrative panel finds that the pupil committed any of the acts specified in subdivision (c) of Section 48915, but does not recommend expulsion, the pupil shall be immediately reinstated and may be referred to his or her prior school or another comprehensive school, or, pursuant to the procedures set forth in Section 48432.5, a continuation school of the school district. The decision not to 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 for a period of one year. (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, the final action to expel shall be taken by the Board at a public meeting. (Education Code 48918(j))

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

Upon ordering an expulsion, the Board shall set a date when the student shall be reviewed for readmission to a school within the district. For a student expelled for 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)

- Periodic review, as well as assessment at the time of review, for readmission
- 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:

- The specific offense committed by the student for any of the causes for suspension or expulsion listed above under "Grounds for Suspension and Expulsion" (Education Code 48900.8)
- The fact that a description of readmission procedures will be made available to the student and his/her parent/guardian (Education Code 48916)
- Notice of the right to appeal the expulsion to the County Board of Education (Education Code 48918)
- Notice of the alternative educational placement to be provided to the student during the time of expulsion (Education Code 48918)
- Notice of the student's or parent/guardian's obligation to inform any new district in which the student seeks to enroll of the student's status with the expelling district, pursuant to Education Code 48915.1 (Education Code 48918)

Decision Not to Enforce Expulsion Order

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

- The student's pattern of behavior
- 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:

- 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)
- During the period when enforcement of the expulsion order is suspended, the student shall be on probationary status. (Education Code 48917)
- The suspension of the enforcement of an expulsion order may be revoked by the Board if the student commits any of the acts listed under "Grounds for Suspension and Expulsion" above or violates any of the district's rules and regulations governing student conduct. (Education Code 48917)
- 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)

- 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)

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))

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)

Right to 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)

The student shall submit 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 furnishment 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)

Post-Expulsion Placements

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

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

When the placement described above is not available and when the County Superintendent so certifies, students expelled for acts described in items #6-13 and #20-22 under "Grounds for Suspension and Expulsion" 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

Readmission procedures shall be as follows:

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

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)

If the Board denies the readmission of a student, the Board shall determine either to continue the student's placement in the alternative educational program initially selected or to place the student in another program that serves expelled students, including placement in a county community school. (Education Code 48916)

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 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)

Outcome Data

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

- The number of students recommended for expulsion
- The specific grounds for each recommended expulsion
- Whether the student was subsequently expelled
- Whether the expulsion order was suspended
- The type of referral made after the expulsion
- The disposition of the student after the end of the expulsion period

Public Reporting of Discipline Data

The Superintendent or designee shall ensure that the following data is publicly available on the District's public website twice annually, within 60 days after the completion of each semester:

- The aggregate number and rates of office referrals, teacher suspensions, supervised in-school and out-of-school suspensions, involuntary transfers, expulsion referrals, expulsions, on-campus citations, school-based arrests, and four-year graduation and drop-out rates, disaggregated by all subgroups, including race, gender, ethnicity, English Language Learner status, socio-economic status, foster youth, homeless youth, and disability and by offense for the district and by school-site.
- The number of instructional days and ADA funding lost to suspensions, transfers, and expulsions.
- The school sites to which students were transferred after the Disciplinary Review Hearing procedure or through any involuntary transfer process, whether they enrolled subsequently, and the outcomes for such students, including, but not limited to, graduation and drop-out rates.

In reporting such data, the privacy of individual students and teachers shall be protected. Data will not be disaggregated in any manner that could reveal student identity to the public or to knowledgeable members of the school community. The data shall be reported for the district as a whole and for each school-site.

The procedures shall also include requirements that appropriate district and school officials regularly review this data and take action to address disparities or disproportionate use of punitive discipline measures for particular subgroups.

Expungement of Student Disciplinary Records

As provided in Board Policy 5144.3, a student, parent, guardian, appointed advocate on behalf of the student, or Superintendent on behalf of a student may apply for expungement of student disciplinary record which meet the criteria set forth in BP 5144.3.

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

Notice Regarding Student Offenses

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

Acts That Are Grounds for Suspension or Expulsion

The Superintendent or designee shall inform the teacher(s) of each student who, during the previous three school years, has engaged in or is reasonably suspected to have engaged in any act, except the possession or use of tobacco products, that would constitute a ground for suspension or expulsion as specified in AR 5144.1 - Suspension and Expulsion/Due Process. This information shall be based upon district records maintained in the ordinary course of business or records received from a law enforcement agency. (Education Code 49079)

Upon receiving a transfer student's record regarding acts committed by the student that resulted in suspension or expulsion, the Superintendent or designee shall inform the student's teacher(s) that the student was suspended from school or expelled from the former district and of the act that resulted in the suspension or expulsion. (Education Code 48201)

Information received by teacher(s) shall be received in confidence for the limited purpose for which it was provided and shall not be further disseminated by the teacher. (Education Code 48201, 49079)

Offenses Reported to the District by a Court

When informed by a court that a minor student has been found by the court to have committed any felony or any misdemeanor involving curfew, gambling, alcohol, drugs, tobacco products, carrying of weapons, a sex offense listed in Penal Code 290, assault or battery, larceny, vandalism, or graffiti, the Superintendent or designee shall expeditiously notify the school principal. (Welfare and Institutions Code 827)

The principal shall expeditiously disseminate this information to any counselor who directly supervises or reports on the student's behavior or progress and to any teacher or administrator directly supervising or reporting on the student's behavior or progress whom the principal thinks may need the information in order to work with the student appropriately, avoid being needlessly vulnerable, or protect others from vulnerability. (Welfare and Institutions Code 827)

Any court-initiated information that a teacher, counselor, or administrator receives shall be kept confidential and used only to rehabilitate the student and protect other students and staff. The information shall be further disseminated only when communication with the student, parent/guardian, law enforcement staff, and probation officer is necessary to rehabilitate the student or to protect students and staff. (Welfare and Institutions Code 827)

When a student is removed from school as a result of an offense, the Superintendent shall hold the court's information in a separate confidential file until the student is returned to the district. If the student is returned to a different district, the Superintendent shall transmit the information provided by the student's parole or probation officer to the superintendent of the new district of attendance. (Welfare and Institutions Code 827)

Any confidential file of court-initiated information shall be kept until the student becomes 18, graduates from high school, or is released from juvenile court jurisdiction, whichever occurs first, and shall then be destroyed. (Welfare and Institutions Code 827)

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

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

Definitions

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, regardless of whether or not the conduct is motivated by sexual desire. Conduct is considered to be sexual harassment when made against another person of the same or opposite sex in the work or educational setting under any of the following conditions: (Education Code 212.5; Government Code 12940; 2 CCR 11034)

- Submission to the conduct is made explicitly or implicitly a term or condition of the individual's employment.
- Submission to or rejection of the conduct is used as the basis for an employment decision affecting the individual.
- The conduct has the purpose or effect of having a negative impact upon the individual's work performance or of creating an intimidating, hostile, or offensive work environment.
- 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. For purposes of applying the complaint procedures specified in Title IX of the Education Amendments of 1972, sexual harassment is defined as any of the following forms of conduct that occurs in an education program or activity in which a district school exercises substantial control over the context and respondent: (34 CFR 106.30, 106.44)
- A district employee conditioning the provision of a district aid, benefit, or service on the student's participation in unwelcome sexual conduct
- Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the district's education program or activity

Sexual assault, dating violence, domestic violence, or stalking as defined in 20 USC 1092 or 34 USC 12291

Examples of Sexual Harassment

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

- 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
- Unwelcome visual conduct such as drawings, pictures, graffiti, or gestures; sexually explicit emails; displaying sexually suggestive objects
- 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

Title IX Coordinator/Compliance Officer

The district designates the following individual(s) as the responsible employee(s) to coordinate its efforts to comply with Title IX of the Education Amendments of 1972 in accordance with AR 4119.12/4219.12/4319.12 - Title IX Sexual Harassment Complaint Procedures, as well as to oversee, investigate, and resolve sexual harassment complaints processed under AR 4030 - Nondiscrimination in Employment.

The Title IX Coordinator(s) may be contacted at:

Asst. Superintendent of Educational Services
2060 Challenger Drive
Alameda, CA 94501
(510) 337-7095
kzazo@alamedaunified.org

Training

Every two years, the Superintendent or designee shall ensure that supervisory employees receive at least two hours, and nonsupervisory employees receive at least one hour, of classroom or other effective interactive training and education regarding sexual harassment. All newly hired employees and employees promoted to a supervisory position 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)

Such training may be completed by employees individually or as part of a group presentation, may be completed in shorter segments as long as the applicable hourly requirement is met, and may be provided in conjunction with other training provided to the employees. The training shall be presented by trainers or educators with knowledge and expertise in the prevention of harassment, discrimination, and retaliation. (Government Code 12950.1)

The district's sexual harassment training and education program shall include, but is not limited to, the following: (Government Code 12950.1; 2 CCR 11024)

- Information and practical guidance regarding federal and state laws concerning the prohibition, prevention, and correction of sexual harassment
- The types of conduct that constitute sexual harassment
- Remedies available for victims in civil actions, and potential employer/individual exposure/liability
- Strategies to prevent harassment in the workplace

- Supervisors' obligation to report sexual harassment, discrimination, and retaliation of which they become aware
- 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
- The limited confidentiality of the complaint process
- Resources for victims of unlawful harassment, such as to whom they should report any alleged harassment
- Steps necessary to take appropriate remedial measures to correct harassing behavior, which includes the district's obligation to conduct an effective workplace investigation of a harassment complaint
- What to do if the supervisor is personally accused of harassment
- The essential elements of the district's anti-harassment policy, and how to use the policy if a harassment complaint is filed

Employees shall receive a copy of the district's sexual harassment policy and administrative regulations, which they shall read and acknowledge that they have received. Information, including practical examples, of harassment based on gender identity, gender expression, and sexual orientation. Prevention of abusive conduct, including a review of the definition and elements of abusive conduct pursuant to Government Code 12950.1, the negative effects that abusive conduct has on the victim and other in the workplace, the detrimental consequences of this conduct on employee productivity and morale, and that a single act does not constitute abusive conduct unless the act is severe or egregious.

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

The Superintendent or designee shall notify employees that the district does not discriminate on the basis of sex as required by Title IX, that the Title IX nondiscrimination requirement extends to employment, and that inquiries about the application of Title IX to the district may be referred to the district's Title IX Coordinator and/or to the Assistant Secretary for Civil Rights, U.S. Department of Education. (34 CFR 106.8)

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

A copy of the Board policy and this administrative regulation shall:

- 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 (Education Code 231.5)
- 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 (Education Code 231.5)
- Appear in any school or district publication that sets forth the school's or district's comprehensive rules, regulations, procedures, and standards of conduct (Education Code 231.5)
- Be posted, along with the name or title and contact information of the Title IX Coordinator, in a prominent location on the district's web site (34 CFR 106.8)

- Be included, along with the name or title and contact information of the Title IX Coordinator, in any handbook provided to employees or employee organizations (34 CFR 106.8)

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

- The illegality of sexual harassment
- The definition of sexual harassment under applicable state and federal law
- A description of sexual harassment, with examples
- The district's complaint process available to the employee
- The legal remedies and complaint process available through DFEH and the Equal Employment Opportunity Commission (EEOC)
- Directions on how to contact DFEH and the EEOC

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, the DFEH poster on discrimination in employment and the illegality of sexual harassment and the DFEH poster regarding transgender rights. (Government Code 12950)

Complaint Procedures

All complaints and allegations of sexual harassment by and against employees shall be investigated and resolved in accordance with law and district procedures. The Title IX Coordinator shall review the allegations to determine the applicable procedure for responding to the complaint. All complaints that meet the definition of sexual harassment under Title IX shall be investigated and resolved in accordance with AR 4119.12/4219.12/4319.12 - Title IX Sexual Harassment Complaint Procedures. Other sexual harassment complaints shall be investigated and resolved pursuant to AR 4030 - Nondiscrimination in Employment.

If sexual harassment is found following an investigation, the Title IX Coordinator, or designee in consultation with the Coordinator, shall take prompt action to stop the sexual harassment, prevent recurrence, and address any continuing effects.

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

Basic Principles:

All students are encouraged to dress in a manner that is comfortable and conducive to an active school day.

Students should be able to wear clothing without fear of or actual unnecessary discipline or body shaming.

The student dress code should serve to support all students to develop a body-positive self-image.

All items listed in the "must wear" and "may wear" categories below must meet these basic principles.

Students MUST Wear:

- Top
- Bottom
- Shoes

Clothing that covers specific body parts (genitals, buttocks, and areolae/nipples) with opaque material. Courses or specific class activities that include attire as part of the curriculum may include assignment-specific dress, but should not focus on covering students' bodies or promoting culturally-specific attire. Activity specific shoe requirements are permitted (Examples include but are not limited to physical education and shop class).

Students MAY Choose to Wear:

- Sun-protective clothing, including but not limited to hats, for outdoor use during the school day. (Education Code 35183.5)
- Hats, including religious headwear
- Hooded shirts/jackets (over head is allowed)*

Teachers may direct students to remove/adjust the position of hats/hoods over the head in class during the administration of a test/exam, to address headphone/earbud use issues, or to enable visual identification of a student's face. This does NOT apply to any headwear worn for religious reasons.

Students CANNOT Wear:

- Clothing that includes violent language or images
- Clothing that includes images or language depicting drugs or alcohol (or any illegal item or activity) or the use of same
- Clothing that includes hate speech, profanity, pornography
- Clothing that includes images or language that create a hostile or intimidating environment based on any protected class
- Visible underwear or bathing suits of similar design - Visible waistbands or straps on undergarments worn under other clothing are not a violation
- Helmets, hoods, or other headgear that obscures a student's identity (except as a religious observance).

A student's face must be clearly visible when taking their school photo for identification purposes. This may require the removal of a hood and/or hat. No grade of a student participating in a physical education class shall be adversely affected if the student does not wear standardized physical education apparel because of circumstances beyond the student's control. (Education Code 49066)

Training and Enforcement:

- All staff should be trained to understand the purpose/spirit of the code, the actual code, and how to enforce with the least impact on student learning and self-confidence.
- All staff must enforce the district dress code consistently, once it is adopted. All staff should not have discretion to vary the requirements in ways that lead to discriminatory enforcement.
- All staff should be trained and able to use student/body-positive language to explain the code and to address code violations.
- Enforcement should be consistent with a school's overall discipline plan. Failure to comply with the student dress code should be enforced consistently with comparable behavior and conduct violations, including access to a student advocate or ombudsperson and appeals process.

- Enforcement for students should be limited to safety and non-violence/non-discrimination and will not include messages based on body maturity.
- Violations should be treated as minor on the continuum of school rule violations.
- Students should never be removed from a classroom for a dress code violation unless they are violating the 'Students Cannot Wear' and 'Students MUST Wear' sections of the dress code. Loss of class time should be avoided or kept to a minimum.
- Students should never be forced to wear extra school clothing (that isn't their own) when they are in violation of the code. Students should be presented with a variety of options to rectify the situation. This could include but is not limited to: personal on-site clothing, school-offered clothing, and delivery of alternate clothing.
- Parents/guardians should never be called during the school day to bring alternative clothing for the student to wear for the remainder of the day unless by student request.
- No student should be disproportionately affected by dress code enforcement because of gender, race, body size, or body maturity.
- Students should not be shamed or required to display their body in front of others (students, parents, or staff) in school. "Shaming" includes but is not limited to kneeling or bending over to check attire fit, measuring/commenting on straps, skirt length, or cleavage, asking students to account for their attire in the classroom, and directing students to correct a dress code violation during instructional time.

Evaluation:

The Superintendent or designee shall annually review the effectiveness of this policy and determine, as appropriate, if any further review or revision is required.

Gang-Related Apparel

At individual schools that have a dress code prohibiting gang-related apparel at school or school activities, the principal, staff, and parents/guardians participating in the development of the school safety plan shall define "gang-related apparel" and shall limit this definition to apparel that reasonably could be determined to threaten the health and safety of the school environment if it were worn or displayed on a school campus. (Education Code 32282)

Because gang-related symbols are constantly changing, definitions of gang-related apparel shall be reviewed at least once each semester and updated whenever related information is received. As necessary, the school shall collaborate with law enforcement agencies to update definitions of gang-related apparel.

Uniforms

In schools that require a schoolwide uniform, the principal, staff, and parents/guardians of the school shall jointly select the specific uniform to be worn. (Education Code 35183)

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

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

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

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

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

EVACUATION PROCEDURES

EVACUATION ALARM SYSTEM

A crisis or emergency may warrant an evacuation of the school building(s). Once notified of an emergency situation, the Incident Commander, will carry out the initial response actions delineated in the Emergency Preparedness and Crisis Response Plan. In consultation with members of the Incident Command Team, the principal will determine whether an evacuation is warranted or is the safest action given the character of the emergency. Incident Command Team members will immediately assume their designated response duties as activated by the Incident Commander. The Disaster Response Officer will ensure, during the evacuation itself, that all evacuation assistance personnel are operative and performing their respective duties as assigned. When a decision is made to evacuate, the Assembly /Shelter and Care Team leader will immediately report to the assembly area and inspect the area for hazards. The Assembly /Shelter and Care Team leader will notify the Disaster Response Officer immediately if the area is safe. If not, the Assembly /Shelter and Care Team will advise that the evacuation be done to the alternate assembly location. This evacuation may be a partial evacuation of only portions of the building in a localized emergency [e.g., a small chemical spill] or it may be a general evacuation of all building. When an evacuation is ordered, students and staff will be notified according to the site's Preparedness and Crisis Response REMS packet. If deemed appropriate and safe, the school's fire alarm will sound in the event of a general building evacuation. If neither mechanical system is operable, the Incident Commander will utilize office, custodial or student personnel to notify classrooms of the need to evacuate.

COORDINATING THE EVACUATION

Upon receiving the order to evacuate, staff will assume their designated positions in the school. They will then monitor the evacuation procedures and assure that all persons have left the building. Staff are also responsible to ensure that all disabled persons in the building are assisted as necessary.

1. Take emergency backpack, and attendance information.
2. Teachers evacuate with current class. If evacuation occurs outside of a class period: Return to previous class
3. Upon exit lock door to indicate room is all clear and lock door. Keep unlocked if victim is inside.
4. Check with buddy teacher. Assist/evacuate both classes if needed.
5. If on prep or don't have a class: move to nearest evacuation area and assist
6. Check common areas while evacuating.
7. Evacuate to primary location via assigned route, adjust as needed.
8. At evacuation location, line up, and take attendance.
9. List missing students on Share 911
10. Stay with class unless you are released to assume other duties.
11. Release from drill will be PA announcement/bell
12. Communicate with your students and maintain control.

EVACUATION ASSEMBLY AREAS

When ordered to evacuate, students and staff will follow the evacuation route prescribed for their respective areas and exit the building in an orderly and controlled manner. Any volunteers or visitors to the classroom should be advised to go with the classroom to the assembly area. ALL students and staff must report to the assembly area and remain there until the Incident Command Team, via the Assembly/Shelter and Care Team, notifies them it is clear to return to the building. Under no circumstances are students to leave the area unless released by the teacher in strict accordance with the school's Student Release Procedures as outlined in the site's Preparedness and Crisis Response Cliff Notes. This will not be done unless it is authorized by the Incident Command Team. Teachers MUST take a head count of all persons under their care to ensure that all students, volunteers and visitors are present. This will be reported to the Assembly/Shelter and Care Team as outlined in the site's Preparedness and Crisis Response Cliff Notes. If someone is deemed missing, the teacher is to immediately report this fact to the Assembly /Shelter and Care Team as outlined in the site's Preparedness and Crisis REMS packet.

ACCESS CONTROL PERSONNEL

Whenever an evacuation is called, the designated Security/Traffic response team (designated prior to an emergency) will automatically assume duties as traffic controllers to prevent unauthorized public vehicles or persons access to the school campus and building(s). They will function according to the duties delineation shown in the Emergency Preparedness and Crisis Response Plan.

STUDENT EARLY DISMISSAL AND EMERGENCY SCHOOL CLOSURE

During school hours, all students are considered under the care and supervision of school staff. In all circumstances, and especially in the event of emergency incidents or circumstances, the safety of the students and the school staff is of paramount importance. All actions taken shall bear in mind the safety and well-being of both students and school employees. Thus, in the event of a major emergency incident or disaster during school hours, school will not be dismissed without the expressed and clear authorization of the District Superintendent or a designee, and children will remain under the supervision of school authorities. Students will only be released from school and District responsibility in strict accordance with the procedures outlined in the District's Early Release Policy as described below. Parents/guardians or designated emergency contacts who come to the school to pick up students must properly identify themselves in order for their children to be released.

RELEASE OF STUDENTS FROM SCHOOL

AUSD and this school want to reunite parents with their children at the earliest time possible after an emergency situation or major disaster event. However, if it is not possible for parents to pick up their children or make arrangements for others to do so, students will be held at the school or other area until such time as they can be safely released. Each year the school will notify all parents of the procedure for reuniting parents with children in the event of an emergency at school. Parents are encouraged to print out and complete data confirmation each year and update their emergency contacts. In the event students are held at a school, they may be released only to the student's own parent(s) or a person authorized beforehand by the parent. As a part of annual registration, sites collect emergency contact information in AERIES. From AERIES, Emergency Cards shall be printed and used for this purpose. It is recommended sites print copies for teachers to have on hand in their emergency packs along with roll information. Office shall also print out the Emergency Student List or Emergency Cards and Parents or others must check with this school's Student Release team at the emergency Student Release Location prior to pick up of their children. Teachers will release students according to the procedure outlined under the Emergency Student Release Procedures described below.

EMERGENCY RELEASE PLAN PROCEDURES

Teachers will utilize the following procedures to properly release students from their care to a parent, legal guardian or person authorized in writing to pick up the student:

1. At time of emergency, students remain with their current classes. Teacher takes roll on an Accountability Form and await direction from Incident Commander via Student Release team.
2. Incident Command will communicate with district office for dismissal directive. Students will report to (first period or other) classes, upon Student Release team directive.
3. Students will be released only to authorized adults listed on the Emergency Card or Emergency Student List. Adults picking up students must sign Student Release Log and indicate destination. Unless otherwise directed by Incident Commander via Student Release officer, a runner takes message to teacher with name of student being released and name of adult picking up student. Teacher double-checks sign-out sheet, stamps/marks student and releases.
4. Students may go home with people listed on Emergency Card or Emergency Student List if parent can't be reached.
5. Periodically, as students are released, remaining students will be consolidated.
7. Teacher takes attendance after each consolidation, informs Assembly/Shelter and Care team as well as the Student Release team, and keeps all documentation.

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

Component:

Component I: The Social Climate, People, and Programs

Element:

Staff will discuss the Franklin PBIS plan work together to refine posters, positive incentives, re-teach SOAR acronym and associated expectations, and students will demonstrate expectations across settings.

Opportunity for Improvement:

PBIS Next Steps from Tiered Fidelity Inventory:

Spiral training and implementation of the Toolbox Socioemotional Learning Curriculum for staff, students and families.

Schoolwide plan to teach tools at start of year, including communication tools in Facebook posts, on Parent Square, to reinforce use of strategies at home in the second part of the year.

Revisit student reinforcement systems and revise using recommendations from the TFI

Revise lessons for the buddy bench to include specific language students can say to students sitting on the buddy bench, what to do when nobody joins. Add a duty to Recess Coaches to monitor. Include the buddy bench in the Welcoming Committee responsibilities.

Retrain Friendship Coaches & Noon Supervisors and volunteers to include restorative questions and Toolbox tools

Spiral training and implementation of the Toolbox Socioemotional Learning Curriculum for staff, students, families

Relationships among students:

Establish class reading buddies to help rebuild some of the student to student relationships in other grades. Provide time for cross grade level collaboration time to develop opportunities for students to participate in transition and build relationships with staff and students in other grades, providing leadership opportunities and relationship and community building with students in other grade levels.

Empower students to lead clubs that engage students in leadership opportunities, and provide students a place to go and build relationships outside of physical sports at recess.

As we currently have much higher chronic absenteeism than prior to COVID, additional practices for family partnerships should be explored in order to improve attendance and help students build relationships with one another.

Objectives	Action Steps	Resources	Lead Person	Evaluation
Design and develop lunch time activities to increase student involvement	Empower students to lead clubs that engage students in leadership opportunities, and provide students a place to go and build relationships outside of physical sports at recess. Clubs will publicize their focus and recruit members. Use bulletin boards to recognize campus groups and their activities	PTA Funds, Clubs will submit individual resource needs	Erin, Lynnette	Connectedness Survey Results, Participation Rates
Increase usage of Toolbox Tools by students when needing support with emotional regulation or in conflict.	Schedule Common Toolbox Lessons, Create Toolbox Resources for Families	Possibly PTA funds for materials for families	Martha	Implementation Data
Continue the redesign of "Conflict Managers" to make them "Recess Coaches" and focus on the Restorative Questions and Practices while helping to support student interactions on the playground	Recruit students to be trained as Recess Coaches; Train Conflict Manager Supervisor, who will then train Recess Coaches; Monitor implementation, providing feedback necessary	PTA Funds	Lynnette, Martha, Debamitra	Implementation and Observation data
Continue to promote relationships amongst students	Provide Social Skills Groups; Buddy Bench update listed above; reading buddy implementation. Focus on the R in Soar: Define Respect for students and implications as we continue to learn about DEI and C&LRTP, move into kindness.	N/A	Lynnette, Erin, Martha, PBIS Team	AERIES Pre-Intervention and Intervention Data; Connectedness Survey
Continue to focus Professional Development for the 23-24 school year on Culturally and Linguistically Responsive Teaching Practices	See SPSA, PD Plan	PTA Funds for Sharroky Hollie Books (C&LRTP), release time to visit classrooms	Lynnette, Leadership Team	PD Exit Tickets, implementation data

Component:

Component II: Physical Environment

Element:

Identify proposed changes to or the addition of strategies and programs that ensure a safe and orderly environment.

Opportunity for Improvement:

Provide a closed school environment, with a locked exterior. This is still in progress with our District's IT Team

Objectives	Action Steps	Resources	Lead Person	Evaluation
Install doorbell, camera, and buzzer system for secure access to the facility.	Work with MOF and Technology to revise installation and software for our door buzzer system	MOF, Technology	Lynnette Chirrick, Robyn O'Dell Kondo	Completion of Project

(I) School Discipline Rules and Consequences (EC 35291 and EC 35291.5)**Franklin Elementary School Student Conduct Code****ALAMEDA UNIFIED SCHOOL DISTRICT DISCIPLINE AND INTERVENTION PROTOCOL**

Alameda Unified School District is committed to creating a safe and positive school culture in which all students feel included, supported, and respected. We want to help eliminate inequality in the use of punitive consequences and provide each child with excellent teachers who are equipped to promote academic and social emotional growth in all students. AUSD takes a positive approach to student behavior and the use of restorative practices to minimize the need for punitive consequences and maximize instructional time for every student. We recognize the importance of developing the social and emotional health of all youth and adults in our organization.

The following chart indicates the types of disciplinary action that may apply to each type of infraction. In each instance, an opportunity to teach appropriate behavior through the use of intervention, restorative practices and a corrective action is stated. Each situation or violation involving student conduct should be individualized and the least punitive action based on the violation should be taken. The administrator shall, however, determine whether a specific infraction warrants the corrective action described on the chart. Corrective action taken by the administrator shall take place after progressive discipline interventions by the school fail to bring about proper conduct. These corrective measures are intended to assist in teaching appropriateness and responsibility, while maintaining consistent student discipline on campus.

See Link to discipline matrix:

<https://resources.finalsite.net/images/v1690242530/alamedak12caus/wn5ia23etcutqlmp7tej/AUSDPositiveBehaviorExpectationsandDisciplineMatrix.pdf>

Conduct Code Procedures**Student Conduct Policy**

The Board of Education believes that all students have the right to be educated in a positive learning environment free from disruptions. Students shall be expected to exhibit appropriate conduct that does not infringe upon the rights of others or interfere with the school program while on school grounds, while going to or coming from school, while at school activities, and while on district transportation.

Conduct is considered appropriate when students are diligent in study, careful with school property, courteous, and respectful toward their teachers, other staff, students, and volunteers.

Prohibited student conduct includes but is not limited to:

- (1) Conduct that endangers students, staff, or others
- (2) Conduct that disrupts the orderly classroom or school environment
- (3) Harassment of students or staff (such as bullying, cyberbullying, intimidation, hazing or initiation activity, ridicule, extortion, or any other verbal, written, or physical conduct that causes or threatens to cause bodily harm or emotional suffering) in accordance with the section entitled "Bullying/Cyberbullying"

below "Cyberbullying" includes the transmission of communications, posting of harassing messages, direct threats, social cruelty, or other harmful texts, sounds, or images on the Internet, social networking sites, or other digital technologies using a telephone, computer, or any wireless communication device. Cyberbullying also includes breaking into another person's electronic account and assuming that person's identity in order to damage that person's reputation or friendships.

(1) Damage to or theft of property belonging to students, staff, or the district

(2) Possession or use of a laser pointer, unless used for a valid instructional or other school-related purpose. Prior to bringing a laser pointer on school premises, students shall first obtain permission from the principal or designee. The principal or designee shall determine whether the requested use of the laser pointer is for a valid instructional or other school-related purpose.

(1) Use of profane, vulgar, or abusive language

(2) Plagiarism or dishonesty in schoolwork or on tests

(3) Inappropriate attire

(4) Tardiness or unexcused absence from school

(5) Failure to remain on school premises in accordance with school rules

(6) Possession, use, or being under the influence of tobacco, alcohol, or other prohibited drug in violation of school rules

Employees are expected to provide appropriate supervision to enforce standards of conduct and, if they observe or receive a report of a violation of these standards, to immediately intervene or call for assistance. If an employee believes a matter has not been resolved, he/she shall refer the matter to his/her supervisor or administrator for further investigation.

Students who violate district or school rules and regulations may be subject to discipline including but not limited to suspension, expulsion, transfer to alternative programs, or denial of participation in extracurricular or co-curricular activities in accordance with Board policy and administrative regulation. The Superintendent or designee shall notify local law enforcement as appropriate.

Students also may be subject to discipline for any off-campus conduct during non-school hours which 1) poses a threat or danger to the safety of students, staff, or district property or 2) substantially disrupts the educational program of the district or any other district in accordance with law, Board policy, or administrative regulation.

Possession/Use of Cellular Phones and Other Mobile Communications Devices

No student shall be prohibited from possessing or using an electronic signaling device that is determined by a licensed physician or surgeon to be essential for the student's health and the use of which is limited to health-related purposes. (Education Code 48901.5)

Students may possess or use on school campus personal electronic signaling devices including, but not limited to, pagers and cellular/digital telephones, as well as other mobile communications devices including, but not limited to, digital media players, personal digital assistants (PDAs), compact disc players, portable game consoles, cameras, digital scanners, and laptop computers, provided that such devices do not disrupt the educational program or school activity and are not used for illegal or unethical activities such as cheating on assignments or tests.

If a disruption occurs or a student uses any mobile communications device for improper activities, a school employee shall direct the student to turn off the device and/or shall confiscate it. If the school employee finds it necessary to confiscate the device, he/she shall return it at the end of the class period or school day.

In accordance with the Board's policy and administrative regulation on search and seizure, a school official may search a student's mobile communications device including but not limited to reviewing messages or viewing pictures.

Students shall not use mobile communications devices, even in hands-free mode, while driving on school grounds or to or from a school-related activity.

A student who violates this policy may be prohibited from possessing a mobile communications device at school or school-related events and/or may be subject to further discipline in accordance with Board policy and administrative regulation.

At Franklin School, we want all our Falcons to SOAR - to be:

Safe

On-Task

Accountable

Respectful

The goal of our PBIS plan is to:

- *Creating a positive, inclusive environment for students
- *Shape desired behaviors by recognizing positive behaviors
- *Increase student achievement as a result of positive relationships
- *Create an environment where students are excited to go to school
- *Decrease minor behavior incidents

Teachers have used PBIS as a framework to establish supplemental class policies, suitable to grade level and subject taught which support a positive learning environment in classroom. Referral to the principal is used as a last resort after teachers have followed a progressive discipline policy and have exhausted all other appropriate preventative and corrective measures. Each disciplinary case will be handled as collaboratively, timely, and fairly as possible. In most instances, the student's parent/guardian will be notified by a teacher and/or administrator regarding the particular disciplinary issue.

(K) Hate Crime Reporting Procedures and Policies

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

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

The Superintendent or designee shall collaborate with regional programs and community organizations to promote an environment where diversity is celebrated and hate-motivated behavior is not tolerated. Franklin will also collaborate with our school community and the district to identify and reduce incidents of microaggressions, which are defined as subtle, unconscious, or unintentional behaviors prejudicing or excluding a member of a marginalized group. Although these behaviors do not meet the definition of a hate crime, these behaviors contribute to an unsafe school environment. Such collaborative efforts shall focus on the development of effective prevention strategies and response plans, provision of assistance to students affected by hate-motivated behavior, and/or education of students who have perpetrated hate motivated acts. Franklin will also collaborate with our school community and the district to identify and reduce incidents of microaggressions, which are defined as subtle, unconscious, or unintentional behaviors prejudicing or excluding a member of a marginalized group. Although these behaviors do not meet the definition of a hate crime, these behaviors contribute to an unsafe school environment.

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

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

As necessary, the district shall provide counseling, guidance, and support to students who are victims of hate motivated behavior and to students who exhibit such behavior.

When appropriate, students who engage in hate-motivated behavior shall be disciplined.

The Superintendent or designee shall provide staff with training that:

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

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

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

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

Complaints

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

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

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

(J) Procedures to Prepare for Active Shooters

When responding to a situation that requires our school to go into lockdown (this may include, but is not limited to, an active shooter in the building), the ALICE (Alert, Lockdown, Inform, Counter, Evacuate) protocol will be followed.

ALERT

Purpose: To use clear, concise language to indicate presence and location of active shooter or other harmful individual.

Indicate lockdown and the harmful presence and/or location of threat. For example, "LOCKDOWN, There is an active shooter in the Computer Lab," or "LOCKDOWN, an armed gunman is walking through the first floor long hallway."

Anyone can alert the school community to such a situation. Do not wait for or rely on Administration or the front office staff to make the announcement. If a staff or faculty member undoubtedly sees or is notified of a harmful individual inside the school building, he or she has the authority to alert the rest of the school community of a lockdown. Some ways to alert include: the PA system, Using the classroom phone to activate LOCKDOWN, yelling, using share 911. Faculty and staff must use any means available to them to alert the school community and to spread the word. This may be a team effort where a group of individuals work together to inform everyone. If the opportunity to escape presents itself, you should do so and report to the predetermined Rally Point.

LOCKDOWN

Purpose: To allow for an aggressive use of current technology and procedures.

A traditional lockdown procedure is the first best option when in a high-risk area (or near the harmful individual). If you do not know if you are in a high-risk area, assume you are high risk and proceed to lockdown. If remaining in lockdown remains the best option, all members of the school community should work together to protect themselves.

First, close and lock classroom doors. Use belt or backpack strap to secure door handle if possible.

Create a barricade between you and students in the classroom and the intruder on the outside; use desks, chairs, shelves, cabinets and other pieces of furniture to block entry and to provide more time for survival (have smaller items near at hand in event intruder enters the room)

Gather in the area furthest from the entry point to the room; greater distance means greater safety.

Taking attendance and maintaining order are not the priority.

INFORM

Purpose: To continually communicate the shooter's whereabouts using direct and clear language. (Use Share 911 and the PA system)

By communicating with the school community, all members can make well-informed judgment calls and can be aggressive in protecting themselves. Students, faculty and staff should use every opportunity to alert others and to communicate the whereabouts of the harmful individual.

The use of share 911, phones (school or cell), yelling, and PA system are encouraged to communicate the whereabouts and will keep the intruder off balance. Working together to make informed decisions will put the intruder at a disadvantage.

COUNTER

Purpose: To apply skills to distract, confuse and gain control.

Counter is an absolute last resort. If one finds himself in close proximity to the intruder (no chance to flee or safely get away), he should apply the following counter movements to increase chances of survival:

- Throw objects at the intruder
- Distract the intruder by noise and/or movement
- Run away in a zig zag pattern
- Swarm the intruder
- Flight or fight but do not freeze
- Turn chaos into an advantage
- Use body weight and gravity to gain control

EVACUATE

Purpose: To remove as many people as possible from the danger zone to minimize targets of opportunity.

If you know the intruder's whereabouts and you are not in a high-risk area, you should Evacuate to the school's Rally Point. Only people on the first floor should exit through the windows if necessary. People on the 2nd and 3rd floors should not evacuate through windows as this may cause harm and use the safest stairwell then exit the school to the Rally Point.

REUNIFICATION

Purpose: To reunify students with their parent/guardians in a safe location

Procedures for Preventing Acts of Bullying and Cyber-bullying

Definitions:

Bullying is an unwanted, aggressive behavior that involves a real or perceived imbalance of power between individuals with the intent to cause emotional or physical harm. Bullying can be physical, verbal, or social/relational and involves repetition or potential repetition of a deliberate act.

Cyberbullying includes the electronic creation or transmission of harassing communications, direct threats, or other harmful texts, sounds, or images. Cyberbullying also includes breaking into another person's electronic account or assuming that person's online identity in order to damage that person's reputation.

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

- Physical bullying that inflicts harm upon a person's body or possessions, such as hitting, kicking, pinching, spitting, tripping, pushing, taking or breaking someone's possessions, or making cruel or rude hand gestures
- Verbal bullying that includes saying or writing hurtful things, such as teasing, name-calling, inappropriate sexual comments, taunting, or threats to cause harm
- Social/relational bullying that harms a person's reputation or relationships, such as leaving a person out of an activity on purpose, influencing others not to be friends with someone, spreading rumors, or embarrassing someone in public
- Cyberbullying, such as sending demeaning or hateful text messages or emails, sending rumors by email or by posting on social networking sites, or posting embarrassing photos, videos, web site, or fake profiles

Measures to Prevent Bullying:

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

- Ensuring that each school establishes clear rules for student conduct and implements strategies to promote a positive, collaborative school climate
- Providing to students, through student handbooks and other age-appropriate means, information about district and school rules related to bullying, mechanisms available for reporting incidents or threats, and the consequences for engaging in bullying
- Encouraging students to notify school staff when they are being bullied or when they suspect that another student is being bullied, and providing means by which students may report threats or incidents confidentially and anonymously

- Conducting an assessment of bullying incidents at each school and, if necessary, increasing supervision and security in areas where bullying most often occurs, such as classrooms, playgrounds, hallways, restrooms, and cafeterias
- Annually notifying district employees that, pursuant to Education Code 234.1, any school staff who witnesses an act of bullying against a student has a responsibility to immediately intervene to stop the incident when it is safe to do so

Staff Development:

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

The Superintendent or designee shall provide training to teachers and other school staff to raise their awareness about the legal obligation of the district and its employees to prevent discrimination, harassment, intimidation, and bullying of district students. Such training shall be designed to provide staff with the skills to:

- Discuss the diversity of the student body and school community, including their varying immigration experiences
- Discuss bullying prevention strategies with students, and teach students to recognize the behavior and characteristics of bullying perpetrators and victims
- Identify the signs of bullying or harassing behavior
- Take immediate corrective action when bullying is observed
- Report incidents to the appropriate authorities, including law enforcement in instances of criminal behavior

Student Instruction:

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

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

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

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

Reporting and Filing of Complaints:

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

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

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

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

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

Discipline/Corrective Actions:

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

When appropriate based on the severity or pervasiveness of the bullying, the Superintendent or designee shall notify the parents/guardians of victims and perpetrators and may contact law enforcement.

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

(Education Code 48900.9)

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

Emergency Contact Numbers

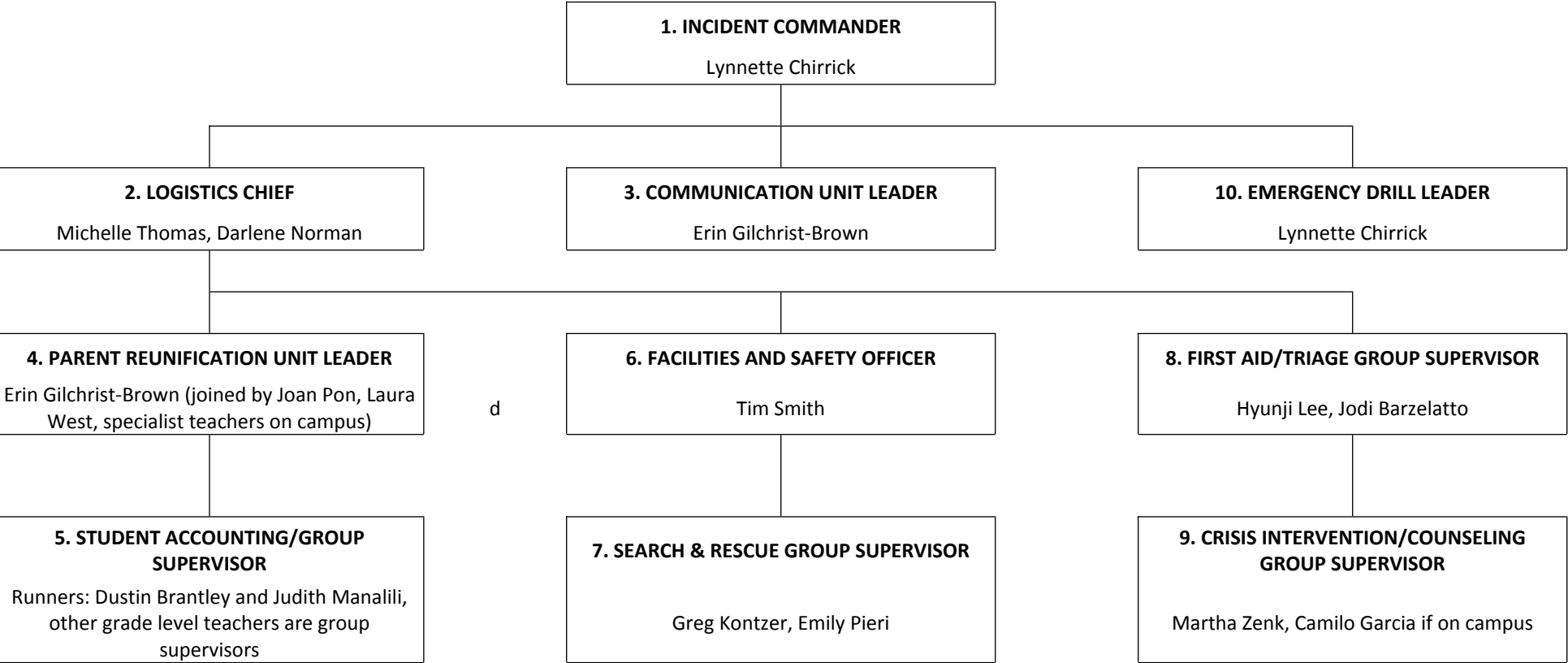
Utilities, Responders and Communication Resources

Type	Vendor	Number	Comments
City Services	City of Alameda	510-747-7400	
Other	County of Alameda	510-208-9770	
Law Enforcement/Fire/Paramedic	APD Non-Emergency	510-337-8340	
Law Enforcement/Fire/Paramedic	POLICE DEPARTMENT 911	911	
Other	Hazardous Materials Unit	510-567-6702	
Other	HEALTH DEPARTMENT - Alameda County	510-267-8000	
Local Hospitals	Alameda Hospital (Emergency Room)	510-522-3700	
American National Red Cross	RED CROSS	510-595-4400	
American National Red Cross	RED CROSS	814-4200	
Law Enforcement/Fire/Paramedic	SHERIFF'S OFFICE Non-Emergency	351-2020	

Safety Plan Review, Evaluation and Amendment Procedures

Activity Description (i.e. review steps, meetings conducted, approvals, etc)	Date and Time	Attached Document (description and location)
Faculty Meeting	8/10/23	Emergency response training with all staff
Safety Committee Meeting	9/6/23	Review of Safety Plan and procedures, roles and responsibilities, maps and evacuation routes
Faculty Meeting	9/11/23	Safety Committee share out
Safety Committee Meeting	9/24/23	Table top drill and training planning
Faculty Meeting	9/11/23	Review of REMS roles and responsibilities
Safety Committee Meeting		Update Safety plan with revisions
Public Hearing	9/8/23	Safety plan review with Parents,
		School Site Council & Review
School Site Council Meeting		SSC approval of plan

Franklin Elementary School Incident Command System



Incident Command Team Responsibilities

Standardized Emergency Response Management System Overview

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

SITE ORGANIZATION DURING A DECLARED EMERGENCY

COMMAND POST PERSONNEL AND DUTIES

If notified of a Declared Emergency from the Superintendent's Office, OR if the site suffers a severe disaster, the Site Manager shall immediately implement the plans and procedures in the Site Emergency Plan.

The Site Manager or Incident Commander shall:

- A. Activate alarm/Broadcast Alert on Share911 and PA to notify staff
- B. Activate Command Post and 2-way radio
- C. Activate Emergency Teams
- D. Assess total school situation
- E. Make initial site assessment report on Share911 to District Emergency Operations Center.
- F. Check to see that Site Emergency Teams are operating
- G. Assign messengers to needed areas
- H. Request help from 911 or Emergency Operations Center as required
- I. Secure information from Emergency Teams Update Site Status Reports - Report to the Emergency Operations Center
- J. Reassign team members to other duties as required when they finish initial assignment duties
- K. Personally address these items:
 - 1. Is campus secure?
 - 3. Are utilities off or secure?
 - 4. Are signs directing adults to release area up?
 - 5. Are traffic controllers needed?
 - 6. Is First Aid Center functioning?
 - 7. Have buildings been searched for victims?
 - 8. Is the student release program set up and operational?

Logistics Chief: The Site Office Manager shall:

- A. Report immediately to the Command Post with:

1. Master keys
 2. Current roster of students and staff
 3. Emergency forms and documents
 4. Office supplies to assist unit leads
- B. Assume responsibilities as directed by Site Manager

The Site Clerical Staff shall:

- A. Team up with other personnel as a member of a Site Emergency Team, otherwise:
- B. Report to the Site Command Post and assume responsibilities as directed by the Site Manager

The Attendance Clerk shall:

- A. Keep a current file of all students release information from forms parents are required to fill out authorizing listed persons to pick up their children in case of a severe emergency. The Attendance Clerk will take these records to the Student Release Area in the Cafeteria and give them to the Student Release Team to use.

The Site Custodians shall:

- A. Check the condition of the utilities and connecting pipes and lines and if necessary, turn them off.
- B. Check the site completely for:
1. Fire and electrical hazards
 2. Chemical hazards (Chlorine storage)
 3. Other hazards
- C. Notify Site Manager of hazards and services needed
- D. Barricade hazardous areas using whatever materials handy
- E. When site is secure, report to the Command Post for direction
- F. Open emergency container and provide emergency sanitation areas if toilets are unavailable

Directions for the Instructional Staff During a Declared Emergency

Teachers and Para Professionals shall:

- A. Respond immediately to emergency signals requiring specific actions and check in on Share911
- B. If signal is one to Leave Building, know if signal is for:
1. Fire evacuation

2. Earthquake evacuation
3. Chemical spill evacuation

Evacuate Accordingly!

A. When leaving building:

1. Take emergency backpack
2. Require students to be silent in order to hear instructions
3. Close doors to classroom
4. Go directly to pre-assigned location

B. Check with nearby classrooms when evacuating. If there are seriously injured persons who cannot be moved, assign one teacher to remain and the other to evacuate the rest of the students. Report on Share911

C. Teachers shall provide First Aid to the best of their ability to students under their supervision until the emergency First Aid station is activated. Students with major injuries are to remain in the classroom supervised by a teacher or aide. Students with minor injuries are to be cared for after evacuation.

D. Upon reaching evacuation destination, teachers shall:

1. Take roll
2. List missing students on Share 911 and on paper
3. Give list to Assembly Area Team members
4. Calm students. Remind them of District policies about remaining at school
5. Monitor warmth and protection of students. Move if necessary

E. If assigned to a Site Emergency Team, transfer your students to paired teacher to supervise, report immediately to the Command Post for supplies and begin implementation of Team responsibilities.

USE REMS TO ESTABLISH YOUR EMERGENCY SITE TEAM

Note: Contact listing is intended to be shared with team members to enhance communication in the event of a critical incident. It is recommended that the Principal and Designee establish an intranet list server to further enhance communications. The personal information listed is intended for team members. Please type name and number under each assignment.

REMS Team Members Primary Contact/Cell number Secondary Contact/Cell number
Lynnette Chirrick 209-620-7924

See REMS Documents for additional team contact information

Incident Commander: Lynnette Chirrick

Establishes an Incident Command Center, lists incident objectives and designates the following positions to perform the following duties.

Logistics Chief: Michelle Thomas, Darlene Norman

Supports each unit leader with where to find the necessary tools to support the team fulfilling their duties.

Report immediately to the Command Post with:

- Master keys
- Current roster of students and staff
- Emergency forms and documents
- Office supplies to assist unit leads
- Computers and walkie talkies
- Assume responsibilities as directed by Site Manager

Communication Unit Leader: Erin Gilchrist Brown

Works with the incident commander to communicate out important information to all supervisors and the public.

Report immediately to the Command Post with:

- Computer
- Office supplies

Parent Reunification Unit Leader: Erin Gilchrist Brown

Reunification refers to getting students reunited with their parents or guardians in an efficient and orderly manner. Reunification can be an enormous challenge and takes a lot of planning.

The Student Release Team is responsible for: Erin Gilchrist Brown

- Setting up secure reunion area
- Checking student emergency cards for authorized releases
- Completing release logs
- Coordinating with the Public Information Office on external messages

Student Accounting/Group Supervisor: Judith Manalili and Dustin Brantley

Team:

K - Danielle LaBarre

1st - Jill Ingram

2nd - Tina Twite

3rd - Julia Shafer

4th - Debamitra Guha

5th - Darlene Norman

Evacuation, shelter, and student care in an emergency is one of the most important tasks faced by schools. It includes student accounting, protection from weather, providing for sanitation needs, and providing for food and water and releasing of students to their guardians.

The Evacuation/Shelter/Care Team is responsible for:

- Accounting for the whereabouts of all students, staff, and volunteers
- Setting up secure assembly area
- Managing sheltering and sanitation operations
- Managing student feeding and hydration
- Coordinating with the Student Release Team
- Coordinating with the Logistics Section to secure the needed space and supplies

Search & Rescue Group Supervisor: Greg Kontzer and Emily Pieri

Search & Rescue Teams search the entire school facility, entering only after they have checked the outside for signs of structural damage and determined that it is safe to enter. Search & Rescue Teams are responsible for ensuring that all students and staff evacuate the building (or, if it is unsafe to move the persons, that their locations are documented so that professional responders can locate them easily and extricate them).

Search & Rescue Teams are also responsible for:

- Using Share 911 to identify where injuries may exist

- Obtaining injury and missing student reports from teachers
- Moving injured members from building if emergency responders are unable to do so
- Identifying and marking unsafe areas
- Conducting initial damage assessment

First Aid/Triage Group Supervisor: Hyunji Lee & Jodi Barzelatto

First Aid Teams provide triage and treatment for students and other disaster victims. First Aid Teams are responsible for setting up first aid area for students, assessing and treating injuries, and completing master injury report.

First Aid Teams are responsible for:

- Setting up a first aid area for students
- Assessing and treating injuries
- Completing master injury report

Note: The Logistics Section Medical Unit provides care to responders. The Operations Section First Aid Team is dedicated to students or other disaster victims.

Crisis Intervention/ Counseling Group Supervisor: Martha Zenk and Jair Morales

The Crisis Intervention Team is responsible for assisting students and school personnel who are unable to cope with the fears and psychological trauma associated with emergencies and disasters.

This includes:

- Assessing need for onsite mental health support
- Determining need for outside agency assistance
- Providing onsite intervention/counseling
- Monitoring well-being of school emergency team, staff, and students, and reporting all findings to the Operations Section Chief

Facilities and Safety Officer: Tim Smith

The Facilities & Security Response Team is responsible for:

- Locating all utilities and turning them off, if necessary
- Securing and isolating fire/HazMat
- Opening Emergency Trailer
- Assessing and notifying officials of fire/HazMat
- Conducting perimeter control

Emergency Drill Leader: Lynnette Chirrick

The Emergency Drill Leader is responsible for:

- Training staff
- Coordinating and running all required drills
- Monitoring participations
- Reviewing after action reports
- Reporting to the incident commander

LIST SEARCH TEAM DUTY DESCRIPTIONS

EXAMPLE: If assignment is SEARCH TEAM:

Take heavy gloves, flashlight, hard hat and masking tape (no entry) from Emergency Backpack.

Leave Emergency Backpack and students with designated teacher (see previous page).

Report to INCIDENT COMMAND CENTER near gate in lower yard meet with search team partner(s).

Receive directions for search instructions from Search team supervisor.

LIST WHO WILL BE:

SEARCH TEAM #1 Search Team 1: Emily Pieri, Judith Manalili

Search rooms 14, 15, Girls and Boys downstairs bathrooms, Rooms 5,4,3,2, elevator, MPR, Basement, Resource, Speech/Psych rooms, custodian's rooms, storage area, lift. Put up No entry sign when done. Report cleared rooms and all findings to command.

SEARCH TEAM #2 Search Team 2: Greg Kontzer & Lynn Kinsey (Joan Pon backup on M, T)

Search Rooms 12, 11, 10, 9, 8, 7, 6, Upstairs Elevator, Psychologist's Room, Girl's upstairs bathroom, Women's Staff Bathroom, All areas in the administration offices, unisex bathroom, Rooms 1 & 16. Put up no entry signs when done. Report cleared rooms and findings to command.

Minimize injuries and loss of life: provide temporary care of injured students.

Set up desk at picnic tables behind multipurpose room (or if unsafe here, on blacktop near multipurpose room).

Organize supplies and treatment area.

Help with wounded.

Keep Check Out Station informed.

Request additional help (ambulances, etc.) through Check Out Station.

Look up emergency information if necessary.

LIST WHO WILL BE:

TREATMENT - Jodi Barzelatto

TRIAGE - Hyunji Lee

RECORDER - Joan Pon, if not serving as backup runner

List the things you will have to accomplish and assign to operations section or logistics section.

Examples:

Set up table, chairs and sign "Incident Command Center"

Set up operations table, logistics table.

Set up a first aid station

Put traffic cones in the street, blocking off access to the parking lot entry drive

Set up people to handle the check out of students. Display signs A-L, M-Z. Have emergency card information forms out.

Record finding of search teams

List any unaccounted for students and those in First Aid or in need of first aid.

Keep track of the walkie-talkies

Listen to radio

Use runners as necessary to retrieve information and students

Organize parent line-up and announce using bullhorn to parents that students have been evacuated

Assist in calming and organizing parents

Provide pen and paper for non-English speaking students to write their name

Communicate to District Personnel

INCIDENT COMMAND POST – PARU GATE

The Site Manager or designee is the final authority at each school. He/she must be available for all decisions, information and authority during the time the schools are isolated.

Therefore, the Site Manager and the Command Post should be housed in a central area, i.e., the front of the school, where the manager is available to radio, telephone, emergency equipment or personnel and parents.

The Command Post will begin to operate immediately after a disaster.

This is where the record keeping, communication, and major decision making will take place. The Site Manager or Incident commander will be here.

In addition, a separate Student Release Area will be established to coordinate the release of students to authorized adults. Student release area will be in the bike cage (if inaccessible at the end of the parking lot behind the second gate).

Emergency Release Information Forms are needed at the Release Area to document the release of all students.

While the Command Post is functioning, The First Aid and Search/Assessment Teams will carry out their functions and provide information to the Incident commander about the:

1. Condition of students
2. Condition of staff
3. Condition of facilities

Management

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

Planning & Intelligence

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

Operations

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

Logistics

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

Finance & Administration

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

Types of Emergencies & Specific Procedures

Aircraft Crash

FALLEN AIRCRAFT

DEFINITION/DESCRIPTION

If an aircraft falls near the school, the principal will determine which emergency action, if any, will be taken. Local fire and police departments will be responding also. All students and staff should be kept at a safe distance to protect them from possible explosions and/or fire.

IMMEDIATE ACTION

Principal

- Determine which Action, if any, should be implemented.
- Where necessary, tell teachers they may need to take immediate action for the safety of students without waiting for directions from the principal.
- Determine, if possible, whether the aircraft is military, commercial or private. Contact the local police to determine appropriate action and refer all members of the press to the Emergency Operations Center.

Principal's Secretary

- Respond to calls.
- Assist principal as needed.
- Refer all members of the press to the Emergency Operations Center.

Teachers

- Follow principal's direction as to appropriate Action.
- Depending on the nature of the accident you may need to take Action DROP or Action TAKE COVER to protect students from a possible explosion and/or fire.

FOLLOW UP ACTION

Principal

- Provide up-to-date information to staff and students as it becomes available and arrange school site meetings to make assignments and determine plans.
- Coordinate activities of the school site team.
- Maintain contact with Emergency Operations Center and Superintendent's office.
- Arrange after-school staff meetings to debrief and clarify events.

Teachers

- Read bulletins/announcements as provided by the principal.
- Refer all media to the principal's office.
- Cooperate with the school site team to provide follow-up as appropriate.
- Refer for counseling students who may be at risk.
- Return to normal instructional activities as soon as possible.

Animal Disturbance

If a rabid or vicious animal is at or in the vicinity of the school, the Animal Control Center should be notified immediately. Teachers shall be notified Shelter In Place. Students outside of the building will be quietly and cautiously sent into the nearest building and secured in a room behind closed doors. Notify the Superintendent's Office.

Armed Assault on Campus

Follow A.L.I.C.E Procedures, REMS, This section removed from posted plan for security purposes. If you wish to see the full plan, contact the school principal for an appointment.

Biological or Chemical Release

CHEMICAL SPILL

1. An announcement will be made to either Shelter in Place or evacuate the building and gather in the Assembly Area, depending on the situation.
2. The announcement will be made by the P.A. system, or if this fails to operate, messenger will alert classes.
3. If the Assembly Area is not safe, students will be evacuated to Lincoln Park, depending on the area of the spill and direction of the wind.

CHEMICAL ACCIDENT

1. DEFINITION/DESCRIPTION

Chemical accidents of disaster magnitude would include tank truck accidents involving large quantities of toxic gases or toxic liquids. This type of accident will likely be reported by an outside source unless the accident has occurred immediately adjacent to the school site.

2. IMMEDIATE ACTION

Principal

- a) Receive information about/review situation to determine if evacuation routes are safe (move crosswind to avoid fumes).
- b) Determine which action should be implemented.
- c) Sound alarm for appropriate action.
- d) Notify/maintain contact with Superintendent/Emergency Operations Center.
- e) Determine what further action to take.

Teachers

- a) Implement appropriate action, using alternate evacuation route if required.
- b) Maintain control of students.
- c) Take roll. Report students who are absent.
- d) Notify principal of any problems in/around area
- e) Notify principal of need for first aid, as appropriate.

Custodian

- a) Review situation to assess extent of spill, wind direction and proximity to building.
- b) Report findings to principal.
- c) Be prepared to direct fire/police department to spill site.
- d) Assist in spill clean-up or containment, as appropriate.

3. FOLLOW UP ACTION

Principal

- a) Determine, in coordination with M.O.F./Fire Department, whether buildings are habitable.
- b) Notify staff/students of any modification in schedule.
- c) Work with Emergency Operations Center to publicize information regarding accident.
- d) Arrange school site meeting to provide information to staff.

Principal's Secretary

- a) Screen all calls. Refer public to Emergency Operations Center.
- b) Refer media to Emergency Operations Center.
- c) Prepare necessary bulletins.

Teachers

- a) Read bulletins/announcements as provided by principal.
- b) Refer all media to principal's office.
- c) Cooperate with school site team to provide follow-up, as appropriate.
- d) Refer for counseling students who may be at risk.
- e) Return to normal instructional activities as soon as possible.

Bomb Threat/ Threat Of violence

1. DEFINITION/DESCRIPTION

A bomb threat will typically be received in writing or by telephone call. Responses will generally be the same with the initial exception of a person receiving a telephone threat. A copy of the Bomb Threat Checklist should be readily available for every administrative phone responder.

2. IMMEDIATE ACTION – Telephone Threat

Person Receiving Call

- a) Keep the caller on the line. Delay the caller with such statements as: "I'm sorry, I did not understand you. What did you say?"
- b) Use Bomb Threat Checklist (see form at the end of this "Bomb Threat" section). Get as much information as possible from the caller.
- c) Immediately after caller hangs up, report all information to principal.

All Office Personnel

Immediately search your work area for foreign or suspicious objects or packages. If one is found, **DO NOT TOUCH OR MOVE IT!**

IMMEDIATE ACTION – Written Threat

Person Receiving Written Message

Give the message to the principal immediately upon identification.

Principal

- a) Receive/review all information about bomb threat.
- b) Determine which action should be taken.
- c) Initiate non-electronic evacuation procedure; i.e. runner or bullhorn, since electronic warnings could activate any device, being sure all evacuation routes are clear.
- d) Notify Superintendent/Police/Fire Department.
- e) Direct search of office complex, evacuation site and classrooms.
- f) Determine what further action should be taken.

Teachers

- a) Implement appropriate action, using alternate evacuation route if required.
- b) Maintain control of students.
- c) Take roll. Report students who are absent.
- d) Notify principal of any problems in or around area.
- e) Hold students until designated evacuation area has been searched and declared safe, and then conduct students to the cleared area.

Teachers assigned to the designated evacuation area will remain with the pupils; personnel who are assigned to search teams will report to the principal for briefing.

If notification of a threat is received and immediate evacuation is not ordered, teachers will search their classrooms for any unidentifiable objects. If nothing is found, resume instruction until the evacuation order is received.

Custodians

- a) Under the direction of the principal, immediately proceed with a thorough search of designated evacuation area (or other area large enough to contain the students) to provide a safe place for students evacuated from the buildings.
- b) Search, as required, to determine that no explosive is hidden in a book, clothes locker or restroom.

3. FOLLOW UP ACTION

Principal

- a) Determine, in coordination with M.O.F. and Fire Department, whether buildings are habitable.
- b) Notify staff/students of any modification in schedule, via special bulletin or telephone tree.
- c) Work with Emergency Operations Center to put messages on TV, radio and telephone system regarding any modifications in schedule.
- d) Arrange school site meeting to discuss plan.

Principal's Secretary

- a) Screen all calls. Refer calls to Emergency Operations Center.
- b) Prepare necessary bulletins.

Teachers

- a) Read bulletins/announcements as provided by principal.
- b) Refer all media to principal's office.
- c) Cooperate with school site team to provide follow-up as appropriate.
- d) Refer for counseling students who may be at risk.
- e) Return to normal instructional activities as soon as possible.

EXPLOSION OR THREAT OF EXPLOSION

1. DEFINITION/DESCRIPTION

An explosion at the school, or the threat of an explosion, may be caused by leaking gas or a faulty boiler within a school building.

2. IMMEDIATE ACTION – EXPLOSION

Principal

- Sound the school alarm.
- Notify the Superintendent or Assistant Superintendent.
- Notify utility companies of a break or suspected break.
- Notify fire and police departments and direct further action as required.
- Notify teachers of proper action (DROP or LEAVE BUILDING).

Teachers

- Command DROP is given. Instruct students to react in the same manner on their own to this type of catastrophe in case it occurs when the teacher is temporarily not present.
- If the explosion occurred within the building, or threatened the building, immediately implement Action LEAVE BUILDING.
- Move to an area of safety and maintain control of students.
- Notify principal of students needing first aid as necessary.
- Fight incipient fires without endangering life.
- Take roll. Report absent students to principal.
- Students and staff should not return to the school until Fire Department officials declare the area safe.

IMMEDIATE ACTION - THREAT OF EXPLOSION:

Principal

- Sound the school fire alarm, or silent evacuation if electronic means could set off explosion. This will automatically implement Action LEAVE BUILDING.
- Follow procedures for principal -- 'c' and 'd' above.

Teacher

- Follow procedures for teachers -- 'c' through 'g' above.

Disorderly Conduct

CIVIL DISOBEDIENCE/MENACING INDIVIDUALS

1. DEFINITION/DESCRIPTION

Civil disobedience is defined as any assemblage on the school premises by unauthorized persons whose purpose and conduct is inimical to the orderly conduct of the school and the laws relating to the conduct of schools and the welfare of students.

WARNING: The presence of unauthorized individuals or an alert of an impending visitation. When this condition has been reported to the principal or authority in charge, he or she shall transmit the warning to all classes by the public address system. If the PA system is inoperable, a messenger will be sent to each classroom. Activate Share911

2. IMMEDIATE ACTION

The major plan of action will be to protect all personnel from undue exposure to danger. Every effort must be made to keep classes within their rooms. The following specific steps will be taken to implement the plan of action:

Principal or Designee

- a) Transmit a Shelter in Place alert to all staff members.
- b) Call the local law enforcement agencies to provide protection and to handle arrests.
- c) Make certain that a specific crime is committed before requesting arrests.
- d) School civil disobedience crimes involving arrest are listed in the Criminal Code Procedure and include the following:
 - 1. Disturbing the Peace
 - 2. Trespassing
 - 3. Loitering Around the School Grounds
- e) The principal should make an announcement to the demonstrators similar to the following:
"I am the principal of this school. You are interfering with the orderly process of education in this school. I request that you leave. If you do not leave, I shall ask for your arrest. You are causing a disturbance."

Teachers

- a) Keep students within their locked classrooms until further notice, regardless of the bells and schedules.
- b) Lock classroom doors.
- c) Remain in charge of your class, utilizing the best judgment in occupying the students within the classroom.
- d) Precaution should be taken to protect personnel from flying glass in case of broken windows. Drapes, venetian blinds, or jalousies should be closed.
- e) Where there is evidence of a potential problem, all P.E. classes will immediately return to the classrooms.

Custodians

Lock and secure all exterior doors.

3. FOLLOW UP ACTION

Principal

- a) Determine, in coordination with M.O.F., whether building(s) is/are habitable.
- b) Notify staff/students of any modification in schedule, via special bulletin or telephone tree.
- c) Work with Communications director to put messages regarding any modifications in schedule.
- d) Arrange school site meeting to discuss plan.

Principal's Secretary

- a) Screen all calls. Refer public to Director of Communications
- b) Refer media to Director of Communications
- c) Prepare necessary communication to community.

Teachers

- a) Read announcements as provided by principal.
- b) Refer all media to principal's office.
- c) Cooperate with school site team to provide follow-up, as appropriate.
- d) Refer for counseling students who may be at risk.
- e) Return to normal instructional activities as soon as possible.

Earthquake

Although the probability of an earthquake occurring is lower than most other emergency types, the potential for injuries and damage from one is high. It is essential that students and staff remain aware of the following basic actions:

If an earthquake or other situation warrants, drop to the floor, take protective position under desks or furniture with backs to windows and hands covering head and face. Stay in position until directed to evacuate or take other protective action. If outside, move away from buildings and trees and take protective position. When situation permits, proceed to the designated assembly point. Standby: Alert students in your area to stand by for further information. Make whatever assessment of the situation is possible. Render emergency first aid as required. If inside, stay inside during ground shaking. In classrooms or offices, move away from windows, shelves and heavy objects or furniture that may fall. Take cover under a safe table, desk or counter. At the teacher's command, students should take the DROP position.

If a "shelter" (table, desk, etc.) is not available, move to an inside wall or corner, turn away from windows, kneel alongside wall, and bend head close to knees, with elbows firmly behind neck protecting face. If notebooks or jackets are handy, hold these overhead for added protection from flying glass and ceilings debris. Remain in sheltered position for at least 60 seconds or until directed to move by an adult. If in halls, on stairways, or other areas where no cover is available, students must follow the directions of the nearest teacher or school employee.

If in the library, immediately move away from windows and bookshelves and take appropriate cover. In the science lab or shops, all burners should be extinguished (if possible) before taking cover. Stay clear of hazardous chemicals that may spill. The duration of ground shaking depends on a number of factors, including the severity of the earthquake. Advise students to anticipate shorter or longer episodes of ground shaking during actual earthquakes and their aftershocks.

EARTHQUAKE HAZARDS COMMONLY FOUND IN SCHOOL BUILDINGS:

- Glass that shatters or flies around
- Objects stored above head-level on shelves, walls, and ceilings (such as unused projectors, books, science equipment, boxes)
- Objects that block movement to safe places (books on floors, tipped desks and bookcases)
- Cabinets without latches
- Objects stored on wheels
- Open shelving without a lip or restraining wire
- Free standing cabinets
- Blocked exits
- Objects in hallways that block movement (glass, tables, locker contents)

SETTLING DOWN AFTER THE FIRST SHOCK:

- After the first shock, teachers will evacuate the classrooms, being alert to the possibility of aftershocks.
- When leaving the classroom, teachers should make every effort to take with them the roll book and emergency supplies.
- Announce that no student is to return to the room unless directed to do so.
- Teachers will take classes to pre-arranged places on the campus.
- Teachers and students will remain in designated areas until re-entry to the building has been approved or they are directed to move elsewhere.
- School will remain open indefinitely until every student has been released to parents or to an authorized person.
- Do not light any fires after the earthquake because of possible gas leaks.
- If possible, notify utility companies of any break or suspected breaks in service.

THE GREAT SHAKEOUT EARTHQUAKE DRILLS

Franklin School participates in the annual Great ShakeOut Earthquake Drills. See <https://www.shakeout.org/index.html> for more information.

Explosion or Risk Of Explosion

EXPLOSION OR THREAT OF EXPLOSION

DEFINITION/DESCRIPTION

An explosion at the school, or the threat of an explosion, may be caused by leaking gas or a faulty boiler within a school building.

IMMEDIATE ACTION – EXPLOSION

Principal

- a) Sound the school alarm and report on Share911.
- b) Notify teachers of proper action (DROP or LEAVE BUILDING).

Teachers

- a) Command DROP is given. Instruct students to react in the same manner on their own to this type of catastrophe in case it occurs when the teacher is temporarily not present.
- b) If the explosion occurred within the building, or threatened the building, immediately implement Action LEAVE BUILDING.
- c) Move to an area of safety, and maintain control of students.
- d) Use Share911 to report students absent, found or needing first aid as necessary.
- e) Fight incipient fires without endangering life.
- g) Students and staff should not return to the school until Fire Department officials declare the area safe.

IMMEDIATE ACTION - THREAT OF EXPLOSION:

Principal

Sound the school fire alarm, or silent evacuation if electronic means could set off explosion. This will automatically implement Action LEAVE BUILDING.

Follow procedures for principal -- 'c' and 'd' above.

Teacher

Follow procedures for teachers -- 'c' through 'g' above.

Fire in Surrounding Area

Follow shelter in place procedures, contact MOF to shut off air if possible.

Fire on School Grounds

DEFINITION/DESCRIPTION: A fire detected in or adjacent to any building at the school site.

IMMEDIATE ACTION

Principal or Site Safety Coordinator

- View fire or take report to determine that evacuation routes are safe.
- Notify teachers of alternate route if necessary.
- Sound school fire alarm and report on Share911.
- Determine what further action to take (i.e. send students/staff home).

Teachers

- Implement Action LEAVE BUILDING, using alternate route in necessary.
- Maintain control of students at a safe distance from the fire and fire fighting equipment.
- Take roll upon arrival at designated area.
- Remain with students in designated area until notified of next action.

- Notify principal of any hazards observed in/around area through Share911.
- Notify principal of need for first aid as appropriate through Share911.

Custodians

- View fire to identify location and extent.
- Report findings to principal.
- Fight incipient fire without endangering life.
- Be prepared to direct fire department to fire site.
- Shut off gas/water as appropriate.
- Shut off electricity after all necessary use of P.A. system is complete.

FOLLOW-UP ACTION

Principal

- Determine, in coordination with M.O.F. and Fire Department whether buildings) is/are habitable.
- Notify staff/students of any modification in schedule, via Share911 and special bulletin or telephone tree.
- Work with Director of Communications to put messages on TV, radio and communication system regarding any modifications in schedule
- Arrange school site meeting to discuss plan.

Principal's Secretary

- Screen all calls.
- Refer media to Director of Communication.
- Prepare necessary communications to community.

Teachers

- Read announcements as provided by principal.
- Refer all media to principal's office.
- Cooperate with school site team to provide follow-up as appropriate.
- Refer for counseling students who may be at risk.
- Return to normal instructional activities as soon as possible.

Flooding

DESCRIPTION/DEFINITION

There should be some thought and preparation for this eventuality should any sources around the school create flooding. Flooding may be the secondary effect of another disaster, such as an earthquake.

IMMEDIATE ACTION

Principal

- View flood or take report to determine that evacuation routes are safe.
- Broadcast Alert on Share911 and PA as appropriate.
- Determine what further action to take.

Teachers

- Implement appropriate Action in response to principal direction.

- Take roll upon arrival at evacuation area. Report absent students, needs for first aid and any hazards observed in/around area to principal through Share911.
- Maintain control of students at evacuation area.

Custodians

- View flood to identify location and extent.
- Report findings to principal.
- Be prepared to direct M.O.F./City to flood site/source.
- If flooding is result of school site damage, turn off water.

Follow up Plan

Principal

- Determine, in coordination with M.O.F. and Fire Department whether buildings is/are habitable.
- Notify staff/students of any modification in schedule, via Share911 and special bulletin or telephone tree.
- Work with Director of Communications to put messages on TV, radio and communication system regarding any modifications in schedule
- Arrange school site meeting to discuss plan.

Principal's Secretary

- Screen all calls.
- Refer media to the Director of Communication.
- Prepare necessary communications to the community.

Teachers

- Read announcements as provided by the principal.
- Refer all media to the principal's office.
- Cooperate with the school site team to provide follow-up as appropriate.
- Refer for counseling students who may be at risk.
- Return to normal instructional activities as soon as possible.

Loss or Failure Of Utilities

UTILITIES LOSS OR FAILURE

CALL MOF - They will call the appropriate public works system based on the loss or failure.

LOSS OF ELECTRICAL POWER:

Consult Alameda Power

LOSS of GAS

PG&E

WATER EMERGENCY:

East Bay Municipal Utility District, colloquially referred to as "East Bay Mud"

PHONE ISSUES:

Contact Technology Information Services to report phone issues.

ADDITIONAL INFORMATION:

Contact Maintenance, Operations & Facilities at extension if any utility will be off for an extended period of time.

Notify the superintendent of the situation.

If necessary, make appropriate arrangements with Maintenance and Operations for temporary communications, water delivery and portable rest rooms.

In the event of an extended outage, consult with the cafeteria manager. The cafeteria manager will consult with Food and Nutritional Services.

If an extended outage is likely, provide an update to keep parents/guardians informed.

Motor Vehicle Crash

Step1: Respond to the injured party and determine if first aid or CPR should be provided

Step 2: If 911 needs to be called have another person call while you deliver first aid or CPR

Step 3: Send another person to notify others and get any emergency equipment or information that would be helpful to the emergency

Step 4: When safe to do so, activate share 911 to communicate to staff if an ambulance is on its way

Step 5: Designate staff to the appropriate gate/entrance to help emergency services get in close proximity to injured party. Ask teachers to keep students indoors if students should not see what is happening.

Step 6: Staff are required to complete and turn in an Accident Report to administration for any injuries to any one on campus

Step 7: Accident forms need to be sent to the business office

Psychological Trauma

The sudden death, serious injury to a student or staff member either through natural causes, accidents or as the result of an act of violence, such as school shooting, missing students (known or suspected abduction), physical assault, sexual assault, non-natural or non-accidental causes or other unexpected events are, without question, a crisis. Responding to these kinds of crisis situations in a timely and effective manner is as critical as dealing with an earthquake or a fire.

1. Contact Student Services to request the District Crisis Intervention Team immediately following a serious injury, accident or death of a student or staff member.
2. Work with your school psychologist and or counselors to determine identification of short-and long-term interventions for students or staff traumatized by the event.
3. Work with the Superintendent's office to formulate a public statement.
4. Discuss the crisis in a factual manner in follow up meetings and/or communications.
5. Be sensitive to latent behavior problems that are trauma-related.

A general message will be prepared and whenever possible parents will be contacted first in order to be the first adults to provide the information and support their children. All staff will be debriefed and supported. Activities to best meet the needs of the community will be provided aimed at providing counseling, a way for all to process (writing, drawing, and sharing). Activities such as games, music and reading may be planned over a short period of time to reduce anxiety and work demands. Follow and close monitoring for students and staff to insure latent reactions and responses.

Opioid Overdose

Step (1) Call 911 An overdose is a medical emergency. It is important to have trained medical professionals assess the condition of the overdose victim. Even though Naloxone can reverse the overdose, there may be other health problems of which the responder may not be aware. In addition, people who survive any type of overdose are at risk of experiencing other health complications

because of the overdose. Getting someone examined by a medical professional is an important part of reducing the harms associated with overdosing.

It is important for trained staff to remember that Naloxone only works if there are opioids involved with the overdose. It cannot reverse an overdose from benzodiazepines, meth, cocaine, or alcohol.

Step (2) Administer Naloxone (Narcan)

Open the Naloxone blister pack; do not push the plunger.

With the victim's head tilted slightly back, place two (2) fingers over the top of the medication with your thumb securing it from the bottom.

Insert the atomizer fully and gently into their nostril

Push the plunger forward with the thumb and deliver spray of medication. (There is no need to plug the opposing nostril).

Place the person to their side (recovery position).

If the individual is still not responding within two (2) minutes, give a second dose in the opposite nostril.

Follow Up

If the victim is a student, contact parent/guardian per school policy.

Complete an Accident/Injury Report

Facilitate a debriefing with responding staff

Consider a plan of care for the students' safe return to school

Emergency Evacuation Map

[See Attachments](#)

Comprehensive School Safety Plan

**2023-24
School Year**

School: Island Continuation High School
CDS Code: 01611190134304
District: Alameda Unified School District
Address: 500 Pacific Ave
Alameda
Date of Adoption:
Date of Update: 2/29/2024
Date of Review:
- with Staff
- with Law Enforcement
- with Fire Authority

Table of Contents

Comprehensive School Safety Plan Purpose.....	4
Safety Plan Vision.....	4
Components of the Comprehensive School Safety Plan (EC 32281).....	5
(A) Child Abuse Reporting Procedures (EC 35294.2 [a] [2]; PC 11166).....	5
(B) Disaster Procedures (EC 35295-35297; GC 8607 and 3100).....	7
(C) School Suspension, Expulsion and Mandatory Expulsion Guidelines	10
(D) Procedures to Notify Teachers of Dangerous Pupils (EC 49079).....	30
(E) Sexual Harassment Policies (EC 212.6 [b]).....	31
(F) School-wide Dress Code Relating to Gang-Related Apparel (EC 35183).....	34
(G) Procedure for Safe Ingress and Egress of Pupils, Parents, and Staff to and from School (EC 35294.2)	37
(H) A Safe and Orderly School Environment Conducive to Learning (EC 35294.2)	39
(I) School Discipline Rules and Consequences (EC 35291 and EC 35291.5)	40
(K) Hate Crime Reporting Procedures and Policies	40
(J) Procedures to Prepare for Active Shooters.....	42
Procedures for Preventing Acts of Bullying and Cyber-bullying.....	43
Emergency Contact Numbers	47
Safety Plan Review, Evaluation and Amendment Procedures	48
Island Continuation High School Incident Command System	49
Incident Command Team Responsibilities.....	50
Types of Emergencies & Specific Procedures.....	57
Aircraft Crash	57
Animal Disturbance.....	57
Armed Assault on Campus	57
Biological or Chemical Release.....	57
Bomb Threat/ Threat Of violence	58
Disorderly Conduct	60
Earthquake	62
Explosion or Risk Of Explosion	62

Fire in Surrounding Area63

Fire on School Grounds63

Flooding65

Loss or Failure Of Utilities66

Motor Vehicle Crash66

Psychological Trauma.....66

Opioid Overdose67

Emergency Evacuation Map.....68

Comprehensive School Safety Plan Purpose

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

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

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

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

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

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

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

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

A copy of the Comprehensive School Safety Plan is available for review at .

Safety Plan Vision

The Alameda Unified School District is committed to providing a quality educational environment that is safe, secure, and peaceful. The primary goal of the District is to help each student develop to the maximum of his/her capacity and function as a responsible member of a democratic society. When parents, students and staff are aware of our mutual responsibilities to keep our community safe, we can effectively promote positive student participation in all of our schools.

The School Site Emergency Plan is designed for use as a school resource for prevention/mitigation, preparedness, response, and recovery planning and training as well as functioning as a template for meeting the requirements for the annual Safety Plan Process under Senate Bill 187, Education Code Section 35294, Statutes of 1998, and the National Incident Management System. It is designed to be a living document that is updated as necessary to meet site, District, and community needs, forms, and/or requirements—therefore, it should be maintained in hard copy and electronic form.

This document is NOT intended to be a “grab and go” guide in an actual emergency.

Components of the Comprehensive School Safety Plan (EC 32281)

Island Continuation High School Safety Committee

Ben Washofsky, Eduardo Garcia, Juanita Williams, Amy Haines, Matthew Giles, Ross Becht, Jhune Rosalio

Assessment of School Safety

Current Status of School Crime. Each school is required to assess the current status of school crime committed on the school campus and at schoolrelated functions. You may accomplish this by reviewing the following type of information: Local law enforcement crime data; suspension/expulsion data; behavior referrals; counseling referrals; attendance rates; SART/SARB data; CHK Survey data; SPSA data; property damage/vandalism data; or any other data pertinent to your assessment. Insert Aeries data here.

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

The School follows best practices for around MTSS and PBIS.

for more info, <https://docs.google.com/document/d/1xKrJot7fW9hPEWAS-VGYAdUDwfzrKcbxwkB6YUzvgo/edit?usp=sharing>

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

Child Abuse Reporting Procedures

With concern for the total well-being of each student, employees of the district shall report known or suspected incidences of child abuse in accordance with state law and district regulations. Our employees cooperate with the child protective agencies responsible for reporting, investigating and prosecuting cases of child abuse.

A. Definition of Child Abuse

"Child Abuse," as defined by law, pursuant to Penal Code 273 and 11165, includes:

1. Physical abuse resulting in a non-accidental physical injury.
2. Physical neglect, including both severe and general neglect, resulting in negligent treatment or maltreatment of a child.
3. Sexual abuse including both sexual assault and sexual exploitation.
4. Emotional abuse and emotional deprivation including willful cruelty or unjustifiable punishment.
5. Severe corporal punishment.

B. Legal Duty to Report

Mandated child abuse reporting is governed by the Child Abuse and Neglect Reporting Act, P.C. 11164. The intent and purpose of the law is to protect children from abuse. The definition of a child is any person under 18 years of age.

Within the scope of his or her employment, any childcare custodian who has knowledge of, observes, or reasonably suspects a child is a victim of child abuse, shall report the known or suspected abuse to a child protective agency by telephone and written report. Additionally, any suspicion of mental suffering inflicted on a child where his or her well-being is endangered in any way, will also be reported.

"Mandated Reporters" are those people defined by law as "childcare custodians," "medical practitioners" and "non-medical practitioners" and include virtually all school employees.

(Penal Code 11165.7 and 11165.8) The following school personnel are required to report: teachers, administrators, supervisors of child welfare and attendance, certificated student personnel employees, employees of a child care programs, preschool teachers, school psychologists, licensed nurses, counselors, para-educators instructional aides or other classified employees trained in child abuse reporting. Employees do not need to have their employer's permission to make a child abuse report.

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

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

3. Employees will report known or suspected child abuse to a child protective agency by telephone immediately or as soon as practically possible and in writing within 36 hours. The reporting duties are individual and cannot be delegated to another individual.
4. When two or more persons who are required to report and both have knowledge of suspected child abuse, and when there is agreement among them, the telephone report may be made by any one of them who is selected by mutual agreement, and a single report may be made and signed by the person selected. However, if any person who knows or should know that the person designated to report failed to do so, that person then has a duty to make the report.
5. The duty to report child abuse is an individual duty and no supervisor or administrator may impede or inhibit such reporting duties. Furthermore, no person making such a report shall be subject to any sanction. Any supervisor or administrator in violation (Section 11166) is guilty of an infraction punishable by a fine not to exceed five thousand dollars (\$5000).

C. Legal Responsibility and Liability

1. Mandated reporters have absolute immunity. School employees required to report are not civilly or criminally liable for filing a required or authorized report of known or suspected child abuse.
2. Any mandated reporter who fails to report an incident of known reasonably suspected child abuse or neglect as required by this section is guilty of a misdemeanor punishable by up to six months confinement in a county jail or by fine of one thousand dollars (\$1000) or by both that fine and punishment. The mandated reporter may also be held civilly liable for damages of any injury to the child after a failure to report.

D. Reporting Procedures

The person who first observes or learns about the abuse is to complete the "Suspected Child Abuse Report" form (BCIA 8572) and call the Child Abuse Reporting phone number Call our hotline now at 510-259-1800, available 24 hours a day, 7 days a week or if it is an emergency call:

OR Immediately telephone the appropriate law enforcement agency (based upon where the abuse is suspected to have occurred). Jurisdiction, as to whether the county or the city responds, is determined by where the abuse took place.

a. City: Call the Alameda Police Department (510) 337-8340

3. Employees are not required to identify themselves to their employer when they make a child abuse report. If an employee wishes to waive his/her confidentiality rights he/she may wish to make photocopies of the "Suspected Child Abuse Report" form (SS8572) and forward a copy to the principal and to the Executive Director of Student and Family Support Services.

E. Victim Interviews

Upon request, a child protective agency representative may interview a suspected victim of child abuse, during school hours and on school premises, concerning a report of suspected child abuse that occurred within the child's home. The child shall be given the choice of being interviewed in private or in the presence of any adult school employee or volunteer aide selected by the child. A staff member or volunteer aide selected by a child may decline to present at the interview. If the selected person accepts, the principal or designee shall inform him/her, before the interview takes place, of the following legal requirements:

1. The purpose of the selected person's presence at the interview is to lend support to the child and enable him/her to be as comfortable as possible.
2. The selected person shall not participate in the interview.
3. The selected person shall not discuss the facts or circumstances of the case with the child.
4. The selected person is subject to the confidentiality requirements of Article 2.5 (Penal Code 11165 et seq.), a violation of which is punishable as specified by 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)

F. Release of Child to Peace Officer or to a Child Protective Services Worker

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

G. Staff Training

The Principal or designee shall provide training in child abuse identification and reporting for all certificated personnel, instructional and teacher aides, teacher assistants, para-educators and other classified employees. (Penal Code 11165.7) All employees trained in child abuse identification and reporting shall be given, as a part of that training, written notice of the child abuse reporting requirements and the employees' confidentiality rights. (Penal Code 11165.7). The absence of training does not excuse a mandated reporter from the duties imposed by the penal code.

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

Disaster Plan (See Appendix C-F)

Purpose of the Plan

This response plan is designed to assist school staff, students, parents and local agencies organize resources of the school and community to respond to a crisis situation while school is in session. Regulatory Authority State laws and regulations require school districts develop emergency plans and train staff in emergency response procedures. These include laws applicable to school staff and students as well as Cal/OSHA regulations specifically addressing the safety of district employees. The Katz Act [California Education Code, §35295-35297] requires schools plan for earthquakes and other emergencies. It also requires training in earthquake preparedness procedures for both certificated and classified staff. The Petris Bill [Government Code, §8607] requires school districts be prepared to utilize the Standardized Emergency Management System (SEMS) when responding to emergencies. This requires that principles of SEMS are incorporated in District plans; that the Incident Command System (ICS) are used at school sites; that all school personnel are trained in how the respective systems work and correlate; and that schools have drills and exercises in order to practice using the systems. This plan is designed and structured to ensure compliance with the mandates of state law as well as with Cal/OSHA's Emergency Action Plan Standard Title 8, California Code of Regulations §3220. This regulation requires each employer facility have an Emergency Action Plan which focuses on specific emergency contingencies, response personnel roles, and evacuation plans of each employer's site where employees work. Schools and school districts are included in this mandate. School Site Emergency Preparedness and Response Coordination Each principal shall supervise the planning, operating and testing of their respective school's Emergency Preparedness and Crisis Response Plan. Each principal will also ensure that all school staff and students are familiar with the basic elements of the District's Emergency Operations Plan, which will be utilized at the district office in the event of a major emergency or district-wide disaster. The principal must ensure that the Incident Command System are utilized by all staff personnel in the event of an emergency incident and shall serve as the Incident Commander at all school crises or emergencies.

Campus and Facility Site Preparedness Duties

This school and the District have designated specific persons to assume emergency position responsibilities in the event of a site emergency or District-wide disaster. The following information provides a breakdown of these responsibilities:

All School Staff:

- Become familiar with the school's emergency and evacuation procedures.
- Participate in First Aid and CPR training, as appropriate.

Annually each principal shall:

- Designate Staff Incident Command Structure Assignments.
- Update this site Emergency Preparedness and Crisis Response Plan.
- Ensure personnel are properly trained in their respective assignments.
- Conduct survey of personnel to determine CPR/First Aid/Disaster Preparedness/Medical Training.
- Survey parents to determine who may wish to volunteer during an extended emergency or disaster.
- Ensure needs of students and staff with disabilities are provided for in the event of an emergency.
- Designate primary and alternate locations for command post, evacuation, first aid, student release, and morgue.
- See that parents are informed of the plan and its effect upon students.
- Compile/maintain list of local emergency agencies including telephone numbers and addresses.
- Practice building evacuation plans including testing of warning systems, alarm signals, and communications methods.
- With Maintenance and Operations, complete a site and building hazard survey.
- Ensure all emergency equipment and supplies are in usable condition at all times.

Teachers:

- Teachers are responsible for the supervision of students in their charge.
- Understand emergency response procedures.
- Have planned activities for use during disasters to lessen possible tension.

School Office Managers or Designee:

- Organize and maintain the emergency first aid supplies and distribute back-up supplies.
- Assist principal in developing procedures to protect essential records.
- Ensure battery-operated AM/FM radio is available in working condition; know the call number and frequency of disaster information station.
- Maintain an up-to-date list of students and staff who require life sustaining medication.

School Custodians or designee:

- Assist principal in planning control procedures for different types of building damage.
 - Routinely check that battery-operated equipment is in working condition.
- Directions for the Instructional Staff During a Declared Emergency

Crisis Response

The primary goals of crisis response are to:

- Prevent a potentially chaotic situation from escalating into a catastrophic event.
- Help those affected to return, as quickly as possible, to a normal level of functioning.
- Decrease the potential long-term effects of the crisis.

Incident Command System (ICS)

The Incident Command System is an emergency response system used to manage an emergency incident at a specific facility or site. The ICS, as designated by the AUSD, will be used by this school as the formal emergency response structure. This is in contrast to the Standardized Emergency Management System (SEMS) which is used to manage resources at a district-wide level.

Foundations of Crisis Response

The primary foundation for any emergency or crisis response system is to ensure, as much as is humanly possible, the application of the three C's at all times.

These three C's are:

- Control – Control is the cornerstone of every crisis/emergency response. In emergency response this is initiated and maintained through the effective use of the Incident Command System.
- Communication - Communication is essential to maintaining effective coordination of all response actions. Ongoing communication must be maintained between response persons, school staff, and the command team.
- Coordination - Coordination is essential to ensure that the most effective and appropriate response actions are used throughout a response operation. Proper utilization of the Incident Command System will ensure that all response operations are coordinated from a central point and that no response action is taken at cross purposes to any other.

Insert link to REMS packet here

Public Agency Use of School Buildings for Emergency Shelters

If the Superintendent declares a District emergency during the school day, the District has a clear statement of policy governing its actions.

Alameda Unified School District Policy is as follows:

IN CASE OF A DECLARED EMERGENCY BY THE SUPERINTENDENT DURING SCHOOL HOURS, ALL STUDENTS WILL BE REQUIRED TO REMAIN AT SCHOOL OR AN ALTERNATE, SAFE SITE UNDER THE SUPERVISION OF DISTRICT PERSONNEL:

1. Until regular dismissal time and then released only if it is considered safe, OR
2. Until released to an adult authorized by the parent or legal guardian whose name appears on District records.
 - a) If students are on their way to school they should proceed to school.
 - b) If students are on their way home from school they are to continue home.
3. To provide this supervision and care, Alameda Unified School District personnel will be utilized under Title 1, Division 4, Chapter 8 Government Code and other legal statutes. The statute states that all public employees are designated disaster service workers when an emergency is declared. The District Superintendent, or designee, has the legal authority to declare an emergency in this District. The authority also extends to Alameda County to declare an emergency and impress public employees into service as disaster service workers.

4. Alameda Unified School District encourages the utilization of a buddy system at District sites wherein staff responsibilities for specific emergency functions are assigned to pairs of employees who could, with approval of the Site Manager, carry on legally required supervision and care requirements while allowing emergency home visits to assure welfare of their own families.

(C) School Suspension, Expulsion and Mandatory Expulsion Guidelines

Definitions

Suspension from school means removal of a student from ongoing instruction for adjustment purposes.

The teacher of any class from which a student is suspended pursuant to Section 48910 shall require the student to complete any assignments and tests missed during the suspension. The school will monitor and address the educational needs of the student that arise due to the loss of instructional time. (Education Code 48913). However, suspension does not mean any of the following: (Education Code 48925)

- Reassignment to another education program or class at the same school where the student will receive continuing instruction for the length of day prescribed by the Governing Board for students of the same grade level.
- Referral to a certificated employee designated by the principal to advise students.
- Removal from the class, but without reassignment to another class or program, for the remainder of the class period without sending the student to the principal or designee as provided in Education Code 48910. Removal from a particular class shall not occur more than once every five school days.

Referral means removal from classroom instruction for discipline reasons.

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

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

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

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

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

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

The District database is the Aeries Student Information System.

Restorative Practices (RP) is a continuum of practices by which schools build community through circles and other activities, where students learn to use affective statements and the process where all stakeholders affected by an injustice have an opportunity to discuss how they have been affected by the injustice and to decide what should be done to repair the harm.

Positive Behavioral Interventions and Supports (PBIS) is a framework for providing a range of systemic and individualized strategies for achieving important academic and behavioral outcomes while preventing problem behaviors.

Social and Emotional Learning (SEL) is a process through which children and adults develop the fundamental skills for life effectiveness. The five SEL competencies are: self-awareness, self-management, social awareness, relationship skills, and responsible decision-making.

Multi Tiered System of Support (MTSS) is a way of organizing instruction and intervention to help all students. The goal of the multi-tiered framework is to provide high-quality instruction and supports based on student need. This framework helps educators by providing information (data) to identify students needing additional support (academic and behavioral) and also identify students who may need special education services. MTSS includes three levels (or tiers) of instruction. Each tier has a set of evidence-based practices to meet the instructional goals.

Tier 1

For MTSS, a school must first establish its Tier 1 or universal supports. Universal supports are the instructional practices that help all students in a school. Once the universal supports are in place, staff can use assessment data to determine which students need additional supports.

Tiers 2 and 3

The intensity and duration of supports increase for Tiers 2 and 3. The appropriate level of support for each student is determined by assessment data.

Grounds for Suspension and Expulsion

The following is a list of grounds for which suspension and expulsion may be permitted or shall be imposed subject to the

restrictions and requirements herein:

- Caused, attempted to cause, or threatened to cause physical injury to another person or willfully used force or violence upon another person, except in self-defense (Education Code 48900(a))
- A student who aids or abets the infliction or attempted infliction of physical injury on another person, as defined in Penal Code 31, may be suspended, but not expelled. However, such a student may be suspended or expelled pursuant to Education Code 48900(a) when he/she has been adjudged by a juvenile court to have committed, as an aider or abettor, a crime of physical violence in which the victim suffered great or serious bodily injury. (Education Code 48900(t))
- 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))
- 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))
- 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))
- Committed or attempted to commit robbery or extortion (Education Code 48900(e))
- Caused or attempted to cause damage to school property or private property (Education Code 48900(f))
- Stole or attempted to steal school property or private property (Education Code 48900(g))
- 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))
- Committed an obscene act or engaged in habitual profanity or vulgarity (Education Code 48900(i))
- Unlawfully possessed, offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Health and Safety Code 11014.5 (Education Code 48900(j))

As provided in California Education Code section 48900(k), no student enrolled in grades T-Kindergarten through third grade may be suspended or expelled for disrupting school activities or willfully defying the authority of school personnel ("disruption and willful defiance") and no student in TK-12 may be expelled for willful disruption or defiance.

Effective July 1, 2019, no student enrolled in grades T-Kindergarten through twelve (TK-12) grades may be suspended or expelled for disrupting school activities or willfully defying the authority of school personnel. The Board will review data regarding suspensions for defiance in Grades 4 through 12 in August 2019 and January 2020. If, based on review of the data, it appears further steps should be undertaken to meet the goal of eliminating suspensions for defiance by July 1, 2019, the Board will direct the Superintendent to implement such additional measures to achieve the goal of no suspensions for defiance by July 1, 2020.

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

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

- 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.

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 (items #20-22 below), that has any of the effects described above on a reasonable student.

Electronic act means the transmission of a communication, 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.

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))

- 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)

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

- 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)

- 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)

- 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)

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

- While on school grounds
- While going to or coming from school
- During the lunch period, whether on or off the school campus
- During, going to, or coming from a school-sponsored activity

Teacher-Initiated Suspensions Pursuant to Section 48910

The Board desires the adoption of a Multi-Tiered System of Support which includes Positive Behavior Intervention Supports to facilitate a consistent approach for positive, pro-social behavior management (BP 5144). The District expects teachers to attempt interventions prior to initiating a suspension pursuant to Section 48910 except where suspension for a first offense is permitted or mandated by law, as described on pp. 8-9 below.

When removing a student from his/her class pursuant to Section 48910, 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 removed. (Education Code 48910)

The site administrator or designee shall ensure that site staff completed the following:

- The teacher completed the Teacher-Initiated Pupil Suspension Report and, starting in the 2019-20 school year, the office referral form.
- The teacher contacted the parent/guardian to request their participation in a parent-teacher conference regarding the suspension within 24 hours. 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)
- The site administrator or designee reviewed the office referral form and completed the in-school suspension form if warranted.
- The site administrator or designee contacted parent/guardian regarding the suspension.
- The site administrator or designee recorded the classroom interventions and referral in the District database.

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

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

The teacher of any class from which a student is suspended pursuant to Section 48910 shall require the student to complete any assignments and tests missed during the suspension. The school will monitor and address the educational needs of the student that arise due to the loss of instructional time. (Education Code 48913)

When suspending a student in Grades TK-3 from class for committing an obscene act or engaging in habitual profanity or vulgarity, the teacher of the class may require any parent/guardian who lives with the student to attend a portion of the school day in the class from which the student is being suspended, to assist in resolving the classroom behavior problems. (Education Code 48900.1) The teacher of the class may also require any parent/guardian who lives with the student to attend a portion of the school day in the class to assist in resolving classroom behavior problems.

When suspending a student in Grades 4-12 from class for committing an obscene act or engaging in habitual profanity or vulgarity, disrupting school activities, or otherwise willfully defying valid staff authority, the teacher of the class may require any parent/guardian who lives with the student to attend a portion of the school day in the class from which the student is being suspended, to assist in resolving the classroom behavior problems. (Education Code 48900.1)

When suspending a student in any grade from class for committing an obscene act, engaging in habitual profanity or vulgarity, the teacher of the class may require any parent/guardian who lives with the student to attend a portion of the school day in the class from which the student is being suspended, to assist in resolving the classroom behavior problems. (Education Code 48900.1) The teacher of the class may also require any parent/guardian who lives with the student to attend a portion of the school day in the class to assist in resolving classroom behavior problems.

Teachers should reserve the option of required parental attendance for cases in which they have determined that it is the best strategy to promote positive interaction between the teacher and the student and his/her parents/guardians and to improve the student's behavior.

Any teacher requiring parental attendance pursuant to this policy shall apply the policy uniformly to all students within the classroom. (Education Code 48900.1)

When a teacher makes this request, the principal shall send the parent/guardian a written notice that the parent/guardian's attendance is requested pursuant to law. (Education Code 48900.1)

The notice shall specify that the attendance may be on either the date the student is scheduled to return to class or within one week thereafter.

This notice shall also:

- Inform the parent/guardian when his/her presence is expected and by what means he/she may arrange an alternate date
- Ask the parent/guardian to meet with the principal after the visit and before leaving school, as required by Education Code 48900.1

At the meeting with the student's parent/guardian, the principal or designee shall explain the district's and school's discipline policies, including the disciplinary strategies that may be used to achieve proper student conduct.

When a parent/guardian does not respond to the request to attend school, the principal or designee shall contact him/her by telephone, mail, or other method that maintains the confidentiality of the student's records.

District regulations shall include procedures for implementing parental attendance requirements. Parents/guardians shall be notified of this policy prior to its implementation. (Education Code 48900.1)

Suspensions by Superintendent, Principal, or Designee

The Board does not support a zero tolerance approach to discipline except where mandated by law. Schools may not adopt zero tolerance policies that conflict with District discipline policies. The Board desires that schools will adopt, engage, and implement positive approaches to addressing problem behavior prior to initiating the suspension of a student.

Suspension for a first time offense is limited to certain serious offenses (listed below in permissible and mandatory categories) or where it can be documented that the presence of a student causes a danger to persons.

Defiance

As provided in California Education Code section 48900(k), no student enrolled in grades T-Kindergarten through third grade may be suspended or expelled for disrupting school activities or willfully defying the authority of school personnel ("disruption and willful defiance") and no student regardless of grade may be expelled for willful defiance or disruption.

Effective July 1, 2019, no student enrolled in grades T-Kindergarten through twelve (TK-12) grades may be suspended or expelled for disrupting school activities or willfully defying the authority of school personnel. Suspension and expulsion shall not be imposed for a violation of Education Code section 48900(k), including disruption of school activities or willful defiance. The District expects schools to develop appropriate interventions, for example, behavioral plans, restorative circles, or SEL groups for students who engage in a pattern of defiant behavior.

Defiance is when a student continues to disobey a school official, teacher, or administrator after having been taught the rules and expectations of the school and the student displays behavior that directly interferes with the rights of others to learn.

The Board will review data regarding suspensions for defiance in Grades 4 through 12 in August and January. If, based on review of the data, it appears further steps should be undertaken to meet the goal of eliminating suspensions for defiance, the Board will direct the Superintendent to implement such additional measures to achieve the goal of no suspensions for defiance by July 1, 2020.

Discipline and Intervention Matrix for Administrators

Attached to this Administrative Regulation is the discipline and intervention matrix aligned to the District's Multi-Tiered System of Support framework that models a progressive and holistic approach to discipline. As provided in the Board Policy, each school is responsible for adopting strategies, programs, and interventions within this framework to facilitate a positive approach to behavior management. Even if suspension is appropriate, administrators must first consider whether other interventions should be used.

Except where suspension for a first offense is permitted or mandatory (as described above), in-school and out-of-school suspension and other sanctions that result in a student's loss of instruction shall only be imposed when the principal or designee has determined that other means of correction that are consistent with District policies and procedures have failed to bring about proper conduct. (Education Code 48900.5)

As described in AR 5144, interventions and other alternatives to suspension should be attempted and evaluated prior to referral from the classroom. In addition, the principal or designee shall document the other means of correction used and retain them in the student's record. (Education Code 48900.5)

The Principal or designee shall complete the suspension form and record the suspension in the District's database.

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

A student may be suspended from school for not more than 20 school days in any school year unless, for purposes of adjustment, the student enrolls in or is transferred to another regular school, an opportunity school, or continuation school or class, in which case suspension shall not exceed 30 days in any school year. However, this restriction on the number of days of suspension does not apply when the suspension is extended pending an expulsion. (Education Code 48903, 48911, 48912)

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)

Suspensions shall be initiated according to the following procedures:

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 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. 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)

Administrative Actions: All requests for student suspension are to be processed by the principal or designee. All suspensions shall be recorded in the District database. 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)

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

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

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

Parent/Guardian Conference: Whenever a student is suspended, school officials may meet 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)

Although the parent/guardian is required to respond without delay to a request for a conference about his/her child's behavior, 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 readmission solely because the parent/guardian failed to attend the conference. (Education Code 48911)

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 Principal may, in writing, extend the suspension until such time as the Board has made a decision. (Education Code 48911)

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

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

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

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.

The student shall be responsible for contacting the school to receive assignments to be completed during the period of the suspension. The school shall make available all assignments and tests that the student will miss while suspended.

Suspension by the Board

The Board may suspend a student for any of the acts listed in "Grounds for Suspension and Expulsion" above and within the limits specified in "Suspensions by Superintendent, Principal, or Designee" above. (Education Code 48912)

The Board may suspend a student enrolled in a continuation school or class for a period not longer than the remainder of the semester if any of the acts listed in "Grounds for Suspension and Expulsion" occurred. The suspension shall meet the requirements of Education Code 48915. (Education Code 48912.5)

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

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

Supervised Suspension Classroom

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 a supervised suspension classroom in a separate classroom, building, or site for the entire period of suspension. The following conditions shall apply: (Education Code 48911.1)

The supervised suspension classroom shall be staffed in accordance with law and by certificated employees.

The student shall have access to appropriate counseling services.

The supervised suspension classroom shall promote completion of schoolwork and tests missed by the student during the suspension.

The student shall be responsible for contacting his/her teacher(s) to receive assignments to be completed in the supervised suspension classroom except where otherwise set out in the student's Individualized Education Program (IEP) or Section 504 plan. 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.

The Principal or designee shall complete the in-school suspension form and record the suspension in the District's database.

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

Involuntary Transfer

The District may not involuntarily transfer a student in Grades TK- 3rd grade to another school based on a finding of disruption of school activities or willful defiance of the authority of school personnel (California Education Code section 48900(k)).

Effective July 1, 2019, the District may not involuntarily transfer a student to another school based on a finding of disruption of school activities or willful defiance of the authority of school personnel (California Education Code section 48900(k)).

Involuntary transfers may only occur following a recommendation for expulsion and after a hearing before the District's Disciplinary Hearing Panel (DHP) consistent with the requirements in Education Code section 48918 and the notice and hearing procedures set forth below for expulsions. In addition, an involuntary transfer to a continuation school must be made pursuant to Education Code section 48432.5.

Expulsions

The Board shall expel, as required by law, any student found to have committed any offense listed below under "Mandatory Recommendation and Mandatory Expulsion" (see page 13). (Education Code 48915)

For all other grounds listed under "Grounds for Suspension and Expulsion," the Board shall order a student expelled upon the recommendation of the Superintendent, principal, or designee only if the Board makes a finding of either or both of the following: (Education Code 48915(b) and (e))

- That other means of correction have repeatedly failed to bring about proper conduct
- 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

Authority to Expel

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

The Board shall expel, as required by law, any student found to have committed any offense listed below under "Mandatory Recommendation and Mandatory Expulsion." (Education Code 48915)

For all other grounds listed above under "Grounds for Suspension and Expulsion," the Board shall order a student expelled upon the recommendation of the Superintendent, principal, or designee, only if the Board makes a finding of either or both of the following: (Education Code 48915(b) and (e))

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

Recommendation for Expulsion Expected Unless It Is Not Appropriate or Alternative Means of Correction Would Address the Conduct

Unless the Superintendent, principal, or designee 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(a))

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

- Possession of any knife as defined in Education Code 48915(g), explosive, or other dangerous object of no reasonable use to the student
- 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
- Robbery or extortion
- 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)

Mandatory Recommendation and Mandatory Expulsion

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

Possessing, as verified by a district employee, selling, or otherwise furnishing a firearm.

Possession of an imitation firearm, as defined in Education Code 48900(m), shall not be regarded as an offense requiring a mandatory recommendation for expulsion and mandatory expulsion. However, an administrator shall have discretion on a case-by-case basis to recommend expulsion for the possession of an imitation firearm.

Brandishing a knife as defined in Education Code 48915(g) at another person

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

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

Possessing an explosive as defined in 18 USC 921

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

Student's Right to Expulsion Hearing

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 one of the acts listed above under "Grounds for Suspension and Expulsion." (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))

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)

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

Have up to two adult support persons of his/her choosing present at the hearing at the time he/she testifies

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)

The rights of a complaining witness are further outlined in Administrative Regulation 5145.7 (Sexual Harassment).

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))

- The date and place of the hearing.
- A statement of the specific facts, charges, and offense upon which the proposed expulsion is based.
- A copy of district disciplinary rules which relate to the alleged violation.
- 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).
- 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 advisor.

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

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

- The right to inspect and obtain copies of all documents to be used at the hearing.
- The opportunity to confront and question all witnesses who testify at the hearing.
- 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

At least 10 days prior to a hearing to determine if a student who is a foster youth as defined under Education Code 48853.5 should be expelled for an offense not requiring a mandatory recommendation for expulsion, the Superintendent or designee shall notify the student's attorney and a representative of an appropriate county child welfare agency. If the hearing is pursuant to an offense requiring a mandatory expulsion recommendation, the Superintendent or designee may provide the same notification. The notice shall be provided by the most cost-effective method possible, including by email or a telephone call. (Education Code 48918.1)

Conduct of Expulsion Hearing

Closed Session: Notwithstanding the provisions of Government Code 54953 and Education Code 35145, the Board shall conduct a hearing to consider the expulsion of the student in a session closed to the public unless the student requests in writing at least five days prior to the hearing that the hearing be a public meeting. If such a request is made, the meeting shall be public unless another student's privacy rights would be violated. (Education Code 48918(c))

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))

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))

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))

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" 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.

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)

- Any complaining witness shall be given five days' notice before being called to testify.
- Any complaining witness shall be entitled to have up to two adult support persons, including, but not limited to, a parent/guardian or legal counsel, present during his/her testimony.
- Before a complaining witness testifies, support persons shall be admonished that the hearing is confidential.
- The person presiding over the hearing may remove a support person whom he/she finds is disrupting the hearing.
- If one or both support persons are also witnesses, the hearing shall be conducted in accordance with Penal Code 868.5.

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.

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.

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

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.

The person conducting the hearing may:

- Arrange the seating within the hearing room so as to facilitate a less intimidating environment for the complaining witness
- 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
- Permit one of the support persons to accompany the complaining witness to the witness stand

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. Alternatively, the Board may appoint an impartial administrative panel composed of three or more certificated personnel, none of whom shall be members of the Board or on the staff of the school in which the student is enrolled. (Education Code 48918(d))

A hearing conducted by the hearing officer or administrative panel shall conform to the same procedures applicable to a hearing conducted by the Board as specified above in "Conduct of Expulsion Hearing," including the requirement to issue its 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 expulsion referral was made, unless the parent, guardian, or responsible adult of the pupil requests another school placement in writing. Before the placement decision is made by the parent, guardian, or responsible adult, the superintendent of schools or the superintendent's designee shall consult with school district personnel, including the pupil's teachers, and the parent, guardian, or responsible adult regarding any other school placement options for the pupil in addition to the option to return to his or her classroom instructional program from which the expulsion referral was made. If the hearing officer or administrative panel finds that the pupil committed any of the acts specified in subdivision (c) of Section 48915, but does not recommend expulsion, the pupil shall be immediately reinstated and may be referred to his or her prior school or another comprehensive school, or, pursuant to the procedures set forth in Section 48432.5, a continuation school of the school district. The decision not to 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 for a period of one year. (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, the final action to expel shall be taken by the Board at a public meeting. (Education Code 48918(j))

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

Upon ordering an expulsion, the Board shall set a date when the student shall be reviewed for readmission to a school within the district. For a student expelled for 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)

- Periodic review, as well as assessment at the time of review, for readmission
- 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:

- The specific offense committed by the student for any of the causes for suspension or expulsion listed above under "Grounds for Suspension and Expulsion" (Education Code 48900.8)
- The fact that a description of readmission procedures will be made available to the student and his/her parent/guardian (Education Code 48916)
- Notice of the right to appeal the expulsion to the County Board of Education (Education Code 48918)
- Notice of the alternative educational placement to be provided to the student during the time of expulsion (Education Code 48918)
- Notice of the student's or parent/guardian's obligation to inform any new district in which the student seeks to enroll of the student's status with the expelling district, pursuant to Education Code 48915.1 (Education Code 48918)

Decision Not to Enforce Expulsion Order

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

- The student's pattern of behavior
- 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:

- 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)
- During the period when enforcement of the expulsion order is suspended, the student shall be on probationary status. (Education Code 48917)
- The suspension of the enforcement of an expulsion order may be revoked by the Board if the student commits any of the acts listed under "Grounds for Suspension and Expulsion" above or violates any of the district's rules and regulations governing student conduct. (Education Code 48917)
- 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)

- 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)

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))

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)

Right to 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)

The student shall submit 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 furnishment 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)

Post-Expulsion Placements

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

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

When the placement described above is not available and when the County Superintendent so certifies, students expelled for acts described in items #6-13 and #20-22 under "Grounds for Suspension and Expulsion" 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

Readmission procedures shall be as follows:

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

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)

If the Board denies the readmission of a student, the Board shall determine either to continue the student's placement in the alternative educational program initially selected or to place the student in another program that serves expelled students, including placement in a county community school. (Education Code 48916)

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 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)

Outcome Data

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

- The number of students recommended for expulsion
- The specific grounds for each recommended expulsion
- Whether the student was subsequently expelled
- Whether the expulsion order was suspended
- The type of referral made after the expulsion
- The disposition of the student after the end of the expulsion period

Public Reporting of Discipline Data

The Superintendent or designee shall ensure that the following data is publicly available on the District's public website twice annually, within 60 days after the completion of each semester:

- The aggregate number and rates of office referrals, teacher suspensions, supervised in-school and out-of-school suspensions, involuntary transfers, expulsion referrals, expulsions, on-campus citations, school-based arrests, and four-year graduation and drop-out rates, disaggregated by all subgroups, including race, gender, ethnicity, English Language Learner status, socio-economic status, foster youth, homeless youth, and disability and by offense for the district and by school-site.
- The number of instructional days and ADA funding lost to suspensions, transfers, and expulsions.
- The school sites to which students were transferred after the Disciplinary Review Hearing procedure or through any involuntary transfer process, whether they enrolled subsequently, and the outcomes for such students, including, but not limited to, graduation and drop-out rates.

In reporting such data, the privacy of individual students and teachers shall be protected. Data will not be disaggregated in any manner that could reveal student identity to the public or to knowledgeable members of the school community. The data shall be reported for the district as a whole and for each school-site.

The procedures shall also include requirements that appropriate district and school officials regularly review this data and take action to address disparities or disproportionate use of punitive discipline measures for particular subgroups.

Expungement of Student Disciplinary Records

As provided in Board Policy 5144.3, a student, parent, guardian, appointed advocate on behalf of the student, or Superintendent on behalf of a student may apply for expungement of student disciplines record which meet the criteria set forth in BP 5144.3.

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

Notice Regarding Student Offenses

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

Acts That Are Grounds for Suspension or Expulsion

The Superintendent or designee shall inform the teacher(s) of each student who, during the previous three school years, has engaged in or is reasonably suspected to have engaged in any act, except the possession or use of tobacco products, that would constitute a ground for suspension or expulsion as specified in AR 5144.1 - Suspension and Expulsion/Due Process. This information shall be based upon district records maintained in the ordinary course of business or records received from a law enforcement agency. (Education Code 49079)

Upon receiving a transfer student's record regarding acts committed by the student that resulted in suspension or expulsion, the Superintendent or designee shall inform the student's teacher(s) that the student was suspended from school or expelled from the former district and of the act that resulted in the suspension or expulsion. (Education Code 48201)

Information received by teacher(s) shall be received in confidence for the limited purpose for which it was provided and shall not be further disseminated by the teacher. (Education Code 48201, 49079)

Offenses Reported to the District by a Court

When informed by a court that a minor student has been found by the court to have committed any felony or any misdemeanor involving curfew, gambling, alcohol, drugs, tobacco products, carrying of weapons, a sex offense listed in Penal Code 290, assault or battery, larceny, vandalism, or graffiti, the Superintendent or designee shall expeditiously notify the school principal. (Welfare and Institutions Code 827)

The principal shall expeditiously disseminate this information to any counselor who directly supervises or reports on the student's behavior or progress and to any teacher or administrator directly supervising or reporting on the student's behavior or progress whom the principal thinks may need the information in order to work with the student appropriately, avoid being needlessly vulnerable, or protect others from vulnerability. (Welfare and Institutions Code 827)

Any court-initiated information that a teacher, counselor, or administrator receives shall be kept confidential and used only to rehabilitate the student and protect other students and staff. The information shall be further disseminated only when communication with the student, parent/guardian, law enforcement staff, and probation officer is necessary to rehabilitate the student or to protect students and staff. (Welfare and Institutions Code 827)

When a student is removed from school as a result of an offense, the Superintendent shall hold the court's information in a separate confidential file until the student is returned to the district. If the student is returned to a different district, the Superintendent shall transmit the information provided by the student's parole or probation officer to the superintendent of the new district of attendance. (Welfare and Institutions Code 827)

Any confidential file of court-initiated information shall be kept until the student becomes 18, graduates from high school, or is released from juvenile court jurisdiction, whichever occurs first, and shall then be destroyed. (Welfare and Institutions Code 827)

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

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

Definitions

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, regardless of whether or not the conduct is motivated by sexual desire. Conduct is considered to be sexual harassment when made against another person of the same or opposite sex in the work or educational setting under any of the following conditions: (Education Code 212.5; Government Code 12940; 2 CCR 11034)

- Submission to the conduct is made explicitly or implicitly a term or condition of the individual's employment.
- Submission to or rejection of the conduct is used as the basis for an employment decision affecting the individual.
- The conduct has the purpose or effect of having a negative impact upon the individual's work performance or of creating an intimidating, hostile, or offensive work environment.
- 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. For purposes of applying the complaint procedures specified in Title IX of the Education Amendments of 1972, sexual harassment is defined as any of the following forms of conduct that occurs in an education program or activity in which a district school exercises substantial control over the context and respondent: (34 CFR 106.30, 106.44)
- A district employee conditioning the provision of a district aid, benefit, or service on the student's participation in unwelcome sexual conduct
- Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the district's education program or activity

Sexual assault, dating violence, domestic violence, or stalking as defined in 20 USC 1092 or 34 USC 12291

Examples of Sexual Harassment

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

- 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
- Unwelcome visual conduct such as drawings, pictures, graffiti, or gestures; sexually explicit emails; displaying sexually suggestive objects
- 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

Title IX Coordinator/Compliance Officer

The district designates the following individual(s) as the responsible employee(s) to coordinate its efforts to comply with Title IX of the Education Amendments of 1972 in accordance with AR 4119.12/4219.12/4319.12 - Title IX Sexual Harassment Complaint Procedures, as well as to oversee, investigate, and resolve sexual harassment complaints processed under AR 4030 - Nondiscrimination in Employment.

The Title IX Coordinator(s) may be contacted at:

Asst. Superintendent of Educational Services
2060 Challenger Drive
Alameda, CA 94501
(510) 337-7095
kzazo@alamedaunified.org

Training

Every two years, the Superintendent or designee shall ensure that supervisory employees receive at least two hours, and nonsupervisory employees receive at least one hour, of classroom or other effective interactive training and education regarding sexual harassment. All newly hired employees and employees promoted to a supervisory position 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)

Such training may be completed by employees individually or as part of a group presentation, may be completed in shorter segments as long as the applicable hourly requirement is met, and may be provided in conjunction with other training provided to the employees. The training shall be presented by trainers or educators with knowledge and expertise in the prevention of harassment, discrimination, and retaliation. (Government Code 12950.1)

The district's sexual harassment training and education program shall include, but is not limited to, the following: (Government Code 12950.1; 2 CCR 11024)

- Information and practical guidance regarding federal and state laws concerning the prohibition, prevention, and correction of sexual harassment
- The types of conduct that constitute sexual harassment
- Remedies available for victims in civil actions, and potential employer/individual exposure/liability
- Strategies to prevent harassment in the workplace

- Supervisors' obligation to report sexual harassment, discrimination, and retaliation of which they become aware
- 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
- The limited confidentiality of the complaint process
- Resources for victims of unlawful harassment, such as to whom they should report any alleged harassment
- Steps necessary to take appropriate remedial measures to correct harassing behavior, which includes the district's obligation to conduct an effective workplace investigation of a harassment complaint
- What to do if the supervisor is personally accused of harassment
- The essential elements of the district's anti-harassment policy, and how to use the policy if a harassment complaint is filed

Employees shall receive a copy of the district's sexual harassment policy and administrative regulations, which they shall read and acknowledge that they have received. Information, including practical examples, of harassment based on gender identity, gender expression, and sexual orientation. Prevention of abusive conduct, including a review of the definition and elements of abusive conduct pursuant to Government Code 12950.1, the negative effects that abusive conduct has on the victim and other in the workplace, the detrimental consequences of this conduct on employee productivity and morale, and that a single act does not constitute abusive conduct unless the act is severe or egregious.

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

The Superintendent or designee shall notify employees that the district does not discriminate on the basis of sex as required by Title IX, that the Title IX nondiscrimination requirement extends to employment, and that inquiries about the application of Title IX to the district may be referred to the district's Title IX Coordinator and/or to the Assistant Secretary for Civil Rights, U.S. Department of Education. (34 CFR 106.8)

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

A copy of the Board policy and this administrative regulation shall:

- 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 (Education Code 231.5)
- 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 (Education Code 231.5)
- Appear in any school or district publication that sets forth the school's or district's comprehensive rules, regulations, procedures, and standards of conduct (Education Code 231.5)
- Be posted, along with the name or title and contact information of the Title IX Coordinator, in a prominent location on the district's web site (34 CFR 106.8)

- Be included, along with the name or title and contact information of the Title IX Coordinator, in any handbook provided to employees or employee organizations (34 CFR 106.8)

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

- The illegality of sexual harassment
- The definition of sexual harassment under applicable state and federal law
- A description of sexual harassment, with examples
- The district's complaint process available to the employee
- The legal remedies and complaint process available through DFEH and the Equal Employment Opportunity Commission (EEOC)
- Directions on how to contact DFEH and the EEOC

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, the DFEH poster on discrimination in employment and the illegality of sexual harassment and the DFEH poster regarding transgender rights. (Government Code 12950)

Complaint Procedures

All complaints and allegations of sexual harassment by and against employees shall be investigated and resolved in accordance with law and district procedures. The Title IX Coordinator shall review the allegations to determine the applicable procedure for responding to the complaint. All complaints that meet the definition of sexual harassment under Title IX shall be investigated and resolved in accordance with AR 4119.12/4219.12/4319.12 - Title IX Sexual Harassment Complaint Procedures. Other sexual harassment complaints shall be investigated and resolved pursuant to AR 4030 - Nondiscrimination in Employment.

If sexual harassment is found following an investigation, the Title IX Coordinator, or designee in consultation with the Coordinator, shall take prompt action to stop the sexual harassment, prevent recurrence, and address any continuing effects.

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

Basic Principles:

All students are encouraged to dress in a manner that is comfortable and conducive to an active school day.

Students should be able to wear clothing without fear of or actual unnecessary discipline or body shaming.

The student dress code should serve to support all students to develop a body-positive self-image.

All items listed in the "must wear" and "may wear" categories below must meet these basic principles.

Students MUST Wear:

- Top
- Bottom
- Shoes

Clothing that covers specific body parts (genitals, buttocks, and areolae/nipples) with opaque material. Courses or specific class activities that include attire as part of the curriculum may include assignment-specific dress, but should not focus on covering students' bodies or promoting culturally-specific attire. Activity specific shoe requirements are permitted (Examples include but are not limited to physical education and shop class).

Students MAY Choose to Wear:

- Sun-protective clothing, including but not limited to hats, for outdoor use during the school day. (Education Code 35183.5)
- Hats, including religious headwear
- Hooded shirts/jackets (over head is allowed)*

Teachers may direct students to remove/adjust the position of hats/hoods over the head in class during the administration of a test/exam, to address headphone/earbud use issues, or to enable visual identification of a student's face. This does NOT apply to any headwear worn for religious reasons.

Students CANNOT Wear:

- Clothing that includes violent language or images
- Clothing that includes images or language depicting drugs or alcohol (or any illegal item or activity) or the use of same
- Clothing that includes hate speech, profanity, pornography
- Clothing that includes images or language that create a hostile or intimidating environment based on any protected class
- Visible underwear or bathing suits of similar design - Visible waistbands or straps on undergarments worn under other clothing are not a violation
- Helmets, hoods, or other headgear that obscures a student's identity (except as a religious observance).

A student's face must be clearly visible when taking their school photo for identification purposes. This may require the removal of a hood and/or hat. No grade of a student participating in a physical education class shall be adversely affected if the student does not wear standardized physical education apparel because of circumstances beyond the student's control. (Education Code 49066)

Training and Enforcement:

- All staff should be trained to understand the purpose/spirit of the code, the actual code, and how to enforce with the least impact on student learning and self-confidence.
- All staff must enforce the district dress code consistently, once it is adopted. All staff should not have discretion to vary the requirements in ways that lead to discriminatory enforcement.
- All staff should be trained and able to use student/body-positive language to explain the code and to address code violations.
- Enforcement should be consistent with a school's overall discipline plan. Failure to comply with the student dress code should be enforced consistently with comparable behavior and conduct violations, including access to a student advocate or ombudsperson and appeals process.

- Enforcement for students should be limited to safety and non-violence/non-discrimination and will not include messages based on body maturity.
- Violations should be treated as minor on the continuum of school rule violations.
- Students should never be removed from a classroom for a dress code violation unless they are violating the 'Students Cannot Wear' and 'Students MUST Wear' sections of the dress code. Loss of class time should be avoided or kept to a minimum.
- Students should never be forced to wear extra school clothing (that isn't their own) when they are in violation of the code. Students should be presented with a variety of options to rectify the situation. This could include but is not limited to: personal on-site clothing, school-offered clothing, and delivery of alternate clothing.
- Parents/guardians should never be called during the school day to bring alternative clothing for the student to wear for the remainder of the day unless by student request.
- No student should be disproportionately affected by dress code enforcement because of gender, race, body size, or body maturity.
- Students should not be shamed or required to display their body in front of others (students, parents, or staff) in school. "Shaming" includes but is not limited to kneeling or bending over to check attire fit, measuring/commenting on straps, skirt length, or cleavage, asking students to account for their attire in the classroom, and directing students to correct a dress code violation during instructional time.

Evaluation:

The Superintendent or designee shall annually review the effectiveness of this policy and determine, as appropriate, if any further review or revision is required.

Gang-Related Apparel

At individual schools that have a dress code prohibiting gang-related apparel at school or school activities, the principal, staff, and parents/guardians participating in the development of the school safety plan shall define "gang-related apparel" and shall limit this definition to apparel that reasonably could be determined to threaten the health and safety of the school environment if it were worn or displayed on a school campus. (Education Code 32282)

Because gang-related symbols are constantly changing, definitions of gang-related apparel shall be reviewed at least once each semester and updated whenever related information is received. As necessary, the school shall collaborate with law enforcement agencies to update definitions of gang-related apparel.

Uniforms

In schools that require a schoolwide uniform, the principal, staff, and parents/guardians of the school shall jointly select the specific uniform to be worn. (Education Code 35183)

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

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

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

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

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

EVACUATION PROCEDURES

EVACUATION ALARM SYSTEM

A crisis or emergency may warrant an evacuation of the school building(s). Once notified of an emergency situation, the Incident Commander, will carry out the initial response actions delineated in the Emergency Preparedness and Crisis Response Plan. In consultation with members of the Incident Command Team, the principal will determine whether an evacuation is warranted or is the safest action given the character of the emergency. Incident Command Team members will immediately assume their designated response duties as activated by the Incident Commander. The Disaster Response Officer will ensure, during the evacuation itself, that all evacuation assistance personnel are operative and performing their respective duties as assigned. When a decision is made to evacuate, the Assembly /Shelter and Care Team leader will immediately report to the assembly area and inspect the area for hazards. The Assembly /Shelter and Care Team leader will notify the Disaster Response Officer immediately if the area is safe. If not, the Assembly /Shelter and Care Team will advise that the evacuation be done to the alternate assembly location. This evacuation may be a partial evacuation of only portions of the building in a localized emergency [e.g., a small chemical spill] or it may be a general evacuation of all building. When an evacuation is ordered, students and staff will be notified according to the site's Preparedness and Crisis Response REMS packet. If deemed appropriate and safe, the school's fire alarm will sound in the event of a general building evacuation. If neither mechanical system is operable, the Incident Commander will utilize office, custodial or student personnel to notify classrooms of the need to evacuate.

COORDINATING THE EVACUATION

Upon receiving the order to evacuate, staff will assume their designated positions in the school. They will then monitor the evacuation procedures and assure that all persons have left the building. Staff are also responsible to ensure that all disabled persons in the building are assisted as necessary.

1. Take emergency backpack, and attendance information.
2. Teachers evacuate with current class. If evacuation occurs outside of a class period: Return to previous class
3. Upon exit lock door to indicate room is all clear and lock door. Keep unlocked if victim is inside.
4. Check with buddy teacher. Assist/evacuate both classes if needed.
5. If on prep or don't have a class: move to nearest evacuation area and assist
6. Check common areas while evacuating.
7. Evacuate to primary location via assigned route, adjust as needed.
8. At evacuation location, line up, and take attendance.
9. List missing students on Share 911
10. Stay with class unless you are released to assume other duties.
11. Release from drill will be PA announcement/bell
12. Communicate with your students and maintain control.

EVACUATION ASSEMBLY AREAS

When ordered to evacuate, students and staff will follow the evacuation route prescribed for their respective areas and exit the building in an orderly and controlled manner. Any volunteers or visitors to the classroom should be advised to go with the classroom to the assembly area. ALL students and staff must report to the assembly area and remain there until the Incident Command Team, via the Assembly/Shelter and Care Team, notifies them it is clear to return to the building. Under no circumstances are students to leave the area unless released by the teacher in strict accordance with the school's Student Release Procedures as outlined in the site's Preparedness and Crisis Response Cliff Notes. This will not be done unless it is authorized by the Incident Command Team. Teachers MUST take a head count of all persons under their care to ensure that all students, volunteers and visitors are present. This will be reported to the Assembly /Shelter and Care Team as outlined in the site's Preparedness and Crisis Response Cliff Notes.. If someone is deemed missing, the teacher is to immediately report this fact to the Assembly /Shelter and Care Team as outlined in the site's Preparedness and Crisis REMS packet.

ACCESS CONTROL PERSONNEL

Whenever an evacuation is called, the designated Security/Traffic response team (designated prior to an emergency) will automatically assume duties as traffic controllers to prevent unauthorized public vehicles or persons access to the school campus and building(s). They will function according to the duties delineation shown in the Emergency Preparedness and Crisis Response Plan.

STUDENT EARLY DISMISSAL AND EMERGENCY SCHOOL CLOSURE

During school hours, all students are considered under the care and supervision of school staff. In all circumstances, and especially in the event of emergency incidents or circumstances, the safety of the students and the school staff is of paramount importance. All actions taken shall bear in mind the safety and well-being of both students and school employees. Thus, in the event of a major emergency incident or disaster during school hours, school will not be dismissed without the expressed and clear authorization of the District Superintendent or a designee, and children will remain under the supervision of school authorities. Students will only be released from school and District responsibility in strict accordance with the procedures outlined in the District's Early Release Policy as described below. Parents/guardians or designated emergency contacts who come to the school to pick up students must properly identify themselves in order for their children to be released.

RELEASE OF STUDENTS FROM SCHOOL

AUSD and this school want to reunite parents with their children at the earliest time possible after an emergency situation or major disaster event. However, if it is not possible for parents to pick up their children or make arrangements for others to do so, students will be held at the school or other area until such time as they can be safely released. Each year the school will notify all parents of the procedure for reuniting parents with children in the event of an emergency at school. Parents are encouraged to print out and complete data confirmation each year and update thier emergency contacts. In the event students are held at a school, they may be released only to the student's own parent(s) or a person authorized beforehand by the parent. As a part of annual registration, sites collect emergency contact information in AERIES. From AERIES, Emergency Cards shall be printed and used for this purpose. It is recommended sites print copies for teachers to have on hand in their emergency packs along with roll information. Office shall also print out the Emergency Student List or Emergency Cards and Parents or others must check with this school's Student Release team at the emergency Student Release Location prior to pick up of their children. Teachers will release students according to the procedure outlined under the Emergency Student Release Procedures described below.

EMERGENCY RELEASE PLAN PROCEDURES

Teachers will utilize the following procedures to properly release students from their care to a parent, legal guardian or person authorized in writing to pick up the student:

1. At time of emergency, students remain with their current classes. Teacher takes roll on an Accountability Form and await direction from Incident Commander via Student Release team.
2. Incident Command will communicate with district office for dismissal directive. Students will report to (first period or other) classes, upon Student Release team directive.
3. Students will be released only to authorized adults listed on the Emergency Card or Emergency Student List. Adults picking up students must sign Student Release Log and indicate destination. Unless otherwise directed by Incident Commander via Student Release officer, a runner takes message to teacher with name of student being released and name of adult picking up student. Teacher double-checks sign-out sheet, stamps/marks student and releases.
4. Students may go home with people listed on Emergency Card or Emergency Student List if parent can't be reached.
5. Periodically, as students are released, remaining students will be consolidated.
7. Teacher takes attendance after each consolidation, informs Assembly/Shelter and Care team as well as the Student Release team, and keeps all documentation.

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

Component:

Component I: The Social Climate, People, and Programs

Element:

Identify proposed changes to or the addition of curriculum, strategies and programs that ensure a safe and orderly environment.

Opportunity for Improvement:

Goal: Increase student participation and student voice and build up community

Objectives	Action Steps	Resources	Lead Person	Evaluation
increase student participation and student voice	Restorative practices trainings	All staff recieved a book titled beyond the surface of restorative practices	Heidi Guibbord and Delinda HAnsen	staff PD meetings and share out
Community building	RP training	Cassie Fergusson lead multiple trainings on all day PD days	Cassie	Survey and increased participation fo students.

Component:

Component II: Physical Environment

Element:

Identify proposed changes to or the addition of strategies and programs that ensure a safe and orderly environment.

Opportunity for Improvement:

Goal: Create a space where students feel comfortable gathering

Objectives	Action Steps	Resources	Lead Person	Evaluation
create comfortable gathering space	with move to campus, reconfigured outside areas to create a quad	repurposing of furniture	Ben Washofsky	Kids gather

(I) School Discipline Rules and Consequences (EC 35291 and EC 35291.5)**Island Continuation High School Student Conduct Code****ALAMEDA UNIFIED SCHOOL DISTRICT DISCIPLINE AND INTERVENTION PROTOCOL**

Alameda Unified School District is committed to creating a safe and positive school culture in which all students feel included, supported, and respected. We want to help eliminate inequality in the use of punitive consequences and provide each child with excellent teachers who are equipped to promote academic and social emotional growth in all students. AUSD takes a positive approach to student behavior and the use of restorative practices to minimize the need for punitive consequences and maximize instructional time for every student. We recognize the importance of developing the social and emotional health of all youth and adults in our organization.

The following chart indicates the types of disciplinary action that may apply to each type of infraction. In each instance, an opportunity to teach appropriate behavior through the use of intervention, restorative practices and a corrective action is stated. Each situation or violation involving student conduct should be individualized and the least punitive action based on the violation should be taken. The administrator shall, however, determine whether a specific infraction warrants the corrective action described on the chart. Corrective action taken by the administrator shall take place after progressive discipline interventions by the school fail to bring about proper conduct. These corrective measures are intended to assist in teaching appropriateness and responsibility, while maintaining consistent student discipline on campus.

See Link to discipline matrix: <https://docs.google.com/document/d/1YyzYC48Eq5WsTycFdS35jhrGP4G3nALhYghgdznwzuQ/edit#>

Conduct Code Procedures**(K) Hate Crime Reporting Procedures and Policies**

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

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

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

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

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

As necessary, the district shall provide counseling, guidance, and support to students who are victims of hate-motivated behavior and to students who exhibit such behavior.

When appropriate, students who engage in hate-motivated behavior shall be disciplined.

The Superintendent or designee shall provide staff with training that:

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

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

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

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

Complaints

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

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

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

(J) Procedures to Prepare for Active Shooters

When responding to a situation that requires our school to go into lockdown (this may include, but is not limited to, an active shooter in the building), the ALICE (Alert, Lockdown, Inform, Counter, Evacuate) protocol will be followed.

ALERT

Purpose: To use clear, concise language to indicate presence and location of active shooter or other harmful individual.

Indicate lockdown and the harmful presence and/or location of threat. For example, "LOCKDOWN, There is an active shooter in the Computer Lab," or "LOCKDOWN, an armed gunman is walking through the first floor long hallway."

Anyone can alert the school community to such a situation. Do not wait for or rely on Administration or the front office staff to make the announcement. If a staff or faculty member undoubtedly sees or is notified of a harmful individual inside the school building, he or she has the authority to alert the rest of the school community of a lockdown. Some ways to alert include: the PA system, Using the classroom phone to activate LOCKDOWN, yelling, using share 911. Faculty and staff must use any means available to them to alert the school community and to spread the word. This may be a team effort where a group of individuals work together to inform everyone. If the opportunity to escape presents itself, you should do so and report to the predetermined Rally Point.

LOCKDOWN

Purpose: To allow for an aggressive use of current technology and procedures.

A traditional lockdown procedure is the first best option when in a high-risk area (or near the harmful individual). If you do not know if you are in a high-risk area, assume you are high risk and proceed to lockdown. If remaining in lockdown remains the best option, all members of the school community should work together to protect themselves.

First, close and lock classroom doors. Use belt or backpack strap to secure door handle if possible.

Create a barricade between you and students in the classroom and the intruder on the outside; use desks, chairs, shelves, cabinets and other pieces of furniture to block entry and to provide more time for survival (have smaller items near at hand in event intruder enters the room)

Gather in the area furthest from the entry point to the room; greater distance means greater safety.

Taking attendance and maintaining order are not the priority.

INFORM

Purpose: To continually communicate the shooter's whereabouts using direct and clear language. (Use Share 911 and the PA system)

By communicating with the school community, all members can make well-informed judgment calls and can be aggressive in protecting themselves. Students, faculty and staff should use every opportunity to alert others and to communicate the whereabouts of the harmful individual.

The use of share 911, phones (school or cell), yelling, and PA system are encouraged to communicate the whereabouts and will keep the intruder off balance. Working together to make informed decisions will put the intruder at a disadvantage.

COUNTER

Purpose: To apply skills to distract, confuse and gain control.

Counter is an absolute last resort. If one finds himself in close proximity to the intruder (no chance to flee or safely get away), he should apply the following counter movements to increase chances of survival:

- Throw objects at the intruder
- Distract the intruder by noise and/or movement
- Run away in a zig zag pattern
- Swarm the intruder
- Flight or fight but do not freeze
- Turn chaos into an advantage
- Use body weight and gravity to gain control

EVACUATE

Purpose: To remove as many people as possible from the danger zone to minimize targets of opportunity.

If you know the intruder's whereabouts and you are not in a high-risk area, you should Evacuate to the school's Rally Point. Only people on the first floor should exit through the windows if necessary. People on the 2nd and 3rd floors should not evacuate through windows as this may cause harm and use the safest stairwell then exit the school to the Rally Point.

REUNIFICATION

Purpose: To reunify students with their parent/guardians in a safe location

Procedures for Preventing Acts of Bullying and Cyber-bullying

Definitions:

Bullying is an unwanted, aggressive behavior that involves a real or perceived imbalance of power between individuals with the intent to cause emotional or physical harm. Bullying can be physical, verbal, or social/relational and involves repetition or potential repetition of a deliberate act.

Cyberbullying includes the electronic creation or transmission of harassing communications, direct threats, or other harmful texts, sounds, or images. Cyberbullying also includes breaking into another person's electronic account or assuming that person's online identity in order to damage that person's reputation.

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

- Physical bullying that inflicts harm upon a person's body or possessions, such as hitting, kicking, pinching, spitting, tripping, pushing, taking or breaking someone's possessions, or making cruel or rude hand gestures
- Verbal bullying that includes saying or writing hurtful things, such as teasing, name-calling, inappropriate sexual comments, taunting, or threats to cause harm
- Social/relational bullying that harms a person's reputation or relationships, such as leaving a person out of an activity on purpose, influencing others not to be friends with someone, spreading rumors, or embarrassing someone in public
- Cyberbullying, such as sending demeaning or hateful text messages or emails, sending rumors by email or by posting on social networking sites, or posting embarrassing photos, videos, web site, or fake profiles

Measures to Prevent Bullying:

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

- Ensuring that each school establishes clear rules for student conduct and implements strategies to promote a positive, collaborative school climate
- Providing to students, through student handbooks and other age-appropriate means, information about district and school rules related to bullying, mechanisms available for reporting incidents or threats, and the consequences for engaging in bullying
- Encouraging students to notify school staff when they are being bullied or when they suspect that another student is being bullied, and providing means by which students may report threats or incidents confidentially and anonymously

- Conducting an assessment of bullying incidents at each school and, if necessary, increasing supervision and security in areas where bullying most often occurs, such as classrooms, playgrounds, hallways, restrooms, and cafeterias
- Annually notifying district employees that, pursuant to Education Code 234.1, any school staff who witnesses an act of bullying against a student has a responsibility to immediately intervene to stop the incident when it is safe to do so

Staff Development:

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

The Superintendent or designee shall provide training to teachers and other school staff to raise their awareness about the legal obligation of the district and its employees to prevent discrimination, harassment, intimidation, and bullying of district students. Such training shall be designed to provide staff with the skills to:

- Discuss the diversity of the student body and school community, including their varying immigration experiences
- Discuss bullying prevention strategies with students, and teach students to recognize the behavior and characteristics of bullying perpetrators and victims
- Identify the signs of bullying or harassing behavior
- Take immediate corrective action when bullying is observed
- Report incidents to the appropriate authorities, including law enforcement in instances of criminal behavior

Student Instruction:

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

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

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

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

Reporting and Filing of Complaints:

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

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

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

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

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

Discipline/Corrective Actions:

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

When appropriate based on the severity or pervasiveness of the bullying, the Superintendent or designee shall notify the parents/guardians of victims and perpetrators and may contact law enforcement.

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

(Education Code 48900.9)

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

Emergency Contact Numbers

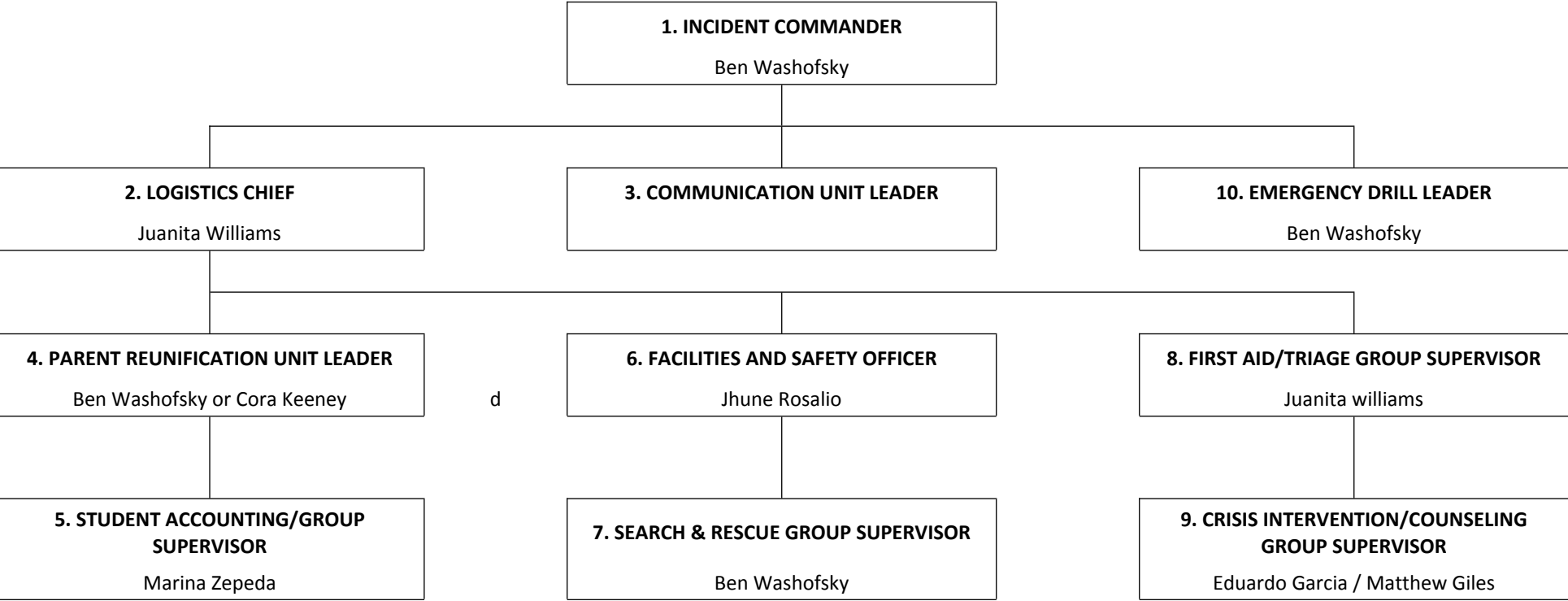
Utilities, Responders and Communication Resources

Type	Vendor	Number	Comments
City Services	City of Alameda	510-747-7400	
Other	County of Alameda	510-208-9770	
Law Enforcement/Fire/Paramedic	APD Non-Emergency	510-337-8340	
Law Enforcement/Fire/Paramedic	POLICE DEPARTMENT 911	911	
Other	Hazardous Materials Unit	510-567-6702	
Other	HEALTH DEPARTMENT - Alameda County	510-267-8000	
Local Hospitals	Alameda Hospital (Emergency Room)	510-522-3700	
American National Red Cross	RED CROSS	510-595-4400	

Safety Plan Review, Evaluation and Amendment Procedures

Activity Description (i.e. review steps, meetings conducted, approvals, etc)	Date and Time	Attached Document (description and location)
Faculty Meeting	8/10/23	Emergency response training with all staff
Safety Committee Meeting	8/10/23	Review of Safety Plan and procedures, roles and responsibilities, maps and evacuation routes
Faculty Meeting	8/10/23	Safety Committee share out
Safety Committee Meeting	8/30/23	Table top drill and training planning
Faculty Meeting	10/12/23	Review of REMS roles and responsibilities
Safety Committee Meeting	12/7/22	Update Safety plan with revisions
Public Hearing	2/29/24	Safety plan review with community
School Community Meeting	2/29/24	SSC approval of plan

Island Continuation High School Incident Command System



Incident Command Team Responsibilities

Standardized Emergency Response Management System Overview

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

SITE ORGANIZATION DURING A DECLARED EMERGENCY COMMAND POST PERSONNEL AND DUTIES

If notified of a Declared Emergency from the Superintendent's Office, OR if the site suffers a severe disaster, the Site Manager shall immediately implement the plans and procedures in the Site Emergency Plan.

The Site Manager or Incident Commander shall:

- A. Activate alarm/Broadcast Alert on Share911 and PA to notify staff
- B. Activate Command Post and 2-way radio
- C. Activate Emergency Teams
- D. Assess total school situation
- E. Make initial site assessment report on Share911 to District Emergency Operations Center.
- F. Check to see that Site Emergency Teams are operating
- G. Assign messengers to needed areas
- H. Request help from 911 or Emergency Operations Center as required
- I. Secure information from Emergency Teams Update Site Status Reports - Report to the Emergency Operations Center
- J. Reassign team members to other duties as required when they finish initial assignment duties
- K. Personally address these items:
 - 1. Is campus secure?
 - 3. Are utilities off or secure?
 - 4. Are signs directing adults to release area up?
 - 5. Are traffic controllers needed?
 - 6. Is First Aid Center functioning?
 - 7. Have buildings been searched for victims?
 - 8. Is the student release program set up and operational?

Logistics Chief: The Site Office Manager shall:

- A. Report immediately to the Command Post with:

1. Master keys
2. Current roster of students and staff
3. Emergency forms and documents
4. Office supplies to assist unit leads

B. Assume responsibilities as directed by Site Manager

The Site Clerical Staff shall:

A. Team up with other personnel as a member of a Site Emergency Team, otherwise:

B. Report to the Site Command Post and assume responsibilities as directed by the Site Manager

The Attendance Clerk shall:

A. Keep a current file of all students release information from forms parents are required to fill out authorizing listed persons to pick up their children in case of a severe emergency. The Attendance Clerk will take these records to the Student Release Area in the Cafeteria and give them to the Student Release Team to use.

The Site Custodians shall:

A. Check the condition of the utilities and connecting pipes and lines and if necessary, turn them off.

B. Check the site completely for:

1. Fire and electrical hazards
2. Chemical hazards (Chlorine storage)
3. Other hazards

C. Notify Site Manager of hazards and services needed

D. Barricade hazardous areas using whatever materials handy

E. When site is secure, report to the Command Post for direction

F. Open emergency container and provide emergency sanitation areas if toilets are unavailable

Directions for the Instructional Staff During a Declared Emergency

Teachers and Para Professionals shall:

A. Respond immediately to emergency signals requiring specific actions and check in on Share911

B. If signal is one to Leave Building, know if signal is for:

1. Fire evacuation

2. Earthquake evacuation
3. Chemical spill evacuation

Evacuate Accordingly!

A. When leaving building:

1. Take emergency backpack
2. Require students to be silent in order to hear instructions
3. Close doors to classroom
4. Go directly to pre-assigned location

B. Check with nearby classrooms when evacuating. If there are seriously injured persons who cannot be moved, assign one teacher to remain and the other to evacuate the rest of the students. Report on Share911

C. Teachers shall provide First Aid to the best of their ability to students under their supervision until the emergency First Aid station is activated. Students with major injuries are to remain in the classroom supervised by a teacher or aide. Students with minor injuries are to be cared for after evacuation.

D. Upon reaching evacuation destination, teachers shall:

1. Take roll
2. List missing students on Share 911 and on paper
3. Give list to Assembly Area Team members
4. Calm students. Remind them of District policies about remaining at school
5. Monitor warmth and protection of students. Move if necessary

E. If assigned to a Site Emergency Team, transfer your students to paired teacher to supervise, report immediately to the Command Post for supplies and begin implementation of Team responsibilities.

USE REMS TO ESTABLISH YOUR EMERGENCY SITE TEAM

Note: Contact listing is intended to be shared with team members to enhance communication in the event of a critical incident. It is recommended that the Principal and Designee establish an intranet list server to further enhance communications. The personal information listed is intended for team members. Please type name and number under each assignment.

REMS Team Members Primary Contact/Cell number Secondary Contact/Cell number

Incident Commander: Ben Washofsky

Establishes an Incident Command Center, lists incident objectives and designates the following positions to perform the following duties.

Logistics Chief: Juanita Williams

Supports each unit leader with where to find the necessary tools to support the team fulfilling their duties.

Report immediately to the Command Post with:

- Master keys
- Current roster of students and staff
- Emergency forms and documents
- Office supplies to assist unit leads
- Computers and walkie talkies
- Assume responsibilities as directed by Site Manager

Communication Unit Leader: Juanita Williams

Works with the incident commander to communicate out important information to all supervisors and the public.

Report immediately to the Command Post with:

- Computer
- Office supplies

Parent Reunification Unit Leader: Cora Keeney

Reunification refers to getting students reunited with their parents or guardians in an efficient and orderly manner. Reunification can be an enormous challenge and takes a lot of planning.

The Student Release Team is responsible for:

- Setting up secure reunion area
- Checking student emergency cards for authorized releases
- Completing release logs
- Coordinating with the Public Information Office on external messages

Student Accounting/Group Supervisor: Aki Moore

Evacuation, shelter, and student care in an emergency is one of the most important tasks faced by schools. It includes student accounting, protection from weather, providing for sanitation needs, and providing for food and water and releasing of students to their guardians.

The Evacuation/Shelter/Care Team is responsible for:

- Accounting for the whereabouts of all students, staff, and volunteers
- Setting up secure assembly area
- Managing sheltering and sanitation operations
- Managing student feeding and hydration
- Coordinating with the Student Release Team
- Coordinating with the Logistics Section to secure the needed space and supplies

Search & Rescue Group Supervisor: Ben Washofsky

Search & Rescue Teams search the entire school facility, entering only after they have checked the outside for signs of structural damage and determined that it is safe to enter. Search & Rescue Teams are responsible for ensuring that all students and staff evacuate the building (or, if it is unsafe to move the persons, that their locations are documented so that professional responders can locate them easily and extricate them).

Search & Rescue Teams are also responsible for:

- Using Share 911 to identify where injuries may exist
- Obtaining injury and missing student reports from teachers
- Moving injured members from building if emergency responders are unable to do so
- Identifying and marking unsafe areas
- Conducting initial damage assessment

First Aid/Triage Group Supervisor: Juanita Williams

First Aid Teams provide triage and treatment for students and other disaster victims. First Aid Teams are responsible for setting up first aid area for students, assessing and treating injuries, and completing master injury report.

First Aid Teams are responsible for:

- Setting up a first aid area for students
- Assessing and treating injuries
- Completing master injury report

Note: The Logistics Section Medical Unit provides care to responders. The Operations Section First Aid Team is dedicated to students or other disaster victims.

Crisis Intervention/ Counseling Group Supervisor:

The Crisis Intervention Team is responsible for assisting students and school personnel who are unable to cope with the fears and psychological trauma associated with emergencies and disasters.

This includes:

- Assessing need for onsite mental health support
- Determining need for outside agency assistance
- Providing onsite intervention/counseling
- Monitoring well-being of school emergency team, staff, and students, and reporting all findings to the Operations Section Chief

Facilities and Safety Officer: Jhune Rosalio

The Facilities & Security Response Team is responsible for:

- Locating all utilities and turning them off, if necessary
- Securing and isolating fire/HazMat
- Opening Emergency Trailer
- Assessing and notifying officials of fire/HazMat
- Conducting perimeter control

Emergency Drill Leader:

The Emergency Drill Leader is responsible for:

- Training staff
- Coordinating and running all required drills
- Monitoring participations
- Reviewing after action reports
- Reporting to the incident commander

LIST SEARCH TEAM DUTY DESCRIPTIONS

EXAMPLE: If assignment is SEARCH TEAM:

Take heavy gloves, flashlight, hard hat and masking tape (no entry) from Emergency Backpack.

Leave Emergency Backpack and students with designated teacher (see previous page).

Report to INCIDENT COMMAND CENTER near gate in lower yard meet with search team partner(s).

Receive directions for search instructions from Search team supervisor.

LIST WHO WILL BE:

SEARCH TEAM #1 Search team will be delegated by

LIST FIRST AID FUNCTION

EXAMPLE: Minimize injuries and loss of life: provide temporary care of injured students.

Set up desk at picnic tables behind multipurpose room (or if unsafe here, on blacktop near multipurpose room).
Organize supplies and treatment area.
Help with wounded.
Keep Check Out Station informed.
Request additional help (ambulances, etc.) through Check Out Station.
Look up emergency information if necessary.

LIST WHO WILL BE:

TREATMENT

TRIAGE

RECORDER

List the things you will have to accomplish and assign to operations section or logistics section.

Examples:

Set up table, chairs and sign "Incident Command Center"

Set up operations table, logistics table.

Set up a first aid station

Put traffic cones in the street, blocking off access to the parking lot entry drive

Set up people to handle the check out of students. Display signs A-L, M-Z. Have emergency card information forms out.

Record finding of search teams

List any unaccounted for students and those in First Aid or in need of first aid.

Keep track of the walkie-talkies

Listen to radio

Use runners as necessary to retrieve information and students

Organize parent line-up and announce using bullhorn to parents that students have been evacuated

Assist in calming and organizing parents

Provide pen and paper for non-English speaking students to write their name

Communicate to District Personnel

INCIDENT COMMAND POST – Located

The Site Manager or designee is the final authority at each school. He/she must be available for all decisions, information and authority during the time the schools are isolated.

Therefore, the Site Manager and the Command Post should be housed in a central area, i.e., the front of the school, where the manager is available to radio, telephone, emergency equipment or personnel and parents.

The Command Post will begin to operate immediately after a disaster.

This is where the record keeping, communication, and major decision making will take place. The Site Manager or Incident commander will be here.

In addition, a separate Student Release Area will be established to coordinate the release of students to authorized adults. Student release area will be in the bike cage (if inaccessible at the end of the parking lot behind the second gate).

Emergency Release Information Forms are needed at the Release Area to document the release of all students.

While the Command Post is functioning, The First Aid and Search/Assessment Teams will carry out their functions and provide information to the Incident commander about the:

1. Condition of students
2. Condition of staff
3. Condition of facilities

Management

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

Planning & Intelligence

Planning and Intelligence involves the use of various methods to efficiently gather information, weigh and document the information for significance, and actively assess the status of the emergency. This understanding and knowledge about the situation at hand is vital to the effective management of a response. These activities are performed by a single person who reports directly to the Incident Commander.

Operations

All response actions are implemented under by Operations. This includes staff performing first aid, crisis intervention, search and rescue, site security, damage assessment, evacuations, and the release of students.

Logistics

Logistics supports the response by coordinating personnel; assembling and deploying volunteers; providing supplies, equipment, and services; and facilitating communications among emergency responders.

Finance & Administration

Finance & Administration involves the purchasing of all necessary materials, tracking financial records, timekeeping for emergency responders, and recovering school records following an emergency. These activities are performed by a single person who reports directly to the Incident Commander.

Types of Emergencies & Specific Procedures

Aircraft Crash

FALLEN AIRCRAFT

DEFINITION/DESCRIPTION

If an aircraft falls near the school, the principal will determine which emergency action, if any, will be taken. Local fire and police departments will be responding also. All students and staff should be kept at a safe distance to protect them from possible explosions and/or fire.

IMMEDIATE ACTION

Principal

- Determine which Action, if any, should be implemented.
- Where necessary, tell teachers they may need to take immediate action for the safety of students without waiting for directions from the principal.
- Determine, if possible, whether the aircraft is military, commercial or private. Contact the local police to determine appropriate action and refer all members of the press to the Emergency Operations Center.

Principal's Secretary

- Respond to calls.
- Assist principal as needed.
- Refer all members of the press to the Emergency Operations Center.

Teachers

- Follow principal's direction as to appropriate Action.
- Depending on the nature of the accident you may need to take Action DROP or Action TAKE COVER to protect students from a possible explosion and/or fire.

FOLLOW UP ACTION

Principal

- Provide up-to-date information to staff and students as it becomes available and arrange school site meetings to make assignments and determine plans.
- Coordinate activities of the school site team.
- Maintain contact with Emergency Operations Center and Superintendent's office.
- Arrange after-school staff meetings to debrief and clarify events.

Teachers

- Read bulletins/announcements as provided by the principal.
- Refer all media to the principal's office.
- Cooperate with the school site team to provide follow-up as appropriate.
- Refer for counseling students who may be at risk.
- Return to normal instructional activities as soon as possible.

Animal Disturbance

If a rabid or vicious animal is at or in the vicinity of the school, the Animal Control Center should be notified immediately. Teachers shall be notified Shelter In Place. Students outside of the building will be quietly and cautiously sent into the nearest building and secured in a room behind closed doors. Notify the Superintendent's Office.

Armed Assault on Campus

Follow A.L.I.C.E Procedures

Biological or Chemical Release

CHEMICAL SPILL

1. An announcement will be made to either Shelter in Place or evacuate the building and gather in the Assembly Area, depending on the situation.
2. The announcement will be made by the P.A. system, or if this fails to operate, messenger will alert classes.
3. If the Assembly Area is not safe, students will be evacuated to Lincoln Park, depending on the area of the spill and direction of the wind.

CHEMICAL ACCIDENT

1. DEFINITION/DESCRIPTION

Chemical accidents of disaster magnitude would include tank truck accidents involving large quantities of toxic gases or toxic liquids. This type of accident will likely be reported by an outside source unless the accident has occurred immediately adjacent to the school site.

2. IMMEDIATE ACTION

Principal

- a) Receive information about/review situation to determine if evacuation routes are safe (move crosswind to avoid fumes).
- b) Determine which action should be implemented.
- c) Sound alarm for appropriate action.
- d) Notify/maintain contact with Superintendent/Emergency Operations Center.
- e) Determine what further action to take.

Teachers

- a) Implement appropriate action, using alternate evacuation route if required.
- b) Maintain control of students.
- c) Take roll. Report students who are absent.
- d) Notify principal of any problems in/around area
- e) Notify principal of need for first aid, as appropriate.

Custodian

- a) Review situation to assess extent of spill, wind direction and proximity to building.
- b) Report findings to principal.
- c) Be prepared to direct fire/police department to spill site.
- d) Assist in spill clean-up or containment, as appropriate.

3. FOLLOW UP ACTION

Principal

- a) Determine, in coordination with M.O.F./Fire Department, whether buildings are habitable.
- b) Notify staff/students of any modification in schedule.
- c) Work with Emergency Operations Center to publicize information regarding accident.
- d) Arrange school site meeting to provide information to staff.

Principal's Secretary

- a) Screen all calls. Refer public to Emergency Operations Center.
- b) Refer media to Emergency Operations Center.
- c) Prepare necessary bulletins.

Teachers

- a) Read bulletins/announcements as provided by principal.
- b) Refer all media to principal's office.
- c) Cooperate with school site team to provide follow-up, as appropriate.
- d) Refer for counseling students who may be at risk.
- e) Return to normal instructional activities as soon as possible.

Bomb Threat/ Threat Of violence

1. DEFINITION/DESCRIPTION

A bomb threat will typically be received in writing or by telephone call. Responses will generally be the same with the initial exception of a person receiving a telephone threat. A copy of the Bomb Threat Checklist should be readily available for every administrative phone responder.

2. IMMEDIATE ACTION – Telephone Threat

Person Receiving Call

- a) Keep the caller on the line. Delay the caller with such statements as: “I’m sorry, I did not understand you. What did you say?”
- b) Use Bomb Threat Checklist (see form at the end of this “Bomb Threat” section). Get as much information as possible from the caller.
- c) Immediately after caller hangs up, report all information to principal.

All Office Personnel

Immediately search your work area for foreign or suspicious objects or packages. If one is found, DO NOT TOUCH OR MOVE IT!!

IMMEDIATE ACTION – Written Threat

Person Receiving Written Message

Give the message to the principal immediately upon identification.

Principal

- a) Receive/review all information about bomb threat.
- b) Determine which action should be taken.
- c) Initiate non-electronic evacuation procedure; i.e. runner or bullhorn, since electronic warnings could activate any device, being sure all evacuation routes are clear.
- d) Notify Superintendent/Police/Fire Department.
- e) Direct search of office complex, evacuation site and classrooms.
- f) Determine what further action should be taken.

Teachers

- a) Implement appropriate action, using alternate evacuation route if required.
- b) Maintain control of students.
- c) Take roll. Report students who are absent.
- d) Notify principal of any problems in or around area.
- e) Hold students until designated evacuation area has been searched and declared safe, and then conduct students to the cleared area.

Teachers assigned to the designated evacuation area will remain with the pupils; personnel who are assigned to search teams will report to the principal for briefing.

If notification of a threat is received and immediate evacuation is not ordered, teachers will search their classrooms for any unidentifiable objects. If nothing is found, resume instruction until the evacuation order is received.

Custodians

- a) Under the direction of the principal, immediately proceed with a thorough search of designated evacuation area (or other area large enough to contain the students) to provide a safe place for students evacuated from the buildings.
- b) Search, as required, to determine that no explosive is hidden in a book, clothes locker or restroom.

3. FOLLOW UP ACTION

Principal

- a) Determine, in coordination with M.O.F. and Fire Department, whether buildings are habitable.
- b) Notify staff/students of any modification in schedule, via special bulletin or telephone tree.
- c) Work with Emergency Operations Center to put messages on TV, radio and telephone system regarding any modifications in schedule.
- d) Arrange school site meeting to discuss plan.

Principal’s Secretary

- a) Screen all calls. Refer calls to Emergency Operations Center.
- b) Prepare necessary bulletins.

Teachers

- a) Read bulletins/announcements as provided by principal.
- b) Refer all media to principal's office.
- c) Cooperate with school site team to provide follow-up as appropriate.
- d) Refer for counseling students who may be at risk.
- e) Return to normal instructional activities as soon as possible.

EXPLOSION OR THREAT OF EXPLOSION

1. DEFINITION/DESCRIPTION

An explosion at the school, or the threat of an explosion, may be caused by leaking gas or a faulty boiler within a school building.

2. IMMEDIATE ACTION – EXPLOSION

Principal

Sound the school alarm.

Notify the Superintendent or Assistant Superintendent.

Notify utility companies of a break or suspected break.

Notify fire and police departments and direct further action as required.

Notify teachers of proper action (DROP or LEAVE BUILDING).

Teachers

Command DROP is given. Instruct students to react in the same manner on their own to this type of catastrophe in case it occurs when the teacher is temporarily not present.

If the explosion occurred within the building, or threatened the building, immediately implement Action LEAVE BUILDING.

Move to an area of safety and maintain control of students.

Notify principal of students needing first aid as necessary.

Fight incipient fires without endangering life.

Take roll. Report absent students to principal.

Students and staff should not return to the school until Fire Department officials declare the area safe.

IMMEDIATE ACTION - THREAT OF EXPLOSION:

Principal

Sound the school fire alarm, or silent evacuation if electronic means could set off explosion. This will automatically implement Action LEAVE BUILDING.

Follow procedures for principal -- 'c' and 'd' above.

Teacher

Follow procedures for teachers -- 'c' through 'g' above.

Disorderly Conduct

CIVIL DISOBEDIENCE/MENACING INDIVIDUALS

1. DEFINITION/DESCRIPTION

Civil disobedience is defined as any assemblage on the school premises by unauthorized persons whose purpose and conduct is inimical to the orderly conduct of the school and the laws relating to the conduct of schools and the welfare of students.

WARNING: The presence of unauthorized individuals or an alert of an impending visitation. When this condition has been reported to the principal or authority in charge, he shall transmit the warning to all classes by the public address system. If the PA system is inoperable, a messenger will be sent to each classroom.

2. IMMEDIATE ACTION

The major plan of action will be to protect all personnel from undue exposure to danger. Every effort must be made to keep classes within their rooms. The following specific steps will be taken to implement the plan of action:

Principal or Designee

- a) Transmit a Shelter in Place alert to all staff members.

- b) Call the local law enforcement agencies to provide protection and to handle arrests.
- c) Make certain that a specific crime is committed before requesting arrests.
- d) School civil disobedience crimes involving arrest are listed in the Criminal Code Procedure and include the following:
 - 1. Disturbing the Peace
 - 2. Trespassing
 - 3. Loitering Around the School Grounds
- e) The principal should make an announcement to the demonstrators similar to the following:
 "I am the principal of this school. You are interfering with the orderly process of education in this school. I request that you leave. If you do not leave, I shall ask for your arrest. You are causing a disturbance."

Teachers

- a) Keep students within their locked classrooms until further notice, regardless of the bells and schedules.
- b) Lock classroom doors.
- c) Remain in charge of your class, utilizing the best judgment in occupying the students within the classroom.
- d) Precaution should be taken to protect personnel from flying glass in case of broken windows. Drapes, venetian blinds, or jalousies should be closed.
- e) Where there is evidence of a potential problem, all P.E. classes will immediately return to the locker rooms.

Custodians

Lock and secure all exterior doors.

3. FOLLOW UP ACTION

Principal

- a) Determine, in coordination with M.O.F., whether building(s) is/are habitable.
- b) Notify staff/students of any modification in schedule, via special bulletin or telephone tree.
- c) Work with Communications director to put messages regarding any modifications in schedule.
- d) Arrange school site meeting to discuss plan.

Principal's Secretary

- a) Screen all calls. Refer public to Director of Communications
- b) Refer media to Director of Communications
- c) Prepare necessary communication to community.

Teachers

- a) Read announcements as provided by principal.
- b) Refer all media to principal's office.
- c) Cooperate with school site team to provide follow-up, as appropriate.
- d) Refer for counseling students who may be at risk.
- e) Return to normal instructional activities as soon as possible.

Earthquake

Although the probability of an earthquake occurring is lower than most other emergency types, the potential for injuries and damage from one is high. It is essential that students and staff remain aware of the following basic actions:

This section removed from posted plan for security purposes. If you wish to see the full plan, contact the school principal for an appointment.

If an earthquake or other situation warrants, drop to the floor, take protective position under desks or furniture with backs to windows and hands covering head and face. Stay in position until directed to evacuate or take other protective action. If outside, move away from buildings and trees and take protective position. When situation permits, proceed to the designated assembly point. Standby: Alert students in your area to stand by for further information. Make whatever assessment of the situation is possible. Render emergency first aid as required. If inside, stay inside during ground shaking. In classrooms or offices, move away from windows, shelves and heavy objects or furniture that may fall. Take cover under a safe table, desk or counter. At the teacher's command, students should take the DROP position.

If a "shelter" (table, desk, etc.) is not available, move to an inside wall or corner, turn away from windows, kneel alongside wall, and bend head close to knees, with elbows firmly behind neck protecting face. If notebooks or jackets are handy, hold these overhead for added protection from flying glass and ceilings debris. Remain in sheltered position for at least 60 seconds or until directed to move by an adult. If in halls, on stairways, or other areas where no cover is available, students must follow the directions of the nearest teacher or school employee.

If in the library, immediately move away from windows and bookshelves and take appropriate cover. In the science lab or shops, all burners should be extinguished (if possible) before taking cover. Stay clear of hazardous chemicals that may spill. The duration of ground shaking depends on a number of factors, including the severity of the earthquake. Advise students to anticipate shorter or longer episodes of ground shaking during actual earthquakes and their aftershocks.

EARTHQUAKE HAZARDS COMMONLY FOUND IN SCHOOL BUILDINGS:

- Glass that shatters or flies around
- Objects stored above head-level on shelves, walls, and ceilings (such as unused projectors, books, science equipment, boxes)
- Objects that block movement to safe places (books on floors, tipped desks and bookcases)
- Cabinets without latches
- Objects stored on wheels
- Open shelving without a lip or restraining wire
- Free standing cabinets
- Blocked exits
- Objects in hallways that block movement (glass, tables, locker contents)

SETTLING DOWN AFTER THE FIRST SHOCK:

- After the first shock, teachers will evacuate the classrooms, being alert to the possibility of aftershocks.
- When leaving the classroom, teachers should make every effort to take with them the roll book and emergency supplies.
- Announce that no student is to return to the room unless directed to do so.
- Teachers will take classes to pre-arranged places on the campus.
- Teachers and students will remain in designated areas until re-entry to the building has been approved or they are directed to move elsewhere.
- School will remain open indefinitely until every student has been released to parents or to an authorized person.
- Do not light any fires after the earthquake because of possible gas leaks.
- If possible, notify utility companies of any break or suspected breaks in service.

THE GREAT SHAKEOUT EARTHQUAKE DRILLS

All AUSD schools are encouraged to participate in the annual Great ShakeOut Earthquake Drills. See <https://www.shakeout.org/index.html> for more information.

Explosion or Risk Of Explosion

EXPLOSION OR THREAT OF EXPLOSION

DEFINITION/DESCRIPTION

An explosion at the school, or the threat of an explosion, may be caused by leaking gas or a faulty boiler within a school building.

IMMEDIATE ACTION – EXPLOSION

Principal

- a) Sound the school alarm and report on Share911.
- b) Notify teachers of proper action (DROP or LEAVE BUILDING).

Teachers

- a) Command DROP is given. Instruct students to react in the same manner on their own to this type of catastrophe in case it occurs when the teacher is temporarily not present.
- b) If the explosion occurred within the building, or threatened the building, immediately implement Action LEAVE BUILDING.
- c) Move to an area of safety, and maintain control of students.
- d) Use Share911 to report students absent, found or needing first aid as necessary.
- e) Fight incipient fires without endangering life.
- g) Students and staff should not return to the school until Fire Department officials declare the area safe.

IMMEDIATE ACTION - THREAT OF EXPLOSION:

Principal

Sound the school fire alarm, or silent evacuation if electronic means could set off explosion. This will automatically implement Action LEAVE BUILDING.

Follow procedures for principal -- 'c' and 'd' above.

Teacher

Follow procedures for teachers -- 'c' through 'g' above.

Fire in Surrounding Area

Follow shelter in place procedures

Fire on School Grounds

DEFINITION/DESCRIPTION: A fire detected in or adjacent to any building at the school site.

IMMEDIATE ACTION

Principal or Site Safety Coordinator

- View fire or take report to determine that evacuation routes are safe.
- Notify teachers of alternate route if necessary.
- Sound school fire alarm and report on Share911.
- Determine what further action to take (i.e. send students/staff home).

Teachers

- Implement Action LEAVE BUILDING, using alternate route in necessary.
- Maintain control of students at a safe distance from the fire and fire fighting equipment.
- Take roll upon arrival at designated area. students.
- Remain with students in designated area until notified of next action.
- Notify principal of any hazards observed in/around area through Share911.
- Notify principal of need for first aid as appropriate through Share911.

Custodians

- View fire to identify location and extent.
- Report findings to principal.
- Fight incipient fire without endangering life.
- Be prepared to direct fire department to fire site.
- Shut off gas/water as appropriate.
- Shut off electricity after all necessary use of P.A. system is complete.

FOLLOW-UP ACTION

Principal

- Determine, in coordination with M.O.F. and Fire Department whether buildings) is/are habitable.
- Notify staff/students of any modification in schedule, via Share911 and special bulletin or telephone tree.
- Work with Director of Communications to put messages on TV, radio and communication system regarding any modifications in schedule
- Arrange school site meeting to discuss plan.

Principal's Secretary

- Screen all calls.
- Refer media to Director of Communication.
- Prepare necessary communications to community.

Teachers

- Read announcements as provided by principal.
- Refer all media to principal's office.
- Cooperate with school site team to provide follow-up as appropriate.
- Refer for counseling students who may be at risk.
- Return to normal instructional activities as soon as possible.

Flooding

DESCRIPTION/DEFINITION

There should be some thought and preparation for this eventuality should any sources around the school create flooding. Flooding may be the secondary effect of another disaster, such as an earthquake.

IMMEDIATE ACTION

Principal

- View flood or take report to determine that evacuation routes are safe.
- Broadcast Alert on Share911 and PA as appropriate.
- Determine what further action to take.

Teachers

- Implement appropriate Action in response to principal direction.
- Take roll upon arrival at evacuation area. Report absent students, needs for first aid and any hazards observed in/around area to principal through Share911.
- Maintain control of students at evacuation area.

Custodians

- View flood to identify location and extent.
- Report findings to principal.
- Be prepared to direct M.O.F./City to flood site/source.
- If flooding is result of school site damage, turn off water.

Follow up Plan

Principal

- Determine, in coordination with M.O.F. and Fire Department whether buildings) is/are habitable.
- Notify staff/students of any modification in schedule, via Share911 and special bulletin or telephone tree.
- Work with Director of Communications to put messages on TV, radio and communication system regarding any modifications in schedule
- Arrange school site meeting to discuss plan.

Principal's Secretary

- Screen all calls.
- Refer media to the Director of Communication.
- Prepare necessary communications to the community.

Teachers

- Read announcements as provided by the principal.
- Refer all media to the principal's office.
- Cooperate with the school site team to provide follow-up as appropriate.
- Refer for counseling students who may be at risk.
- Return to normal instructional activities as soon as possible.

Loss or Failure Of Utilities

UTILITIES LOSS OR FAILURE

CALL MOF - They will call the appropriate public works system based on the loss or failure.

LOSS OF ELECTRICAL POWER:

Consult Alameda Power

LOSS of GAS

PG&E

WATER EMERGENCY:

East Bay Municipal Utility District, colloquially referred to as "East Bay Mud

PHONE ISSUES:

Contact Technology Information Services to report phone issues.

ADDITIONAL INFORMATION:

Contact Maintenance, Operations & Facilities at extension if any utility will be off for an extended period of time.

Notify the superintendent of the situation.

If necessary, make appropriate arrangements with Maintenance and Operations for temporary communications, water delivery and portable rest rooms.

In the event of an extended outage, consult with the cafeteria manager. The cafeteria manager will consult with Food and Nutritional Services.

If an extended outage is likely, provide an update to keep parents/guardians informed.

Motor Vehicle Crash

Step1: Respond to the injured party and determine if first aid or CPR should be provided

Step 2: If 911 needs to be called have another person call while you deliver first aid or CPR

Step 3: Send another person to notify others and get any emergency equipment or information that would be helpful to the emergency

Step 4: When safe to do so, activate share 911 to communicate to staff if an ambulance is on its way

Step 5: Designate staff to the appropriate gate/entrance to help emergency services get in close proximity to injured party

Step 6: Staff are required to complete and turn in an Accident Report to administration for any injuries to any one on campus

Step 7: Accident forms need to be sent to the business office

Psychological Trauma

The sudden death, serious injury to a student or staff member either through natural causes, accidents or as the result of an act of violence, such as school shooting, missing students (known or suspected abduction), physical assault, sexual assault, non-natural or non-accidental causes or other unexpected events are, without question, a crisis. Responding to these kinds of crisis situations in a timely and effective manner is as critical as dealing with an earthquake or a fire.

1. Contact Student Services to request the District Crisis Intervention Team immediately following a serious injury, accident or death of a student or staff member.

2. Work with your school psychologist and or counselors to determine identification of short- and long-term interventions for students or staff traumatized by the event.
3. Work with the Superintendent's office to formulate a public statement.
4. Discuss the crisis in a factual manner in follow up meetings and/or communications.
5. Be sensitive to latent behavior problems that are trauma-related.

A general message will be prepared and whenever possible parents will be contacted first in order to be the first adults to provide the information and support their children. All staff will be debriefed and supported. Activities to best meet the needs of the community will be provided aimed at providing counseling, a way for all to process (writing, drawing, and sharing). Activities such as games, music and reading may be planned over a short period of time to reduce anxiety and work demands. Follow and close monitoring for students and staff to insure latent reactions and responses.

Opioid Overdose

Step (1) Call 911 An overdose is a medical emergency. It is important to have trained medical professionals assess the condition of the overdose victim. Even though Naloxone can reverse the overdose, there may be other health problems of which the responder may not be aware. In addition, people who survive any type of overdose are at risk of experiencing other health complications because of the overdose. Getting someone examined by a medical professional is an important part of reducing the harms associated with overdosing.

It is important for trained staff to remember that Naloxone only works if there are opioids involved with the overdose. It cannot reverse an overdose from benzodiazepines, meth, cocaine, or alcohol.

Step (2) Administer Naloxone (Narcan)

Open the Naloxone blister pack; do not push the plunger.

With the victim's head tilted slightly back, place two (2) fingers over the top of the medication with your thumb securing it from the bottom.

Insert the atomizer fully and gently into their nostril

Push the plunger forward with the thumb and deliver spray of medication. (There is no need to plug the opposing nostril).

Place the person to their side (recovery position).

If the individual is still not responding within two (2) minutes, give a second dose in the opposite nostril.

Follow Up

If the victim is a student, contact parent/guardian per school policy.

Complete an Accident/Injury Report

Facilitate a debriefing with responding staff

Consider a plan of care for the students' safe return to school

Emergency Evacuation Map

[See Attachments](#)

Comprehensive School Safety Plan

**2023-24
School Year**

School: Lincoln Middle School
CDS Code: 01611196090054
District: Alameda Unified School District
Address: 1250 Fernside Boulevard
Alameda, CA, 94501
Date of Adoption:
Date of Update: 3/14/2024
Date of Review:
- with Staff
- with Law Enforcement
- with Fire Authority

Table of Contents

Comprehensive School Safety Plan Purpose.....	4
Safety Plan Vision.....	4
Components of the Comprehensive School Safety Plan (EC 32281).....	5
(A) Child Abuse Reporting Procedures (EC 35294.2 [a] [2]; PC 11166).....	5
(B) Disaster Procedures (EC 35295-35297; GC 8607 and 3100).....	7
(C) School Suspension, Expulsion and Mandatory Expulsion Guidelines	10
(D) Procedures to Notify Teachers of Dangerous Pupils (EC 49079).....	30
(E) Sexual Harassment Policies (EC 212.6 [b]).....	31
(F) School-wide Dress Code Relating to Gang-Related Apparel (EC 35183).....	34
(G) Procedure for Safe Ingress and Egress of Pupils, Parents, and Staff to and from School (EC 35294.2)	37
(H) A Safe and Orderly School Environment Conducive to Learning (EC 35294.2)	39
(I) School Discipline Rules and Consequences (EC 35291 and EC 35291.5)	40
(K) Hate Crime Reporting Procedures and Policies	40
(J) Procedures to Prepare for Active Shooters.....	42
Procedures for Preventing Acts of Bullying and Cyber-bullying.....	43
Emergency Contact Numbers	47
Safety Plan Review, Evaluation and Amendment Procedures	48
Lincoln Middle School Incident Command System	49
Incident Command Team Responsibilities.....	50
Types of Emergencies & Specific Procedures.....	57
Aircraft Crash	57
Animal Disturbance.....	57
Armed Assault on Campus	57
Biological or Chemical Release.....	57
Bomb Threat/ Threat Of violence	58
Disorderly Conduct	60
Earthquake	62
Explosion or Risk Of Explosion	62

Fire in Surrounding Area63

Fire on School Grounds63

Flooding65

Loss or Failure Of Utilities66

Motor Vehicle Crash66

Psychological Trauma.....66

Opioid Overdose67

Emergency Evacuation Map.....68

Comprehensive School Safety Plan Purpose

Effective January 1, 2019, Assembly Bill 1747 (Rodriguez), School Safety Plans, became law. This bill requires that during the writing and development of the comprehensive school safety plan (CSSP), the school site council or safety committee consult with a fire department and other first responder entities in addition to currently required entities. It requires the CSSP and any updates made to the plan to be shared with the law enforcement agency, the fire department, and the other first responder entities.

The California Education Code (sections 32280-32288) outlines the requirements of all schools operating any kindergarten and any grades 1 to 12, inclusive, to write and develop a school safety plan relevant to the needs and resources of that particular school.

In 2004, the Legislature and Governor recast and renumbered the Comprehensive School Safety Plan provisions in SB 719 and AB 115. It is the intent of the Legislature in enacting the provisions to support California public schools as they develop their mandated comprehensive safety plans that are the result of a systematic planning process, that include strategies aimed at the prevention of, and education about, potential incidents involving crime and violence on school campuses.

The historical requirement of the Comprehensive School Safety Plan was presented in Senate Bill 187, which was approved by the Governor and chaptered in 1997. This legislation contained a sunset clause that stated that this legislation would remain in effect only until January 1, 2000. Senate Bill 334 was approved and chaptered in 1999 and perpetuated this legislation under the requirement of the initial legislation.

Comprehensive School Safety Plans are required under SB 719 & AB 115 and contains the following elements:

Assessment of school crime committed on school campuses and at school-related functions

- Child abuse reporting procedures
- Disaster procedures
- Suspension and expulsion policies
- Procedures to notify teachers of dangerous pupils
- Discrimination and harassment policies
- School wide dress code policies
- Procedures for safe ingress and egress
- Policies enacted to maintain a safe and orderly environment
- Rules and procedures on school discipline
- Hate crime reporting procedures

The Comprehensive School Safety Plan will be reviewed and updated by March 1st every year. In July of every year, the school will report on the status of its school safety plan including a description of its key elements in the annual school accountability report card.

A copy of the Comprehensive School Safety Plan is available for review at .

Safety Plan Vision

The Alameda Unified School District is committed to providing a quality educational environment that is safe, secure, and peaceful. The primary goal of the District is to help each student develop to the maximum of his/her capacity and function as a responsible member of a democratic society. When parents, students and staff are aware of our mutual responsibilities to keep our community safe, we can effectively promote positive student participation in all of our schools.

The School Site Emergency Plan is designed for use as a school resource for prevention/mitigation, preparedness, response, and recovery planning and training as well as functioning as a template for meeting the requirements for the annual Safety Plan Process under Senate Bill 187, Education Code Section 35294, Statutes of 1998, and the National Incident Management System. It is designed to be a living document that is updated as necessary to meet site, District, and community needs, forms, and/or requirements—therefore, it should be maintained in hard copy and electronic form.

This document is NOT intended to be a “grab and go” guide in an actual emergency.

Components of the Comprehensive School Safety Plan (EC 32281)

Lincoln Middle School Safety Committee

Jessica Lucio, Assistant Principal

Christine Weidler, Teacher

Joslyn Olsen, Teacher

Joan Hulihan, Office Manager

Assessment of School Safety

Current Status of School Crime at Lincoln primarily is focused on preventing vandalism. The campus is accessible from multiple points of entry and over the weekends each year we deal with spray painted vandalism 1-2 times per year. According to our suspension data the number one offense is taking something without permission, then will force used and third smoking. Our attendance data is outstanding and is consistently over 92%. We have only completed the SART process for one student this year and are in the process of the SARB process. No students have been recommended for expulsion. We do not have a campus supervisor, however, our head custodian is very present on campus, and the school is consistently not accessible to the public during the school day.

Strategies and Programs to Provide and Maintain a High Level of Safety (EC 32281(a)1, items A-J)

Our action plan for school wide expectations is sustained through our advisory period weekly. We reteach expectations through advisory. In addition, we have our PBIS manual posted on our internal website, as well as review it with staff monthly in our Tier 1 and Co Teaching collaboration. Our COST team has built in time at the end of our meetings to provide feedback to teachers to update them on students who have been referred to COST. Our Tier II menu continues to grow and we have added significantly more academic groups this year for both reading, math and school readiness or executive functioning. We have consistently used SABRES for our assessment, however we are working on an additional evaluation that we will use for various types of groups to do in addition to SABRES. We have at least two staff meetings per year dedicated to reviewing the data for COST and reviewing the expectations of teachers. We have also refined our understanding of how students are accepted into COST as well as exited, and we have clearly defined when we hold an SST.

(A) Child Abuse Reporting Procedures (EC 35294.2 [a] [2]; PC 11166)

Child Abuse Reporting Procedures

With concern for the total well-being of each student, employees of the district shall report known or suspected incidences of child abuse in accordance with state law and district regulations. Our employees cooperate with the child protective agencies responsible for reporting, investigating and prosecuting cases of child abuse.

A. Definition of Child Abuse

"Child Abuse," as defined by law, pursuant to Penal Code 273 and 11165, includes:

1. Physical abuse resulting in a non-accidental physical injury.
2. Physical neglect, including both severe and general neglect, resulting in negligent treatment or maltreatment of a child.
3. Sexual abuse including both sexual assault and sexual exploitation.
4. Emotional abuse and emotional deprivation including willful cruelty or unjustifiable punishment.
5. Severe corporal punishment.

B. Legal Duty to Report

Mandated child abuse reporting is governed by the Child Abuse and Neglect Reporting Act, P.C. 11164. The intent and purpose of the law is to protect children from abuse. The definition of a child is any person under 18 years of age.

Within the scope of his or her employment, any childcare custodian who has knowledge of, observes, or reasonably suspects a child is a victim of child abuse, shall report the known or suspected abuse to a child protective agency by telephone and written report. Additionally, any suspicion of mental suffering inflicted on a child where his or her well-being is endangered in any way, will also be reported.

"Mandated Reporters" are those people defined by law as "childcare custodians," "medical practitioners" and "non-medical practitioners" and include virtually all school employees.

(Penal Code 11165.7 and 11165.8) The following school personnel are required to report: teachers, administrators, supervisors of child welfare and attendance, certificated student personnel employees, employees of a child care programs, preschool teachers, school psychologists, licensed nurses, counselors, para-educators instructional aides or other classified employees trained in child abuse reporting. Employees do not need to have their employer's permission to make a child abuse report.

"Child Protective Agencies" are those law enforcement and child protective services responsible for investigating child abuse reports, including the local police or sheriff's department, county welfare or juvenile probation department and child protective services (CPS).

"Reasonable Suspicion" means that it is objectively reasonable for a person to entertain such a suspicion, based upon facts that could cause a reasonable person in a like position, drawing when appropriate on his/her training and experience, to suspect child abuse. (Penal Code 11166)

3. Employees will report known or suspected child abuse to a child protective agency by telephone immediately or as soon as practically possible and in writing within 36 hours. The reporting duties are individual and cannot be delegated to another individual.

4. When two or more persons who are required to report and both have knowledge of suspected child abuse, and when there is agreement among them, the telephone report may be made by any one of them who is selected by mutual agreement, and a single report may be made and signed by the person selected. However, if any person who knows or should know that the person designated to report failed to do so, that person then has a duty to make the report.

5. The duty to report child abuse is an individual duty and no supervisor or administrator may impede or inhibit such reporting duties. Furthermore, no person making such a report shall be subject to any sanction. Any supervisor or administrator in violation (Section 11166) is guilty of an infraction punishable by a fine not to exceed five thousand dollars (\$5000).

C. Legal Responsibility and Liability

1. Mandated reporters have absolute immunity. School employees required to report are not civilly or criminally liable for filing a required or authorized report of known or suspected child abuse.

2. Any mandated reporter who fails to report an incident of known reasonably suspected child abuse or neglect as required by this section is guilty of a misdemeanor punishable by up to six months confinement in a county jail or by fine of one thousand dollars (\$1000) or by both that fine and punishment. The mandated reporter may also be held civilly liable for damages of any injury to the child after a failure to report.

D. Reporting Procedures

The person who first observes or learns about the abuse is to complete the "Suspected Child Abuse Report" form (BCIA 8572) and call the Child Abuse Reporting phone number Call our hotline now at 510-259-1800, available 24 hours a day, 7 days a week or if it is an emergency call:

OR Immediately telephone the appropriate law enforcement agency (based upon where the abuse is suspected to have occurred). Jurisdiction, as to whether the county or the city responds, is determined by where the abuse took place.

a. City: Call the Alameda Police Department (510) 337-8340

3. Employees are not required to identify themselves to their employer when they make a child abuse report. If an employee wishes to waive his/her confidentiality rights he/she may wish to make photocopies of the "Suspected Child Abuse Report" form (SS8572) and forward a copy to the principal and to the Executive Director of Student and Family Support Services.

E. Victim Interviews

Upon request, a child protective agency representative may interview a suspected victim of child abuse, during school hours and on school premises, concerning a report of suspected child abuse that occurred within the child's home. The child shall be given the choice of being interviewed in private or in the presence of any adult school employee or volunteer aide selected by the child. A staff member or volunteer aide selected by a child may decline to present at the interview. If the selected person accepts, the principal or designee shall inform him/her, before the interview takes place, of the following legal requirements:

1. The purpose of the selected person's presence at the interview is to lend support to the child and enable him/her to be as comfortable as possible.
2. The selected person shall not participate in the interview.
3. The selected person shall not discuss the facts or circumstances of the case with the child.
4. The selected person is subject to the confidentiality requirements of Article 2.5 (Penal Code 11165 et seq.), a violation of which is punishable as specified by 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)

F. Release of Child to Peace Officer or to a Child Protective Services Worker

When a child is released to a peace officer and taken into custody as a victim of suspected child abuse, the principal or other school staff shall not notify the parent/guardian as required in other instances of removal of a child from school, but rather shall provide the peace officer with the address and telephone number of the child's parent/guardian. It is the responsibility of the peace officer to notify the parent/guardian of the situation

G. Staff Training

The Principal or designee shall provide training in child abuse identification and reporting for all certificated personnel, instructional and teacher aides, teacher assistants, para-educators and other classified employees. (Penal Code 11165.7) All employees trained in child abuse identification and reporting shall be given, as a part of that training, written notice of the child abuse reporting requirements and the employees' confidentiality rights. (Penal Code 11165.7). The absence of training does not excuse a mandated reporter from the duties imposed by the penal code.

(B) Disaster Procedures (EC 35295-35297; GC 8607 and 3100)

Disaster Plan (See Appendix C-F)

Purpose of the Plan

This response plan is designed to assist school staff, students, parents and local agencies organize resources of the school and community to respond to a crisis situation while school is in session. Regulatory Authority State laws and regulations require school districts develop emergency plans and train staff in emergency response procedures. These include laws applicable to school staff and students as well as Cal/OSHA regulations specifically addressing the safety of district employees. The Katz Act [California Education Code, §35295-35297] requires schools plan for earthquakes and other emergencies. It also requires training in earthquake preparedness procedures for both certificated and classified staff. The Petris Bill [Government Code, §8607] requires school districts be prepared to utilize the Standardized Emergency Management System (SEMS) when responding to emergencies. This requires that principles of SEMS are incorporated in District plans; that the Incident Command System (ICS) are used at school sites; that all school personnel are trained in how the respective systems work and correlate; and that schools have drills and exercises in order to practice using the systems. This plan is designed and structured to ensure compliance with the mandates of state law as well as with Cal/OSHA's Emergency Action Plan Standard Title 8, California Code of Regulations §3220. This regulation requires each employer facility have an Emergency Action Plan which focuses on specific emergency contingencies, response personnel roles, and evacuation plans of each employer's site where employees work. Schools and school districts are included in this mandate. School Site Emergency Preparedness and Response Coordination Each principal shall supervise the planning, operating and testing of their respective school's Emergency Preparedness and Crisis Response Plan. Each principal will also ensure that all school staff and students are familiar with the basic elements of the District's Emergency Operations Plan, which will be utilized at the district office in the event of a major emergency or district-wide disaster. The principal must ensure that the Incident Command System are utilized by all staff personnel in the event of an emergency incident and shall serve as the Incident Commander at all school crises or emergencies.

Campus and Facility Site Preparedness Duties

This school and the District have designated specific persons to assume emergency position responsibilities in the event of a site emergency or District-wide disaster. The following information provides a breakdown of these responsibilities:

All School Staff:

- Become familiar with the school's emergency and evacuation procedures.
- Participate in First Aid and CPR training, as appropriate.

Annually each principal shall:

- Designate Staff Incident Command Structure Assignments.
- Update this site Emergency Preparedness and Crisis Response Plan.
- Ensure personnel are properly trained in their respective assignments.
- Conduct survey of personnel to determine CPR/First Aid/Disaster Preparedness/Medical Training.
- Survey parents to determine who may wish to volunteer during an extended emergency or disaster.
- Ensure needs of students and staff with disabilities are provided for in the event of an emergency.
- Designate primary and alternate locations for command post, evacuation, first aid, student release, and morgue.
- See that parents are informed of the plan and its effect upon students.
- Compile/maintain list of local emergency agencies including telephone numbers and addresses.
- Practice building evacuation plans including testing of warning systems, alarm signals, and communications methods.
- With Maintenance and Operations, complete a site and building hazard survey.
- Ensure all emergency equipment and supplies are in usable condition at all times.

Teachers:

- Teachers are responsible for the supervision of students in their charge.
- Understand emergency response procedures.
- Have planned activities for use during disasters to lessen possible tension.

School Office Managers or Designee:

- Organize and maintain the emergency first aid supplies and distribute back-up supplies.
- Assist principal in developing procedures to protect essential records.
- Ensure battery-operated AM/FM radio is available in working condition; know the call number and frequency of disaster information station.
- Maintain an up-to-date list of students and staff who require life sustaining medication.

School Custodians or designee:

- Assist principal in planning control procedures for different types of building damage.
 - Routinely check that battery-operated equipment is in working condition.
- Directions for the Instructional Staff During a Declared Emergency

Crisis Response

The primary goals of crisis response are to:

- Prevent a potentially chaotic situation from escalating into a catastrophic event.
- Help those affected to return, as quickly as possible, to a normal level of functioning.
- Decrease the potential long-term effects of the crisis.

Incident Command System (ICS)

The Incident Command System is an emergency response system used to manage an emergency incident at a specific facility or site. The ICS, as designated by the AUSD, will be used by this school as the formal emergency response structure. This is in contrast to the Standardized Emergency Management System (SEMS) which is used to manage resources at a district-wide level.

Foundations of Crisis Response

The primary foundation for any emergency or crisis response system is to ensure, as much as is humanly possible, the application of the three C's at all times.

These three C's are:

- Control – Control is the cornerstone of every crisis/emergency response. In emergency response this is initiated and maintained through the effective use of the Incident Command System.
- Communication - Communication is essential to maintaining effective coordination of all response actions. Ongoing communication must be maintained between response persons, school staff, and the command team.
- Coordination - Coordination is essential to ensure that the most effective and appropriate response actions are used throughout a response operation. Proper utilization of the Incident Command System will ensure that all response operations are coordinated from a central point and that no response action is taken at cross purposes to any other.

Insert link to REMS packet here

Public Agency Use of School Buildings for Emergency Shelters

If the Superintendent declares a District emergency during the school day, the District has a clear statement of policy governing its actions.

Alameda Unified School District Policy is as follows:

IN CASE OF A DECLARED EMERGENCY BY THE SUPERINTENDENT DURING SCHOOL HOURS, ALL STUDENTS WILL BE REQUIRED TO REMAIN AT SCHOOL OR AN ALTERNATE, SAFE SITE UNDER THE SUPERVISION OF DISTRICT PERSONNEL:

1. Until regular dismissal time and then released only if it is considered safe, OR
2. Until released to an adult authorized by the parent or legal guardian whose name appears on District records.
 - a) If students are on their way to school they should proceed to school.
 - b) If students are on their way home from school they are to continue home.
3. To provide this supervision and care, Alameda Unified School District personnel will be utilized under Title 1, Division 4, Chapter 8 Government Code and other legal statutes. The statute states that all public employees are designated disaster service workers when an emergency is declared. The District Superintendent, or designee, has the legal authority to declare an emergency in this District. The authority also extends to Alameda County to declare an emergency and impress public employees into service as disaster service workers.

4. Alameda Unified School District encourages the utilization of a buddy system at District sites wherein staff responsibilities for specific emergency functions are assigned to pairs of employees who could, with approval of the Site Manager, carry on legally required supervision and care requirements while allowing emergency home visits to assure welfare of their own families.

(C) School Suspension, Expulsion and Mandatory Expulsion Guidelines

Definitions

Suspension from school means removal of a student from ongoing instruction for adjustment purposes.

The teacher of any class from which a student is suspended pursuant to Section 48910 shall require the student to complete any assignments and tests missed during the suspension. The school will monitor and address the educational needs of the student that arise due to the loss of instructional time. (Education Code 48913). However, suspension does not mean any of the following: (Education Code 48925)

- Reassignment to another education program or class at the same school where the student will receive continuing instruction for the length of day prescribed by the Governing Board for students of the same grade level.
- Referral to a certificated employee designated by the principal to advise students.
- Removal from the class, but without reassignment to another class or program, for the remainder of the class period without sending the student to the principal or designee as provided in Education Code 48910. Removal from a particular class shall not occur more than once every five school days.

Referral means removal from classroom instruction for discipline reasons.

Expulsion means removal of a student from the immediate supervision and control, or the general supervision, of school personnel. (Education Code 48925)

Day means a calendar day unless otherwise specifically provided. (Education Code 48925)

School day means a day upon which the schools of the district are in session or weekdays during the summer recess. (Education Code 48925)

Student includes a student's parent/guardian or legal counsel. (Education Code 48925)

Principal's designee means one or more administrators or, if there is not a second administrator at one school site, a certificated person specifically designated by the principal, in writing, to assist with disciplinary procedures. Only one such person may be designated at any time as the principal's primary designee, and only one such person may be designated as secondary designee for the school year. The names of such persons shall be on file in the principal's office. (Education Code 48911)

School property, for the purposes described in Education Code 48900, includes, but is not limited to, electronic files and databases. (Education Code 48900(u))

The District database is the Aeries Student Information System.

Restorative Practices (RP) is a continuum of practices by which schools build community through circles and other activities, where students learn to use affective statements and the process where all stakeholders affected by an injustice have an opportunity to discuss how they have been affected by the injustice and to decide what should be done to repair the harm.

Positive Behavioral Interventions and Supports (PBIS) is a framework for providing a range of systemic and individualized strategies for achieving important academic and behavioral outcomes while preventing problem behaviors.

Social and Emotional Learning (SEL) is a process through which children and adults develop the fundamental skills for life effectiveness. The five SEL competencies are: self-awareness, self-management, social awareness, relationship skills, and responsible decision-making.

Multi Tiered System of Support (MTSS) is a way of organizing instruction and intervention to help all students. The goal of the multi-tiered framework is to provide high-quality instruction and supports based on student need. This framework helps educators by providing information (data) to identify students needing additional support (academic and behavioral) and also identify students who may need special education services. MTSS includes three levels (or tiers) of instruction. Each tier has a set of evidence-based practices to meet the instructional goals.

Tier 1

For MTSS, a school must first establish its Tier 1 or universal supports. Universal supports are the instructional practices that help all students in a school. Once the universal supports are in place, staff can use assessment data to determine which students need additional supports.

Tiers 2 and 3

The intensity and duration of supports increase for Tiers 2 and 3. The appropriate level of support for each student is determined by assessment data.

Grounds for Suspension and Expulsion

The following is a list of grounds for which suspension and expulsion may be permitted or shall be imposed subject to the

restrictions and requirements herein:

- Caused, attempted to cause, or threatened to cause physical injury to another person or willfully used force or violence upon another person, except in self-defense (Education Code 48900(a))
- A student who aids or abets the infliction or attempted infliction of physical injury on another person, as defined in Penal Code 31, may be suspended, but not expelled. However, such a student may be suspended or expelled pursuant to Education Code 48900(a) when he/she has been adjudged by a juvenile court to have committed, as an aider or abettor, a crime of physical violence in which the victim suffered great or serious bodily injury. (Education Code 48900(t))
- 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))
- 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))
- 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))
- Committed or attempted to commit robbery or extortion (Education Code 48900(e))
- Caused or attempted to cause damage to school property or private property (Education Code 48900(f))
- Stole or attempted to steal school property or private property (Education Code 48900(g))
- 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))
- Committed an obscene act or engaged in habitual profanity or vulgarity (Education Code 48900(i))
- Unlawfully possessed, offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Health and Safety Code 11014.5 (Education Code 48900(j))

As provided in California Education Code section 48900(k), no student enrolled in grades T-Kindergarten through third grade may be suspended or expelled for disrupting school activities or willfully defying the authority of school personnel ("disruption and willful defiance") and no student in TK-12 may be expelled for willful disruption or defiance.

Effective July 1, 2019, no student enrolled in grades T-Kindergarten through twelve (TK-12) grades may be suspended or expelled for disrupting school activities or willfully defying the authority of school personnel. The Board will review data regarding suspensions for defiance in Grades 4 through 12 in August 2019 and January 2020. If, based on review of the data, it appears further steps should be undertaken to meet the goal of eliminating suspensions for defiance by July 1, 2019, the Board will direct the Superintendent to implement such additional measures to achieve the goal of no suspensions for defiance by July 1, 2020.

- Knowingly received stolen school property or private property (Education Code 48900(l))
- 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))

- 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))
- 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))
- Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma (Education Code 48900(p))
- 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.

- 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.

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 (items #20-22 below), that has any of the effects described above on a reasonable student.

Electronic act means the transmission of a communication, 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.

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))

- 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)

A student in grades 4-12 is also subject to suspension or recommendation for expulsion when it is determined that he/she:

- 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)

- 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)

- 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)

A student may be suspended or expelled for any of the acts listed above if the act is related to school activity or school attendance occurring at any district school or within any other school district, at any time, including, but not limited to, the following: (Education Code 48900(s))

- While on school grounds
- While going to or coming from school
- During the lunch period, whether on or off the school campus
- During, going to, or coming from a school-sponsored activity

Teacher-Initiated Suspensions Pursuant to Section 48910

The Board desires the adoption of a Multi-Tiered System of Support which includes Positive Behavior Intervention Supports to facilitate a consistent approach for positive, pro-social behavior management (BP 5144). The District expects teachers to attempt interventions prior to initiating a suspension pursuant to Section 48910 except where suspension for a first offense is permitted or mandated by law, as described on pp. 8-9 below.

When removing a student from his/her class pursuant to Section 48910, 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 removed. (Education Code 48910)

The site administrator or designee shall ensure that site staff completed the following:

- The teacher completed the Teacher-Initiated Pupil Suspension Report and, starting in the 2019-20 school year, the office referral form.
- The teacher contacted the parent/guardian to request their participation in a parent-teacher conference regarding the suspension within 24 hours. 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)
- The site administrator or designee reviewed the office referral form and completed the in-school suspension form if warranted.
- The site administrator or designee contacted parent/guardian regarding the suspension.
- The site administrator or designee recorded the classroom interventions and referral in the District database.

A student suspended from class pursuant to Section 48910 shall not be returned to class during the period of suspension without the approval of the teacher of the class and the principal. (Education Code 48910)

A student suspended from class pursuant to Section 48910 shall not be placed in another regular class during the period of suspension. However, if a student is assigned to more than one class per day, he/she may be placed in any other regular classes except those held at the same time as the class from which the student was removed. (Education Code 48910)

The teacher of any class from which a student is suspended pursuant to Section 48910 shall require the student to complete any assignments and tests missed during the suspension. The school will monitor and address the educational needs of the student that arise due to the loss of instructional time. (Education Code 48913)

When suspending a student in Grades TK-3 from class for committing an obscene act or engaging in habitual profanity or vulgarity, the teacher of the class may require any parent/guardian who lives with the student to attend a portion of the school day in the class from which the student is being suspended, to assist in resolving the classroom behavior problems. (Education Code 48900.1) The teacher of the class may also require any parent/guardian who lives with the student to attend a portion of the school day in the class to assist in resolving classroom behavior problems.

When suspending a student in Grades 4-12 from class for committing an obscene act or engaging in habitual profanity or vulgarity, disrupting school activities, or otherwise willfully defying valid staff authority, the teacher of the class may require any parent/guardian who lives with the student to attend a portion of the school day in the class from which the student is being suspended, to assist in resolving the classroom behavior problems. (Education Code 48900.1)

When suspending a student in any grade from class for committing an obscene act, engaging in habitual profanity or vulgarity, the teacher of the class may require any parent/guardian who lives with the student to attend a portion of the school day in the class from which the student is being suspended, to assist in resolving the classroom behavior problems. (Education Code 48900.1) The teacher of the class may also require any parent/guardian who lives with the student to attend a portion of the school day in the class to assist in resolving classroom behavior problems.

Teachers should reserve the option of required parental attendance for cases in which they have determined that it is the best strategy to promote positive interaction between the teacher and the student and his/her parents/guardians and to improve the student's behavior.

Any teacher requiring parental attendance pursuant to this policy shall apply the policy uniformly to all students within the classroom. (Education Code 48900.1)

When a teacher makes this request, the principal shall send the parent/guardian a written notice that the parent/guardian's attendance is requested pursuant to law. (Education Code 48900.1)

The notice shall specify that the attendance may be on either the date the student is scheduled to return to class or within one week thereafter.

This notice shall also:

- Inform the parent/guardian when his/her presence is expected and by what means he/she may arrange an alternate date
- Ask the parent/guardian to meet with the principal after the visit and before leaving school, as required by Education Code 48900.1

At the meeting with the student's parent/guardian, the principal or designee shall explain the district's and school's discipline policies, including the disciplinary strategies that may be used to achieve proper student conduct.

When a parent/guardian does not respond to the request to attend school, the principal or designee shall contact him/her by telephone, mail, or other method that maintains the confidentiality of the student's records.

District regulations shall include procedures for implementing parental attendance requirements. Parents/guardians shall be notified of this policy prior to its implementation. (Education Code 48900.1)

Suspensions by Superintendent, Principal, or Designee

The Board does not support a zero tolerance approach to discipline except where mandated by law. Schools may not adopt zero tolerance policies that conflict with District discipline policies. The Board desires that schools will adopt, engage, and implement positive approaches to addressing problem behavior prior to initiating the suspension of a student.

Suspension for a first time offense is limited to certain serious offenses (listed below in permissible and mandatory categories) or where it can be documented that the presence of a student causes a danger to persons.

Defiance

As provided in California Education Code section 48900(k), no student enrolled in grades T-Kindergarten through third grade may be suspended or expelled for disrupting school activities or willfully defying the authority of school personnel ("disruption and willful defiance") and no student regardless of grade may be expelled for willful defiance or disruption.

Effective July 1, 2019, no student enrolled in grades T-Kindergarten through twelve (TK-12) grades may be suspended or expelled for disrupting school activities or willfully defying the authority of school personnel. Suspension and expulsion shall not be imposed for a violation of Education Code section 48900(k), including disruption of school activities or willful defiance. The District expects schools to develop appropriate interventions, for example, behavioral plans, restorative circles, or SEL groups for students who engage in a pattern of defiant behavior.

Defiance is when a student continues to disobey a school official, teacher, or administrator after having been taught the rules and expectations of the school and the student displays behavior that directly interferes with the rights of others to learn.

The Board will review data regarding suspensions for defiance in Grades 4 through 12 in August and January. If, based on review of the data, it appears further steps should be undertaken to meet the goal of eliminating suspensions for defiance, the Board will direct the Superintendent to implement such additional measures to achieve the goal of no suspensions for defiance by July 1, 2020.

Discipline and Intervention Matrix for Administrators

Attached to this Administrative Regulation is the discipline and intervention matrix aligned to the District's Multi-Tiered System of Support framework that models a progressive and holistic approach to discipline. As provided in the Board Policy, each school is responsible for adopting strategies, programs, and interventions within this framework to facilitate a positive approach to behavior management. Even if suspension is appropriate, administrators must first consider whether other interventions should be used.

Except where suspension for a first offense is permitted or mandatory (as described above), in-school and out-of-school suspension and other sanctions that result in a student's loss of instruction shall only be imposed when the principal or designee has determined that other means of correction that are consistent with District policies and procedures have failed to bring about proper conduct. (Education Code 48900.5)

As described in AR 5144, interventions and other alternatives to suspension should be attempted and evaluated prior to referral from the classroom. In addition, the principal or designee shall document the other means of correction used and retain them in the student's record. (Education Code 48900.5)

The Principal or designee shall complete the suspension form and record the suspension in the District's database.

The Superintendent, principal, or designee may suspend a student from school for not more than five consecutive school days unless the suspension is extended pending expulsion. (Education Code 48911)

A student may be suspended from school for not more than 20 school days in any school year unless, for purposes of adjustment, the student enrolls in or is transferred to another regular school, an opportunity school, or continuation school or class, in which case suspension shall not exceed 30 days in any school year. However, this restriction on the number of days of suspension does not apply when the suspension is extended pending an expulsion. (Education Code 48903, 48911, 48912)

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)

Suspensions shall be initiated according to the following procedures:

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 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. 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)

Administrative Actions: All requests for student suspension are to be processed by the principal or designee. All suspensions shall be recorded in the District database. 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)

Notice to Parents/Guardians: At the time of the suspension, a school employee shall make a reasonable effort to contact the parent/guardian by telephone or in person. Whenever a student is suspended, the parent/guardian shall be notified in writing of the suspension. (Education Code 48911)

This notice shall state the specific offense committed by the student. (Education Code 48900.8)

In addition, the notice may state the date and time when the student may return to school. If school officials wish to ask the parent/guardian to confer regarding matters pertinent to the suspension, the notice may add that state law requires the parent/guardian to respond to such requests without delay.

Parent/Guardian Conference: Whenever a student is suspended, school officials may meet 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)

Although the parent/guardian is required to respond without delay to a request for a conference about his/her child's behavior, 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 readmission solely because the parent/guardian failed to attend the conference. (Education Code 48911)

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 Principal may, in writing, extend the suspension until such time as the Board has made a decision. (Education Code 48911)

Any extension of the original period of suspension shall be preceded by notice of such extension with an offer to hold a conference concerning the extension, giving the student an opportunity to be heard. This conference may be held in conjunction with a meeting requested by the student or parent/guardian to challenge the original suspension. Extension of the suspension may be made only if

the Superintendent or Principal determines, following a meeting in which the student and the student's parent/guardian were invited to participate, that the student's presence at the school or at an alternative school would endanger persons or property or threaten to disrupt the instructional process. (Education Code 48911)

If the student involved is a foster youth, the Superintendent or designee shall notify the district liaison for foster youth of the need to invite the student's attorney and a representative of the appropriate county child welfare agency to attend the meeting. (Education Code 48853.5, 48911, 48918.1)

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.

The student shall be responsible for contacting the school to receive assignments to be completed during the period of the suspension. The school shall make available all assignments and tests that the student will miss while suspended.

Suspension by the Board

The Board may suspend a student for any of the acts listed in "Grounds for Suspension and Expulsion" above and within the limits specified in "Suspensions by Superintendent, Principal, or Designee" above. (Education Code 48912)

The Board may suspend a student enrolled in a continuation school or class for a period not longer than the remainder of the semester if any of the acts listed in "Grounds for Suspension and Expulsion" occurred. The suspension shall meet the requirements of Education Code 48915. (Education Code 48912.5)

When the Board is considering a suspension, disciplinary action, or any other action (except expulsion) against any student, it shall hold a closed session if a public hearing would lead to disclosure of information violating a student's right to privacy under Education Code 49073-49079. (Education Code 35146, 48912)

The Board shall provide the student and his/her parent/guardian with written notice. Upon receiving this notice, the student or parent/guardian may request a public meeting, and this request shall be granted if made in writing within 48 hours after receipt of the Board's notice. However, any discussion that conflicts with any other student's right to privacy still shall be held in closed session. (Education Code 35146, 48912)

Supervised Suspension Classroom

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 a supervised suspension classroom in a separate classroom, building, or site for the entire period of suspension. The following conditions shall apply: (Education Code 48911.1)

The supervised suspension classroom shall be staffed in accordance with law and by certificated employees.

The student shall have access to appropriate counseling services.

The supervised suspension classroom shall promote completion of schoolwork and tests missed by the student during the suspension.

The student shall be responsible for contacting his/her teacher(s) to receive assignments to be completed in the supervised suspension classroom except where otherwise set out in the student's Individualized Education Program (IEP) or Section 504 plan. 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.

The Principal or designee shall complete the in-school suspension form and record the suspension in the District's database.

At the time a student is assigned to a supervised suspension classroom, the principal or designee shall notify the student's parent/guardian in person or by telephone. When the assignment is for longer than one class period, this notification shall be made in writing. (Education Code 48911.1)

Involuntary Transfer

The District may not involuntarily transfer a student in Grades TK- 3rd grade to another school based on a finding of disruption of school activities or willful defiance of the authority of school personnel (California Education Code section 48900(k)).

Effective July 1, 2019, the District may not involuntarily transfer a student to another school based on a finding of disruption of school activities or willful defiance of the authority of school personnel (California Education Code section 48900(k)).

Involuntary transfers may only occur following a recommendation for expulsion and after a hearing before the District's Disciplinary Hearing Panel (DHP) consistent with the requirements in Education Code section 48918 and the notice and hearing procedures set forth below for expulsions. In addition, an involuntary transfer to a continuation school must be made pursuant to Education Code section 48432.5.

Expulsions

The Board shall expel, as required by law, any student found to have committed any offense listed below under "Mandatory Recommendation and Mandatory Expulsion" (see page 13). (Education Code 48915)

For all other grounds listed under "Grounds for Suspension and Expulsion," the Board shall order a student expelled upon the recommendation of the Superintendent, principal, or designee only if the Board makes a finding of either or both of the following: (Education Code 48915(b) and (e))

- That other means of correction have repeatedly failed to bring about proper conduct
- 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

Authority to Expel

A student may be expelled only by the Board. (Education Code 48918(j))

The Board shall expel, as required by law, any student found to have committed any offense listed below under "Mandatory Recommendation and Mandatory Expulsion." (Education Code 48915)

For all other grounds listed above under "Grounds for Suspension and Expulsion," the Board shall order a student expelled upon the recommendation of the Superintendent, principal, or designee, only if the Board makes a finding of either or both of the following: (Education Code 48915(b) and (e))

- That other means of correction are not feasible or have repeatedly failed to bring about proper conduct
- 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

Recommendation for Expulsion Expected Unless It Is Not Appropriate or Alternative Means of Correction Would Address the Conduct

Unless the Superintendent, principal, or designee 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(a))

- Causing serious physical injury to another person, except in self-defense

- Possession of any knife as defined in Education Code 48915(g), explosive, or other dangerous object of no reasonable use to the student
- 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
- Robbery or extortion
- 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)

Mandatory Recommendation and Mandatory Expulsion

The Superintendent, principal, or designee shall recommend that the Board expel any student found at school or at a school activity to be: (Education Code 48915(c))

Possessing, as verified by a district employee, selling, or otherwise furnishing a firearm.

Possession of an imitation firearm, as defined in Education Code 48900(m), shall not be regarded as an offense requiring a mandatory recommendation for expulsion and mandatory expulsion. However, an administrator shall have discretion on a case-by-case basis to recommend expulsion for the possession of an imitation firearm.

Brandishing a knife as defined in Education Code 48915(g) at another person

Unlawfully selling a controlled substance listed in Health and Safety Code 11053-11058

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

Possessing an explosive as defined in 18 USC 921

Upon finding that the student committed any of the above acts, the Board shall expel the student. (Education Code 48915)

Student's Right to Expulsion Hearing

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 one of the acts listed above under "Grounds for Suspension and Expulsion." (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))

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)

Receive five days' notice of his/her scheduled testimony at the hearing

Have up to two adult support persons of his/her choosing present at the hearing at the time he/she testifies

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)

The rights of a complaining witness are further outlined in Administrative Regulation 5145.7 (Sexual Harassment).

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))

- The date and place of the hearing.
- A statement of the specific facts, charges, and offense upon which the proposed expulsion is based.
- A copy of district disciplinary rules which relate to the alleged violation.
- 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).
- 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 advisor.

Legal counsel means an attorney or lawyer who is admitted to the practice of law in California and is an active member of the State Bar of California.

Nonattorney advisor means an individual who is not an attorney or lawyer, but who is familiar with the facts of the case and has been selected by the student or student's parent/guardian to provide assistance at the hearing.

- The right to inspect and obtain copies of all documents to be used at the hearing.
- The opportunity to confront and question all witnesses who testify at the hearing.
- 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

At least 10 days prior to a hearing to determine if a student who is a foster youth as defined under Education Code 48853.5 should be expelled for an offense not requiring a mandatory recommendation for expulsion, the Superintendent or designee shall notify the student's attorney and a representative of an appropriate county child welfare agency. If the hearing is pursuant to an offense requiring a mandatory expulsion recommendation, the Superintendent or designee may provide the same notification. The notice shall be provided by the most cost-effective method possible, including by email or a telephone call. (Education Code 48918.1)

Conduct of Expulsion Hearing

Closed Session: Notwithstanding the provisions of Government Code 54953 and Education Code 35145, the Board shall conduct a hearing to consider the expulsion of the student in a session closed to the public unless the student requests in writing at least five days prior to the hearing that the hearing be a public meeting. If such a request is made, the meeting shall be public unless another student's privacy rights would be violated. (Education Code 48918(c))

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))

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))

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))

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" 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.

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)

- Any complaining witness shall be given five days' notice before being called to testify.
- Any complaining witness shall be entitled to have up to two adult support persons, including, but not limited to, a parent/guardian or legal counsel, present during his/her testimony.
- Before a complaining witness testifies, support persons shall be admonished that the hearing is confidential.
- The person presiding over the hearing may remove a support person whom he/she finds is disrupting the hearing.
- If one or both support persons are also witnesses, the hearing shall be conducted in accordance with Penal Code 868.5.

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.

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.

The district shall provide a room separate from the hearing room for the use of the complaining witness before and during breaks in testimony.

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.

The person conducting the hearing may:

- Arrange the seating within the hearing room so as to facilitate a less intimidating environment for the complaining witness
- 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
- Permit one of the support persons to accompany the complaining witness to the witness stand

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. Alternatively, the Board may appoint an impartial administrative panel composed of three or more certificated personnel, none of whom shall be members of the Board or on the staff of the school in which the student is enrolled. (Education Code 48918(d))

A hearing conducted by the hearing officer or administrative panel shall conform to the same procedures applicable to a hearing conducted by the Board as specified above in "Conduct of Expulsion Hearing," including the requirement to issue its 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 expulsion referral was made, unless the parent, guardian, or responsible adult of the pupil requests another school placement in writing. Before the placement decision is made by the parent, guardian, or responsible adult, the superintendent of schools or the superintendent's designee shall consult with school district personnel, including the pupil's teachers, and the parent, guardian, or responsible adult regarding any other school placement options for the pupil in addition to the option to return to his or her classroom instructional program from which the expulsion referral was made. If the hearing officer or administrative panel finds that the pupil committed any of the acts specified in subdivision (c) of Section 48915, but does not recommend expulsion, the pupil shall be immediately reinstated and may be referred to his or her prior school or another comprehensive school, or, pursuant to the procedures set forth in Section 48432.5, a continuation school of the school district. The decision not to 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 for a period of one year. (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, the final action to expel shall be taken by the Board at a public meeting. (Education Code 48918(j))

If the Board conducts the hearing and reaches a decision not to expel, this decision shall be final and the student shall be reinstated immediately.

Upon ordering an expulsion, the Board shall set a date when the student shall be reviewed for readmission to a school within the district. For a student expelled for 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)

- Periodic review, as well as assessment at the time of review, for readmission
- 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:

- The specific offense committed by the student for any of the causes for suspension or expulsion listed above under "Grounds for Suspension and Expulsion" (Education Code 48900.8)
- The fact that a description of readmission procedures will be made available to the student and his/her parent/guardian (Education Code 48916)
- Notice of the right to appeal the expulsion to the County Board of Education (Education Code 48918)
- Notice of the alternative educational placement to be provided to the student during the time of expulsion (Education Code 48918)
- Notice of the student's or parent/guardian's obligation to inform any new district in which the student seeks to enroll of the student's status with the expelling district, pursuant to Education Code 48915.1 (Education Code 48918)

Decision Not to Enforce Expulsion Order

In accordance with Board policy, when deciding whether to suspend the enforcement of an expulsion order, the Board shall take into account the following criteria:

- The student's pattern of behavior
- 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:

- 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)
- During the period when enforcement of the expulsion order is suspended, the student shall be on probationary status. (Education Code 48917)
- The suspension of the enforcement of an expulsion order may be revoked by the Board if the student commits any of the acts listed under "Grounds for Suspension and Expulsion" above or violates any of the district's rules and regulations governing student conduct. (Education Code 48917)
- 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)

- 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)

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))

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)

Right to 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)

The student shall submit 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 furnishment 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)

Post-Expulsion Placements

The Board shall refer expelled students to a program of study that is: (Education Code 48915, 48915.01)

- Appropriately prepared to accommodate students who exhibit discipline problems
- Not provided at a comprehensive middle, junior, or senior high school or at any elementary school, unless the program is offered at a community day school established at such a site
- Not housed at the school site attended by the student at the time of suspension

When the placement described above is not available and when the County Superintendent so certifies, students expelled for acts described in items #6-13 and #20-22 under "Grounds for Suspension and Expulsion" 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

Readmission procedures shall be as follows:

- On the date set by the Board when it ordered the expulsion, the district shall consider readmission of the student. (Education Code 48916)
- 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.
- The Superintendent or designee shall transmit to the Board his/her recommendation regarding readmission. The Board shall consider this recommendation in closed session if information would be disclosed in violation of Education Code 49073-49079. If a written request for open session is received from the parent/guardian or adult student, it shall be honored.
- 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.

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)

If the Board denies the readmission of a student, the Board shall determine either to continue the student's placement in the alternative educational program initially selected or to place the student in another program that serves expelled students, including placement in a county community school. (Education Code 48916)

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 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)

Outcome Data

The Superintendent or designee shall maintain the following data and report such data annually to the California Department of Education, using forms supplied by the California Department of Education: (Education Code 48900.8, 48916.1)

- The number of students recommended for expulsion
- The specific grounds for each recommended expulsion
- Whether the student was subsequently expelled
- Whether the expulsion order was suspended
- The type of referral made after the expulsion
- The disposition of the student after the end of the expulsion period

Public Reporting of Discipline Data

The Superintendent or designee shall ensure that the following data is publicly available on the District's public website twice annually, within 60 days after the completion of each semester:

- The aggregate number and rates of office referrals, teacher suspensions, supervised in-school and out-of-school suspensions, involuntary transfers, expulsion referrals, expulsions, on-campus citations, school-based arrests, and four-year graduation and drop-out rates, disaggregated by all subgroups, including race, gender, ethnicity, English Language Learner status, socio-economic status, foster youth, homeless youth, and disability and by offense for the district and by school-site.
- The number of instructional days and ADA funding lost to suspensions, transfers, and expulsions.
- The school sites to which students were transferred after the Disciplinary Review Hearing procedure or through any involuntary transfer process, whether they enrolled subsequently, and the outcomes for such students, including, but not limited to, graduation and drop-out rates.

In reporting such data, the privacy of individual students and teachers shall be protected. Data will not be disaggregated in any manner that could reveal student identity to the public or to knowledgeable members of the school community. The data shall be reported for the district as a whole and for each school-site.

The procedures shall also include requirements that appropriate district and school officials regularly review this data and take action to address disparities or disproportionate use of punitive discipline measures for particular subgroups.

Expungement of Student Disciplinary Records

As provided in Board Policy 5144.3, a student, parent, guardian, appointed advocate on behalf of the student, or Superintendent on behalf of a student may apply for expungement of student disciplines record which meet the criteria set forth in BP 5144.3.

(D) Procedures to Notify Teachers of Dangerous Pupils (EC 49079)

Notice Regarding Student Offenses

When a student commits certain offenses that may endanger staff or others, the following procedures shall be implemented to notify staff members as appropriate:

Acts That Are Grounds for Suspension or Expulsion

The Superintendent or designee shall inform the teacher(s) of each student who, during the previous three school years, has engaged in or is reasonably suspected to have engaged in any act, except the possession or use of tobacco products, that would constitute a ground for suspension or expulsion as specified in AR 5144.1 - Suspension and Expulsion/Due Process. This information shall be based upon district records maintained in the ordinary course of business or records received from a law enforcement agency. (Education Code 49079)

Upon receiving a transfer student's record regarding acts committed by the student that resulted in suspension or expulsion, the Superintendent or designee shall inform the student's teacher(s) that the student was suspended from school or expelled from the former district and of the act that resulted in the suspension or expulsion. (Education Code 48201)

Information received by teacher(s) shall be received in confidence for the limited purpose for which it was provided and shall not be further disseminated by the teacher. (Education Code 48201, 49079)

Offenses Reported to the District by a Court

When informed by a court that a minor student has been found by the court to have committed any felony or any misdemeanor involving curfew, gambling, alcohol, drugs, tobacco products, carrying of weapons, a sex offense listed in Penal Code 290, assault or battery, larceny, vandalism, or graffiti, the Superintendent or designee shall expeditiously notify the school principal. (Welfare and Institutions Code 827)

The principal shall expeditiously disseminate this information to any counselor who directly supervises or reports on the student's behavior or progress and to any teacher or administrator directly supervising or reporting on the student's behavior or progress whom the principal thinks may need the information in order to work with the student appropriately, avoid being needlessly vulnerable, or protect others from vulnerability. (Welfare and Institutions Code 827)

Any court-initiated information that a teacher, counselor, or administrator receives shall be kept confidential and used only to rehabilitate the student and protect other students and staff. The information shall be further disseminated only when communication with the student, parent/guardian, law enforcement staff, and probation officer is necessary to rehabilitate the student or to protect students and staff. (Welfare and Institutions Code 827)

When a student is removed from school as a result of an offense, the Superintendent shall hold the court's information in a separate confidential file until the student is returned to the district. If the student is returned to a different district, the Superintendent shall transmit the information provided by the student's parole or probation officer to the superintendent of the new district of attendance. (Welfare and Institutions Code 827)

Any confidential file of court-initiated information shall be kept until the student becomes 18, graduates from high school, or is released from juvenile court jurisdiction, whichever occurs first, and shall then be destroyed. (Welfare and Institutions Code 827)

In order to maintain confidentiality when providing information about student offenses to a counselor or teacher, the principal or designee shall send the staff member a written notification that a student has committed an offense that requires review of a student's file in the school office. This notice shall not name or otherwise identify the student. The staff member shall initial the notification and shall also initial the student's file when reviewing it in the school office.

(E) Sexual Harassment Policies (EC 212.6 [b])

Definitions

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, regardless of whether or not the conduct is motivated by sexual desire. Conduct is considered to be sexual harassment when made against another person of the same or opposite sex in the work or educational setting under any of the following conditions: (Education Code 212.5; Government Code 12940; 2 CCR 11034)

- Submission to the conduct is made explicitly or implicitly a term or condition of the individual's employment.
- Submission to or rejection of the conduct is used as the basis for an employment decision affecting the individual.
- The conduct has the purpose or effect of having a negative impact upon the individual's work performance or of creating an intimidating, hostile, or offensive work environment.
- 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. For purposes of applying the complaint procedures specified in Title IX of the Education Amendments of 1972, sexual harassment is defined as any of the following forms of conduct that occurs in an education program or activity in which a district school exercises substantial control over the context and respondent: (34 CFR 106.30, 106.44)
- A district employee conditioning the provision of a district aid, benefit, or service on the student's participation in unwelcome sexual conduct
- Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the district's education program or activity

Sexual assault, dating violence, domestic violence, or stalking as defined in 20 USC 1092 or 34 USC 12291

Examples of Sexual Harassment

Examples of actions that might constitute sexual harassment under state or federal law in accordance with the definitions above, in the work or educational setting, whether committed by a supervisor, a co-worker, or a non-employee, include, but are not limited to:

- 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
- Unwelcome visual conduct such as drawings, pictures, graffiti, or gestures; sexually explicit emails; displaying sexually suggestive objects
- 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

Title IX Coordinator/Compliance Officer

The district designates the following individual(s) as the responsible employee(s) to coordinate its efforts to comply with Title IX of the Education Amendments of 1972 in accordance with AR 4119.12/4219.12/4319.12 - Title IX Sexual Harassment Complaint Procedures, as well as to oversee, investigate, and resolve sexual harassment complaints processed under AR 4030 - Nondiscrimination in Employment.

The Title IX Coordinator(s) may be contacted at:

Asst. Superintendent of Educational Services
2060 Challenger Drive
Alameda, CA 94501
(510) 337-7095
kzazo@alamedaunified.org

Training

Every two years, the Superintendent or designee shall ensure that supervisory employees receive at least two hours, and nonsupervisory employees receive at least one hour, of classroom or other effective interactive training and education regarding sexual harassment. All newly hired employees and employees promoted to a supervisory position 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)

Such training may be completed by employees individually or as part of a group presentation, may be completed in shorter segments as long as the applicable hourly requirement is met, and may be provided in conjunction with other training provided to the employees. The training shall be presented by trainers or educators with knowledge and expertise in the prevention of harassment, discrimination, and retaliation. (Government Code 12950.1)

The district's sexual harassment training and education program shall include, but is not limited to, the following: (Government Code 12950.1; 2 CCR 11024)

- Information and practical guidance regarding federal and state laws concerning the prohibition, prevention, and correction of sexual harassment
- The types of conduct that constitute sexual harassment
- Remedies available for victims in civil actions, and potential employer/individual exposure/liability
- Strategies to prevent harassment in the workplace

- Supervisors' obligation to report sexual harassment, discrimination, and retaliation of which they become aware
- 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
- The limited confidentiality of the complaint process
- Resources for victims of unlawful harassment, such as to whom they should report any alleged harassment
- Steps necessary to take appropriate remedial measures to correct harassing behavior, which includes the district's obligation to conduct an effective workplace investigation of a harassment complaint
- What to do if the supervisor is personally accused of harassment
- The essential elements of the district's anti-harassment policy, and how to use the policy if a harassment complaint is filed

Employees shall receive a copy of the district's sexual harassment policy and administrative regulations, which they shall read and acknowledge that they have received. Information, including practical examples, of harassment based on gender identity, gender expression, and sexual orientation. Prevention of abusive conduct, including a review of the definition and elements of abusive conduct pursuant to Government Code 12950.1, the negative effects that abusive conduct has on the victim and other in the workplace, the detrimental consequences of this conduct on employee productivity and morale, and that a single act does not constitute abusive conduct unless the act is severe or egregious.

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

The Superintendent or designee shall notify employees that the district does not discriminate on the basis of sex as required by Title IX, that the Title IX nondiscrimination requirement extends to employment, and that inquiries about the application of Title IX to the district may be referred to the district's Title IX Coordinator and/or to the Assistant Secretary for Civil Rights, U.S. Department of Education. (34 CFR 106.8)

The district shall notify employees, bargaining units, and applicants for employment of the name or title, office address, email address, and telephone number of the district's Title IX Coordinator. (34 CFR 106.8)

A copy of the Board policy and this administrative regulation shall:

- 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 (Education Code 231.5)
- 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 (Education Code 231.5)
- Appear in any school or district publication that sets forth the school's or district's comprehensive rules, regulations, procedures, and standards of conduct (Education Code 231.5)
- Be posted, along with the name or title and contact information of the Title IX Coordinator, in a prominent location on the district's web site (34 CFR 106.8)

- Be included, along with the name or title and contact information of the Title IX Coordinator, in any handbook provided to employees or employee organizations (34 CFR 106.8)

All employees shall receive a copy of an information sheet prepared by the California Department of Fair Employment and Housing (DFEH) or the district that contains, at a minimum, components on: (Government Code 12950)

- The illegality of sexual harassment
- The definition of sexual harassment under applicable state and federal law
- A description of sexual harassment, with examples
- The district's complaint process available to the employee
- The legal remedies and complaint process available through DFEH and the Equal Employment Opportunity Commission (EEOC)
- Directions on how to contact DFEH and the EEOC

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, the DFEH poster on discrimination in employment and the illegality of sexual harassment and the DFEH poster regarding transgender rights. (Government Code 12950)

Complaint Procedures

All complaints and allegations of sexual harassment by and against employees shall be investigated and resolved in accordance with law and district procedures. The Title IX Coordinator shall review the allegations to determine the applicable procedure for responding to the complaint. All complaints that meet the definition of sexual harassment under Title IX shall be investigated and resolved in accordance with AR 4119.12/4219.12/4319.12 - Title IX Sexual Harassment Complaint Procedures. Other sexual harassment complaints shall be investigated and resolved pursuant to AR 4030 - Nondiscrimination in Employment.

If sexual harassment is found following an investigation, the Title IX Coordinator, or designee in consultation with the Coordinator, shall take prompt action to stop the sexual harassment, prevent recurrence, and address any continuing effects.

(F) School-wide Dress Code Relating to Gang-Related Apparel (EC 35183)

Basic Principles:

All students are encouraged to dress in a manner that is comfortable and conducive to an active school day.

Students should be able to wear clothing without fear of or actual unnecessary discipline or body shaming.

The student dress code should serve to support all students to develop a body-positive self-image.

All items listed in the "must wear" and "may wear" categories below must meet these basic principles.

Students MUST Wear:

- Top
- Bottom
- Shoes

Clothing that covers specific body parts (genitals, buttocks, and areolae/nipples) with opaque material. Courses or specific class activities that include attire as part of the curriculum may include assignment-specific dress, but should not focus on covering students' bodies or promoting culturally-specific attire. Activity specific shoe requirements are permitted (Examples include but are not limited to physical education and shop class).

Students MAY Choose to Wear:

- Sun-protective clothing, including but not limited to hats, for outdoor use during the school day. (Education Code 35183.5)
- Hats, including religious headwear
- Hooded shirts/jackets (over head is allowed)*

Teachers may direct students to remove/adjust the position of hats/hoods over the head in class during the administration of a test/exam, to address headphone/earbud use issues, or to enable visual identification of a student's face. This does NOT apply to any headwear worn for religious reasons.

Students CANNOT Wear:

- Clothing that includes violent language or images
- Clothing that includes images or language depicting drugs or alcohol (or any illegal item or activity) or the use of same
- Clothing that includes hate speech, profanity, pornography
- Clothing that includes images or language that create a hostile or intimidating environment based on any protected class
- Visible underwear or bathing suits of similar design - Visible waistbands or straps on undergarments worn under other clothing are not a violation
- Helmets, hoods, or other headgear that obscures a student's identity (except as a religious observance).

A student's face must be clearly visible when taking their school photo for identification purposes. This may require the removal of a hood and/or hat. No grade of a student participating in a physical education class shall be adversely affected if the student does not wear standardized physical education apparel because of circumstances beyond the student's control. (Education Code 49066)

Training and Enforcement:

- All staff should be trained to understand the purpose/spirit of the code, the actual code, and how to enforce with the least impact on student learning and self-confidence.
- All staff must enforce the district dress code consistently, once it is adopted. All staff should not have discretion to vary the requirements in ways that lead to discriminatory enforcement.
- All staff should be trained and able to use student/body-positive language to explain the code and to address code violations.
- Enforcement should be consistent with a school's overall discipline plan. Failure to comply with the student dress code should be enforced consistently with comparable behavior and conduct violations, including access to a student advocate or ombudsperson and appeals process.

- Enforcement for students should be limited to safety and non-violence/non-discrimination and will not include messages based on body maturity.
- Violations should be treated as minor on the continuum of school rule violations.
- Students should never be removed from a classroom for a dress code violation unless they are violating the 'Students Cannot Wear' and 'Students MUST Wear' sections of the dress code. Loss of class time should be avoided or kept to a minimum.
- Students should never be forced to wear extra school clothing (that isn't their own) when they are in violation of the code. Students should be presented with a variety of options to rectify the situation. This could include but is not limited to: personal on-site clothing, school-offered clothing, and delivery of alternate clothing.
- Parents/guardians should never be called during the school day to bring alternative clothing for the student to wear for the remainder of the day unless by student request.
- No student should be disproportionately affected by dress code enforcement because of gender, race, body size, or body maturity.
- Students should not be shamed or required to display their body in front of others (students, parents, or staff) in school. "Shaming" includes but is not limited to kneeling or bending over to check attire fit, measuring/commenting on straps, skirt length, or cleavage, asking students to account for their attire in the classroom, and directing students to correct a dress code violation during instructional time.

Evaluation:

The Superintendent or designee shall annually review the effectiveness of this policy and determine, as appropriate, if any further review or revision is required.

Gang-Related Apparel

At individual schools that have a dress code prohibiting gang-related apparel at school or school activities, the principal, staff, and parents/guardians participating in the development of the school safety plan shall define "gang-related apparel" and shall limit this definition to apparel that reasonably could be determined to threaten the health and safety of the school environment if it were worn or displayed on a school campus. (Education Code 32282)

Because gang-related symbols are constantly changing, definitions of gang-related apparel shall be reviewed at least once each semester and updated whenever related information is received. As necessary, the school shall collaborate with law enforcement agencies to update definitions of gang-related apparel.

Uniforms

In schools that require a schoolwide uniform, the principal, staff, and parents/guardians of the school shall jointly select the specific uniform to be worn. (Education Code 35183)

At least six months before a school uniform policy is implemented, the principal or designee shall notify parents/guardians of this policy. (Education Code 35183)

Parents/guardians shall also be informed of their right to have their child exempted.

The Superintendent or designee shall establish criteria for determining student eligibility for financial assistance when purchasing uniforms.

Students who participate in a nationally recognized youth organization shall be allowed to wear organization uniforms on days when the organization has a scheduled meeting. (Education Code 35183)

(G) Procedure for Safe Ingress and Egress of Pupils, Parents, and Staff to and from School (EC 35294.2)

EVACUATION PROCEDURES

EVACUATION ALARM SYSTEM

A crisis or emergency may warrant an evacuation of the school building(s). Once notified of an emergency situation, the Incident Commander, will carry out the initial response actions delineated in the Emergency Preparedness and Crisis Response Plan. In consultation with members of the Incident Command Team, the principal will determine whether an evacuation is warranted or is the safest action given the character of the emergency. Incident Command Team members will immediately assume their designated response duties as activated by the Incident Commander. The Disaster Response Officer will ensure, during the evacuation itself, that all evacuation assistance personnel are operative and performing their respective duties as assigned. When a decision is made to evacuate, the Assembly /Shelter and Care Team leader will immediately report to the assembly area and inspect the area for hazards. The Assembly /Shelter and Care Team leader will notify the Disaster Response Officer immediately if the area is safe. If not, the Assembly /Shelter and Care Team will advise that the evacuation be done to the alternate assembly location. This evacuation may be a partial evacuation of only portions of the building in a localized emergency [e.g., a small chemical spill] or it may be a general evacuation of all building. When an evacuation is ordered, students and staff will be notified according to the site's Preparedness and Crisis Response REMS packet. If deemed appropriate and safe, the school's fire alarm will sound in the event of a general building evacuation. If neither mechanical system is operable, the Incident Commander will utilize office, custodial or student personnel to notify classrooms of the need to evacuate.

COORDINATING THE EVACUATION

Upon receiving the order to evacuate, staff will assume their designated positions in the school. They will then monitor the evacuation procedures and assure that all persons have left the building. Staff are also responsible to ensure that all disabled persons in the building are assisted as necessary.

1. Take emergency backpack, and attendance information.
2. Teachers evacuate with current class. If evacuation occurs outside of a class period: Return to previous class
3. Upon exit lock door to indicate room is all clear and lock door. Keep unlocked if victim is inside.
4. Check with buddy teacher. Assist/evacuate both classes if needed.
5. If on prep or don't have a class: move to nearest evacuation area and assist
6. Check common areas while evacuating.
7. Evacuate to primary location via assigned route, adjust as needed.
8. At evacuation location, line up, and take attendance.
9. List missing students on Share 911
10. Stay with class unless you are released to assume other duties.
11. Release from drill will be PA announcement/bell
12. Communicate with your students and maintain control.

EVACUATION ASSEMBLY AREAS

When ordered to evacuate, students and staff will follow the evacuation route prescribed for their respective areas and exit the building in an orderly and controlled manner. Any volunteers or visitors to the classroom should be advised to go with the classroom to the assembly area. ALL students and staff must report to the assembly area and remain there until the Incident Command Team, via the Assembly/Shelter and Care Team, notifies them it is clear to return to the building. Under no circumstances are students to leave the area unless released by the teacher in strict accordance with the school's Student Release Procedures as outlined in the site's Preparedness and Crisis Response Cliff Notes. This will not be done unless it is authorized by the Incident Command Team. Teachers MUST take a head count of all persons under their care to ensure that all students, volunteers and visitors are present. This will be reported to the Assembly /Shelter and Care Team as outlined in the site's Preparedness and Crisis Response Cliff Notes.. If someone is deemed missing, the teacher is to immediately report this fact to the Assembly /Shelter and Care Team as outlined in the site's Preparedness and Crisis REMS packet.

ACCESS CONTROL PERSONNEL

Whenever an evacuation is called, the designated Security/Traffic response team (designated prior to an emergency) will automatically assume duties as traffic controllers to prevent unauthorized public vehicles or persons access to the school campus and building(s). They will function according to the duties delineation shown in the Emergency Preparedness and Crisis Response Plan.

STUDENT EARLY DISMISSAL AND EMERGENCY SCHOOL CLOSURE

During school hours, all students are considered under the care and supervision of school staff. In all circumstances, and especially in the event of emergency incidents or circumstances, the safety of the students and the school staff is of paramount importance. All actions taken shall bear in mind the safety and well-being of both students and school employees. Thus, in the event of a major emergency incident or disaster during school hours, school will not be dismissed without the expressed and clear authorization of the District Superintendent or a designee, and children will remain under the supervision of school authorities. Students will only be released from school and District responsibility in strict accordance with the procedures outlined in the District's Early Release Policy as described below. Parents/guardians or designated emergency contacts who come to the school to pick up students must properly identify themselves in order for their children to be released.

RELEASE OF STUDENTS FROM SCHOOL

AUSD and this school want to reunite parents with their children at the earliest time possible after an emergency situation or major disaster event. However, if it is not possible for parents to pick up their children or make arrangements for others to do so, students will be held at the school or other area until such time as they can be safely released. Each year the school will notify all parents of the procedure for reuniting parents with children in the event of an emergency at school. Parents are encouraged to print out and complete data confirmation each year and update thier emergency contacts. In the event students are held at a school, they may be released only to the student’s own parent(s) or a person authorized beforehand by the parent. As a part of annual registration, sites collect emergency contact information in AERIES. From AERIES, Emergency Cards shall be printed and used for this purpose. It is recommended sites print copies for teachers to have on hand in their emergency packs along with roll information. Office shall also print out the Emergency Student List or Emergency Cards and Parents or others must check with this school’s Student Release team at the emergency Student Release Location prior to pick up of their children. Teachers will release students according to the procedure outlined under the Emergency Student Release Procedures described below.

EMERGENCY RELEASE PLAN PROCEDURES

- Teachers will utilize the following procedures to properly release students from their care to a parent, legal guardian or person authorized in writing to pick up the student:
- 1. At time of emergency, students remain with their current classes. Teacher takes roll on an Accountability Form and await direction from Incident Commander via Student Release team.
 - 2. Incident Command will communicate with district office for dismissal directive. Students will report to (first period or other) classes, upon Student Release team directive.
 - 3. Students will be released only to authorized adults listed on the Emergency Card or Emergency Student List. Adults picking up students must sign Student Release Log and indicate destination. Unless otherwise directed by Incident Commander via Student Release officer, a runner takes message to teacher with name of student being released and name of adult picking up student. Teacher double-checks sign-out sheet, stamps/marks student and releases.
 - 4. Students may go home with people listed on Emergency Card or Emergency Student List if parent can’t be reached.
 - 5. Periodically, as students are released, remaining students will be consolidated.
 - 7. Teacher takes attendance after each consolidation, informs Assembly/Shelter and Care team as well as the Student Release team, and keeps all documentation.

(H) A Safe and Orderly School Environment Conducive to Learning (EC 35294.2)

Component:
Component I: The Social Climate, People, and Programs
Increase the percentage of students who have a trusted adult by 10%

Element:
Compare the wellness survey data from Spring 2022 to Spring 2023

Opportunity for Improvement:
Goal: Build restorative practices in the classroom to promote student's socio-emotional safety and mental health

Objectives	Action Steps	Resources	Lead Person	Evaluation
Quiet corners in all classrooms	provide the materials to staff to create the quiet corner	Survey of staff for how often they have restorative circles?	Sheila SatheWarner	Walk through data on quiet corners
		Survey students out of class what would help them to stay in classs?		

Component:

Component II: Physical Environment

Element:

Identify proposed changes to or the addition of strategies and programs that ensure a safe and orderly environment.

Opportunity for Improvement:

Goal: Improve site safety with the installation of a push gate near the front bike racks of the school.

Objectives	Action Steps	Resources	Lead Person	Evaluation
Work with the district to get the funding for this push gate	Address in weekly site meetings	Minutes from meetings	Assistant Principal	Gate installed

(I) School Discipline Rules and Consequences (EC 35291 and EC 35291.5)**Lincoln Middle School Student Conduct Code****ALAMEDA UNIFIED SCHOOL DISTRICT DISCIPLINE AND INTERVENTION PROTOCOL**

Alameda Unified School District is committed to creating a safe and positive school culture in which all students feel included, supported, and respected. We want to help eliminate inequality in the use of punitive consequences and provide each child with excellent teachers who are equipped to promote academic and social emotional growth in all students. AUSD takes a positive approach to student behavior and the use of restorative practices to minimize the need for punitive consequences and maximize instructional time for every student. We recognize the importance of developing the social and emotional health of all youth and adults in our organization.

The following chart indicates the types of disciplinary action that may apply to each type of infraction. In each instance, an opportunity to teach appropriate behavior through the use of intervention, restorative practices and a corrective action is stated. Each situation or violation involving student conduct should be individualized and the least punitive action based on the violation should be taken. The administrator shall, however, determine whether a specific infraction warrants the corrective action described on the chart. Corrective action taken by the administrator shall take place after progressive discipline interventions by the school fail to bring about proper conduct. These corrective measures are intended to assist in teaching appropriateness and responsibility, while maintaining consistent student discipline on campus.

See Link to discipline matrix: <https://docs.google.com/document/d/1YyzYC48Eq5WsTycFdS35jhrGP4G3nALhYghgdznwzuQ/edit#>

Conduct Code Procedures**(K) Hate Crime Reporting Procedures and Policies**

Hate-motivated behavior is any behavior intended to cause emotional suffering, physical injury, or property damage through intimidation, harassment, bigoted slurs or epithets, force or threat of force, or vandalism motivated in part or in whole by bias or hostility toward the victim's real or perceived race, color, ancestry, nationality, national origin, immigration status, ethnic group identification, ethnicity, age, religion, marital status, pregnancy, parental status, physical or mental disability, medical condition, sex, sexual orientation, gender, gender identity, gender expression, or genetic information, or any other characteristic identified in Education Code 200 or 220, Government Code 11135, or Penal Code 422.55.

The Superintendent or designee shall design strategies to promote harmonious relationships among students, prevent incidents of hate-motivated behavior to the extent possible, and address such incidents in a timely manner when they occur.

The Superintendent or designee shall collaborate with regional programs and community organizations to promote an environment where diversity is celebrated and hate-motivated behavior is not tolerated. Such collaborative efforts shall focus on the development of effective prevention strategies and response plans, provision of assistance to students affected by hate-motivated behavior, and/or education of students who have perpetrated hate-motivated acts.

The district shall provide students with age-appropriate instruction that:

1. Includes the development of social-emotional learning
2. Promotes an understanding, awareness, appreciation, and respect for human rights, human relations, diversity, and acceptance in a multicultural society
3. Explains the harm and dangers of explicit and implicit biases
4. Discourages discriminatory attitudes and practices
5. Provides strategies to manage conflicts constructively

As necessary, the district shall provide counseling, guidance, and support to students who are victims of hate-motivated behavior and to students who exhibit such behavior.

When appropriate, students who engage in hate-motivated behavior shall be disciplined.

The Superintendent or designee shall provide staff with training that:

1. Promotes an understanding of diversity, equity, and inclusion
2. Discourages the development of discriminatory attitudes and practices
3. Includes social-emotional learning and nondiscriminatory instructional and counseling methods
4. Supports the prevention, recognition, and response to hate-motivated behavior
5. Raises the awareness and sensitivity of staff to potentially prejudicial and discriminatory behavior
6. Includes effective enforcement of rules for appropriate student conduct

Employees who engage in hate-motivated behavior shall be subject to disciplinary action, up to and including dismissal.

Rules prohibiting hate-motivated behavior and procedures for reporting a hate-motivated incident shall be provided to students, staff, and parents/guardians.

This policy shall be posted in a prominent location on the district's website in a manner that is readily and easily accessible to parents/guardians and students. (Education Code 234.6)

Complaints

Any staff member who is notified that hate-motivated behavior has occurred, observes such behavior, or otherwise becomes aware of an incident shall immediately contact the compliance officer responsible for coordinating the district's response to complaints and complying with state and federal civil rights laws. As appropriate, the staff member shall also contact law enforcement.

A student or parent/guardian who believes the student is a victim of hate-motivated behavior is encouraged to report the incident to a teacher, the principal, the district's compliance officer, or other staff member.

Any complaint of hate-motivated behavior shall be investigated and, if determined to be discriminatory, shall be resolved in accordance with law and the district's uniform complaint procedures specified in AR 1312.3 - Uniform Complaint Procedures or other applicable procedure. If, during the investigation, it is determined that a complaint is about nondiscriminatory behavior, the principal or designee shall inform the complainant and shall take all necessary actions to resolve the complaint.

(J) Procedures to Prepare for Active Shooters

When responding to a situation that requires our school to go into lockdown (this may include, but is not limited to, an active shooter in the building), the ALICE (Alert, Lockdown, Inform, Counter, Evacuate) protocol will be followed.

ALERT

Purpose: To use clear, concise language to indicate presence and location of active shooter or other harmful individual.

Indicate lockdown and the harmful presence and/or location of threat. For example, "LOCKDOWN, There is an active shooter in the Computer Lab," or "LOCKDOWN, an armed gunman is walking through the first floor long hallway."

Anyone can alert the school community to such a situation. Do not wait for or rely on Administration or the front office staff to make the announcement. If a staff or faculty member undoubtedly sees or is notified of a harmful individual inside the school building, he or she has the authority to alert the rest of the school community of a lockdown. Some ways to alert include: the PA system, Using the classroom phone to activate LOCKDOWN, yelling, using share 911. Faculty and staff must use any means available to them to alert the school community and to spread the word. This may be a team effort where a group of individuals work together to inform everyone. If the opportunity to escape presents itself, you should do so and report to the predetermined Rally Point.

LOCKDOWN

Purpose: To allow for an aggressive use of current technology and procedures.

A traditional lockdown procedure is the first best option when in a high-risk area (or near the harmful individual). If you do not know if you are in a high-risk area, assume you are high risk and proceed to lockdown. If remaining in lockdown remains the best option, all members of the school community should work together to protect themselves.

First, close and lock classroom doors. Use belt or backpack strap to secure door handle if possible.

Create a barricade between you and students in the classroom and the intruder on the outside; use desks, chairs, shelves, cabinets and other pieces of furniture to block entry and to provide more time for survival (have smaller items near at hand in event intruder enters the room)

Gather in the area furthest from the entry point to the room; greater distance means greater safety.

Taking attendance and maintaining order are not the priority.

INFORM

Purpose: To continually communicate the shooter's whereabouts using direct and clear language. (Use Share 911 and the PA system)

By communicating with the school community, all members can make well-informed judgment calls and can be aggressive in protecting themselves. Students, faculty and staff should use every opportunity to alert others and to communicate the whereabouts of the harmful individual.

The use of share 911, phones (school or cell), yelling, and PA system are encouraged to communicate the whereabouts and will keep the intruder off balance. Working together to make informed decisions will put the intruder at a disadvantage.

COUNTER

Purpose: To apply skills to distract, confuse and gain control.

Counter is an absolute last resort. If one finds himself in close proximity to the intruder (no chance to flee or safely get away), he should apply the following counter movements to increase chances of survival:

- Throw objects at the intruder
- Distract the intruder by noise and/or movement
- Run away in a zig zag pattern
- Swarm the intruder
- Flight or fight but do not freeze
- Turn chaos into an advantage
- Use body weight and gravity to gain control

EVACUATE

Purpose: To remove as many people as possible from the danger zone to minimize targets of opportunity.

If you know the intruder's whereabouts and you are not in a high-risk area, you should Evacuate to the school's Rally Point. Only people on the first floor should exit through the windows if necessary. People on the 2nd and 3rd floors should not evacuate through windows as this may cause harm and use the safest stairwell then exit the school to the Rally Point.

REUNIFICATION

Purpose: To reunify students with their parent/guardians in a safe location

Procedures for Preventing Acts of Bullying and Cyber-bullying

Definitions:

Bullying is an unwanted, aggressive behavior that involves a real or perceived imbalance of power between individuals with the intent to cause emotional or physical harm. Bullying can be physical, verbal, or social/relational and involves repetition or potential repetition of a deliberate act.

Cyberbullying includes the electronic creation or transmission of harassing communications, direct threats, or other harmful texts, sounds, or images. Cyberbullying also includes breaking into another person's electronic account or assuming that person's online identity in order to damage that person's reputation.

Examples of the types of conduct that may constitute bullying and are prohibited by the district include, but are not limited to:

- Physical bullying that inflicts harm upon a person's body or possessions, such as hitting, kicking, pinching, spitting, tripping, pushing, taking or breaking someone's possessions, or making cruel or rude hand gestures
- Verbal bullying that includes saying or writing hurtful things, such as teasing, name-calling, inappropriate sexual comments, taunting, or threats to cause harm
- Social/relational bullying that harms a person's reputation or relationships, such as leaving a person out of an activity on purpose, influencing others not to be friends with someone, spreading rumors, or embarrassing someone in public
- Cyberbullying, such as sending demeaning or hateful text messages or emails, sending rumors by email or by posting on social networking sites, or posting embarrassing photos, videos, web site, or fake profiles

Measures to Prevent Bullying:

The Superintendent or designee shall implement measures to prevent bullying in district schools, including, but not limited to, the following:

- Ensuring that each school establishes clear rules for student conduct and implements strategies to promote a positive, collaborative school climate
- Providing to students, through student handbooks and other age-appropriate means, information about district and school rules related to bullying, mechanisms available for reporting incidents or threats, and the consequences for engaging in bullying
- Encouraging students to notify school staff when they are being bullied or when they suspect that another student is being bullied, and providing means by which students may report threats or incidents confidentially and anonymously

- Conducting an assessment of bullying incidents at each school and, if necessary, increasing supervision and security in areas where bullying most often occurs, such as classrooms, playgrounds, hallways, restrooms, and cafeterias
- Annually notifying district employees that, pursuant to Education Code 234.1, any school staff who witnesses an act of bullying against a student has a responsibility to immediately intervene to stop the incident when it is safe to do so

Staff Development:

The Superintendent or designee shall make the California Department of Education's online training module on the dynamics of bullying and cyberbullying, which includes the identification of bullying and cyberbullying and the implementation of strategies to address bullying, available annually to all certificated staff and to other employees who have regular interaction with students. (Education Code 32283.5)

The Superintendent or designee shall provide training to teachers and other school staff to raise their awareness about the legal obligation of the district and its employees to prevent discrimination, harassment, intimidation, and bullying of district students. Such training shall be designed to provide staff with the skills to:

- Discuss the diversity of the student body and school community, including their varying immigration experiences
- Discuss bullying prevention strategies with students, and teach students to recognize the behavior and characteristics of bullying perpetrators and victims
- Identify the signs of bullying or harassing behavior
- Take immediate corrective action when bullying is observed
- Report incidents to the appropriate authorities, including law enforcement in instances of criminal behavior

Student Instruction:

As appropriate, the district shall provide students with instruction, in the classroom or other educational settings, that promotes social-emotional learning, effective communication and conflict resolution skills, character/values education, respect for cultural and individual differences, self-esteem development, assertiveness skills, and appropriate online behavior.

The district shall also educate students about the negative impact of bullying, discrimination, intimidation, and harassment based on actual or perceived immigration status, religious beliefs and customs, or any other individual bias or prejudice.

Students should be taught the difference between appropriate and inappropriate behaviors, how to advocate for themselves, how to help another student who is being bullied, and when to seek assistance from a trusted adult. As role models for students, staff shall be expected to demonstrate effective problem-solving and anger management skills.

To discourage cyberbullying, teachers may advise students to be cautious about sharing passwords, personal data, or private photos online and to consider the consequences of making negative comments about others online.

Reporting and Filing of Complaints:

Any student, parent/guardian, or other individual who believes that a student has been subjected to bullying or who has witnessed bullying may report the incident to a teacher, the principal, a compliance officer, or any other available school employee.

When a report of bullying is submitted, the principal or a district compliance officer shall inform the student or parent/guardian of the right to file a formal written complaint in accordance with AR 1312.3 - Uniform Complaint Procedures. The student who is the alleged victim of the bullying shall be given an opportunity to describe the incident, identify witnesses who may have relevant information, and provide other evidence of bullying.

Within one business day of receiving such a report, a staff member shall notify the principal of the report, whether or not a uniform complaint is filed. In addition, any school employee who observes an incident of bullying involving a student shall, within one business day, report such observation to the principal or a district compliance officer, whether or not the alleged victim files a complaint.

Within two business days of receiving a report of bullying, the principal shall notify the district compliance officer identified in AR 1312.3.

When the circumstances involve cyberbullying, individuals with information about the activity shall be encouraged to save and print any electronic or digital messages that they feel constitute cyberbullying and to notify a teacher, the principal, or other employee so that the matter may be investigated. When a student uses a social networking site or service to bully or harass another student, the Superintendent or designee may file a request with the networking site or service to suspend the privileges of the student and to have the material removed.

Discipline/Corrective Actions:

Corrective actions for a student who commits an act of bullying of any type may include counseling, behavioral intervention and education, and, if the behavior is severe or pervasive as defined in Education Code 48900, may include suspension or expulsion in accordance with district policies and regulations.

When appropriate based on the severity or pervasiveness of the bullying, the Superintendent or designee shall notify the parents/guardians of victims and perpetrators and may contact law enforcement.

The Superintendent, principal, or principal's designee may refer a victim, witness, perpetrator, or other student affected by an act of bullying to a school counselor, school psychologist, social worker, child welfare attendance personnel, school nurse, or other school support service personnel for case management, counseling, and/or participation in a restorative justice program as appropriate.

(Education Code 48900.9)

If any student involved in bullying exhibits warning signs of suicidal thought or intention or of intent to harm another person, the Superintendent or designee shall, as appropriate, implement district intervention protocols which may include, but are not limited to, referral to district or community mental health services, other health professionals, and/or law enforcement.

Emergency Contact Numbers

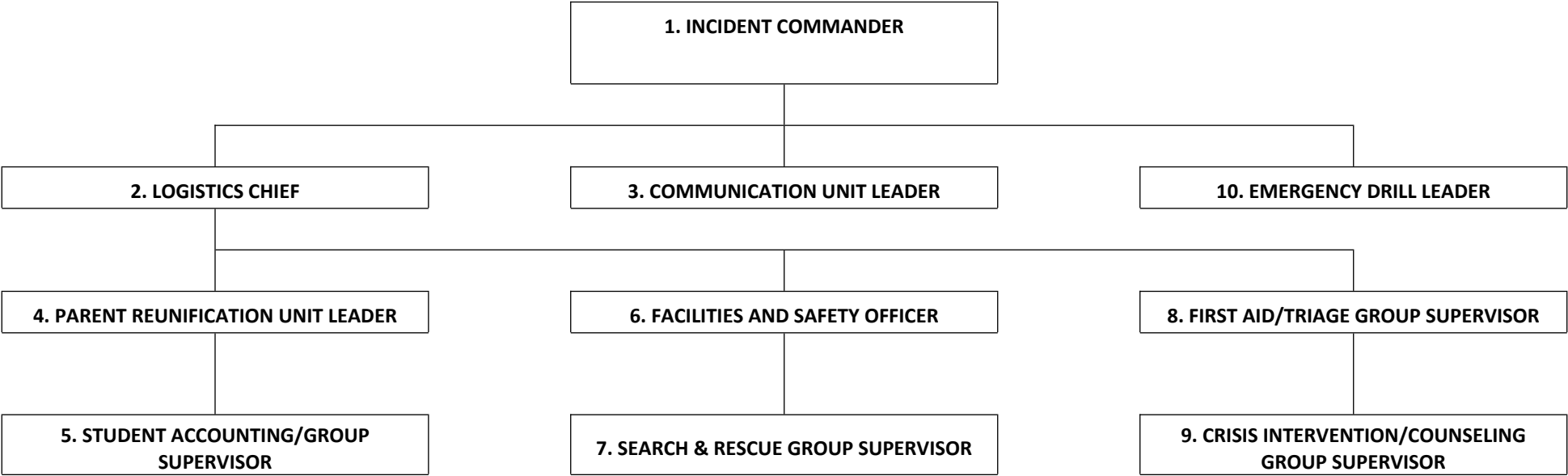
Utilities, Responders and Communication Resources

Type	Vendor	Number	Comments
City Services	City of Alameda	510-747-7400	
Other	County of Alameda	510-208-9770	
Law Enforcement/Fire/Paramedic	APD Non-Emergency	510-337-8340	
Law Enforcement/Fire/Paramedic	POLICE DEPARTMENT 911	911	
Other	Hazardous Materials Unit	510-567-6702	
Other	HEALTH DEPARTMENT - Alameda County	510-267-8000	
Local Hospitals	Alameda Hospital (Emergency Room)	510-522-3700	
American National Red Cross	RED CROSS	510-595-4400	

Safety Plan Review, Evaluation and Amendment Procedures

Activity Description (i.e. review steps, meetings conducted, approvals, etc)	Date and Time	Attached Document (description and location)
Faculty Meeting	8/11/22	Emergency response training with all staff
Safety Committee Meeting	8/25/22	Review of Safety Plan and procedures, roles and responsibilities, maps and evacuation routes
Faculty Meeting	2/27/23	Safety Committee share out
Safety Committee Meeting	3/7/23	Table top drill and training planning
Faculty Meeting	2/27/23	Review of REMS roles and responsibilities
Safety Committee Meeting	4/18/23	Update Safety plan with revisions
Public Hearing	3/1/23	Safety plan review with community
School Community Meeting	3/1/23	SSC approval of plan

Lincoln Middle School Incident Command System



Incident Command Team Responsibilities

Standardized Emergency Response Management System Overview

The California Standardized Emergency Management System (SEMS) is designed to centralize and coordinate emergency response through the use of standardized terminology and processes. This greatly facilitates the flow of information and resources among the agencies participating in response to an emergency. SEMS consists of five functions:

SITE ORGANIZATION DURING A DECLARED EMERGENCY COMMAND POST PERSONNEL AND DUTIES

If notified of a Declared Emergency from the Superintendent's Office, OR if the site suffers a severe disaster, the Site Manager shall immediately implement the plans and procedures in the Site Emergency Plan.

The Site Manager or Incident Commander shall:

- A. Activate alarm/Broadcast Alert on Share911 and PA to notify staff
- B. Activate Command Post and 2-way radio
- C. Activate Emergency Teams
- D. Assess total school situation
- E. Make initial site assessment report on Share911 to District Emergency Operations Center.
- F. Check to see that Site Emergency Teams are operating
- G. Assign messengers to needed areas
- H. Request help from 911 or Emergency Operations Center as required
- I. Secure information from Emergency Teams Update Site Status Reports - Report to the Emergency Operations Center
- J. Reassign team members to other duties as required when they finish initial assignment duties
- K. Personally address these items:
 - 1. Is campus secure?
 - 3. Are utilities off or secure?
 - 4. Are signs directing adults to release area up?
 - 5. Are traffic controllers needed?
 - 6. Is First Aid Center functioning?
 - 7. Have buildings been searched for victims?
 - 8. Is the student release program set up and operational?

Logistics Chief: The Site Office Manager shall:

- A. Report immediately to the Command Post with:

1. Master keys
2. Current roster of students and staff
3. Emergency forms and documents
4. Office supplies to assist unit leads

B. Assume responsibilities as directed by Site Manager

The Site Clerical Staff shall:

A. Team up with other personnel as a member of a Site Emergency Team, otherwise:

B. Report to the Site Command Post and assume responsibilities as directed by the Site Manager

The Attendance Clerk shall:

A. Keep a current file of all students release information from forms parents are required to fill out authorizing listed persons to pick up their children in case of a severe emergency. The Attendance Clerk will take these records to the Student Release Area in the Cafeteria and give them to the Student Release Team to use.

The Site Custodians shall:

A. Check the condition of the utilities and connecting pipes and lines and if necessary, turn them off.

B. Check the site completely for:

1. Fire and electrical hazards
2. Chemical hazards (Chlorine storage)
3. Other hazards

C. Notify Site Manager of hazards and services needed

D. Barricade hazardous areas using whatever materials handy

E. When site is secure, report to the Command Post for direction

F. Open emergency container and provide emergency sanitation areas if toilets are unavailable

Directions for the Instructional Staff During a Declared Emergency

Teachers and Para Professionals shall:

A. Respond immediately to emergency signals requiring specific actions and check in on Share911

B. If signal is one to Leave Building, know if signal is for:

1. Fire evacuation

2. Earthquake evacuation
3. Chemical spill evacuation

Evacuate Accordingly!

A. When leaving building:

1. Take emergency backpack
2. Require students to be silent in order to hear instructions
3. Close doors to classroom
4. Go directly to pre-assigned location

B. Check with nearby classrooms when evacuating. If there are seriously injured persons who cannot be moved, assign one teacher to remain and the other to evacuate the rest of the students. Report on Share911

C. Teachers shall provide First Aid to the best of their ability to students under their supervision until the emergency First Aid station is activated. Students with major injuries are to remain in the classroom supervised by a teacher or aide. Students with minor injuries are to be cared for after evacuation.

D. Upon reaching evacuation destination, teachers shall:

1. Take roll
2. List missing students on Share 911 and on paper
3. Give list to Assembly Area Team members
4. Calm students. Remind them of District policies about remaining at school
5. Monitor warmth and protection of students. Move if necessary

E. If assigned to a Site Emergency Team, transfer your students to paired teacher to supervise, report immediately to the Command Post for supplies and begin implementation of Team responsibilities.

USE REMS TO ESTABLISH YOUR EMERGENCY SITE TEAM

Note: Contact listing is intended to be shared with team members to enhance communication in the event of a critical incident. It is recommended that the Principal and Designee establish an intranet list server to further enhance communications. The personal information listed is intended for team members. Please type name and number under each assignment.

REMS Team Members Primary Contact/Cell number Secondary Contact/Cell number

Incident Commander: Sheila SatheWarner 415-225-1800

Establishes an Incident Command Center, lists incident objectives and designates the following positions to perform the following duties.

Logistics Chief: Jessica Lucio 510-207-1717

Supports each unit leader with where to find the necessary tools to support the team fulfilling their duties.

Report immediately to the Command Post with:

- Master keys
- Current roster of students and staff
- Emergency forms and documents
- Office supplies to assist unit leads
- Computers and walkie talkies
- Assume responsibilities as directed by Site Manager

Communication Unit Leader: Joan Hulihan 510-853-0809

Works with the incident commander to communicate out important information to all supervisors and the public.

Report immediately to the Command Post with:

- Computer
- Office supplies

Parent Reunification Unit Leader: Jonquil Walls 510-491-6872

Reunification refers to getting students reunited with their parents or guardians in an efficient and orderly manner. Reunification can be an enormous challenge and takes a lot of planning.

The Student Release Team is responsible for:

- Setting up secure reunion area
- Checking student emergency cards for authorized releases
- Completing release logs
- Coordinating with the Public Information Office on external messages

Student Accounting/Group Supervisor: Shane Reno 925-216-8370

Evacuation, shelter, and student care in an emergency is one of the most important tasks faced by schools. It includes student accounting, protection from weather, providing for sanitation needs, and providing for food and water and releasing of students to their guardians.

The Evacuation/Shelter/Care Team is responsible for:

- Accounting for the whereabouts of all students, staff, and volunteers
- Setting up secure assembly area
- Managing sheltering and sanitation operations
- Managing student feeding and hydration
- Coordinating with the Student Release Team
- Coordinating with the Logistics Section to secure the needed space and supplies

Search & Rescue Group Supervisor: Steve Allen 510-561-3606

Search & Rescue Teams search the entire school facility, entering only after they have checked the outside for signs of structural damage and determined that it is safe to enter. Search & Rescue Teams are responsible for ensuring that all students and staff evacuate the building (or, if it is unsafe to move the persons, that their locations are documented so that professional responders can locate them easily and extricate them).

Search & Rescue Teams are also responsible for:

- Using Share 911 to identify where injuries may exist
- Obtaining injury and missing student reports from teachers
- Moving injured members from building if emergency responders are unable to do so
- Identifying and marking unsafe areas
- Conducting initial damage assessment

First Aid/Triage Group Supervisor: Emilia Marchese-Barker 757-947-8251

First Aid Teams provide triage and treatment for students and other disaster victims. First Aid Teams are responsible for setting up first aid area for students, assessing and treating injuries, and completing master injury report.

First Aid Teams are responsible for:

- Setting up a first aid area for students
- Assessing and treating injuries
- Completing master injury report

Note: The Logistics Section Medical Unit provides care to responders. The Operations Section First Aid Team is dedicated to students or other disaster victims.

Crisis Intervention/ Counseling Group Supervisor: Kelsey Patterson Hall 760-815-3296

The Crisis Intervention Team is responsible for assisting students and school personnel who are unable to cope with the fears and psychological trauma associated with emergencies and disasters.

This includes:

- Assessing need for onsite mental health support
- Determining need for outside agency assistance
- Providing onsite intervention/counseling
- Monitoring well-being of school emergency team, staff, and students, and reporting all findings to the Operations Section Chief

Facilities and Safety Officer: Lee Reece 510-850-9273

The Facilities & Security Response Team is responsible for:

- Locating all utilities and turning them off, if necessary
- Securing and isolating fire/HazMat
- Opening Emergency Trailer
- Assessing and notifying officials of fire/HazMat
- Conducting perimeter control

Emergency Drill Leader: Jessica Lucio 5610-207-1717

The Emergency Drill Leader is responsible for:

- Training staff
- Coordinating and running all required drills
- Monitoring participations
- Reviewing after action reports
- Reporting to the incident commander

LIST SEARCH TEAM DUTY DESCRIPTIONS

EXAMPLE: If assignment is SEARCH TEAM:

Take heavy gloves, flashlight, hard hat and masking tape (no entry) from Emergency Backpack.

Leave Emergency Backpack and students with designated teacher (see previous page).

Report to INCIDENT COMMAND CENTER near gate in lower yard meet with search team partner(s).

Receive directions for search instructions from Search team supervisor.

LIST WHO WILL BE:

SEARCH TEAM #1 Search team will be delegated by

LIST FIRST AID FUNCTION

EXAMPLE: Minimize injuries and loss of life: provide temporary care of injured students.

Set up desk at picnic tables behind multipurpose room (or if unsafe here, on blacktop near multipurpose room).
Organize supplies and treatment area.
Help with wounded.
Keep Check Out Station informed.
Request additional help (ambulances, etc.) through Check Out Station.
Look up emergency information if necessary.

LIST WHO WILL BE:

TREATMENT

TRIAGE

RECORDER

List the things you will have to accomplish and assign to operations section or logistics section.

Examples:

Set up table, chairs and sign "Incident Command Center"

Set up operations table, logistics table.

Set up a first aid station

Put traffic cones in the street, blocking off access to the parking lot entry drive

Set up people to handle the check out of students. Display signs A-L, M-Z. Have emergency card information forms out.

Record finding of search teams

List any unaccounted for students and those in First Aid or in need of first aid.

Keep track of the walkie-talkies

Listen to radio

Use runners as necessary to retrieve information and students

Organize parent line-up and announce using bullhorn to parents that students have been evacuated

Assist in calming and organizing parents

Provide pen and paper for non-English speaking students to write their name

Communicate to District Personnel

INCIDENT COMMAND POST – Located

The Site Manager or designee is the final authority at each school. He/she must be available for all decisions, information and authority during the time the schools are isolated.

Therefore, the Site Manager and the Command Post should be housed in a central area, i.e., the front of the school, where the manager is available to radio, telephone, emergency equipment or personnel and parents.

The Command Post will begin to operate immediately after a disaster.

This is where the record keeping, communication, and major decision making will take place. The Site Manager or Incident commander will be here.

In addition, a separate Student Release Area will be established to coordinate the release of students to authorized adults. Student release area will be in the bike cage (if inaccessible at the end of the parking lot behind the second gate).

Emergency Release Information Forms are needed at the Release Area to document the release of all students.

While the Command Post is functioning, The First Aid and Search/Assessment Teams will carry out their functions and provide information to the Incident commander about the:

1. Condition of students
2. Condition of staff
3. Condition of facilities

Management

During an emergency, the Incident Commander directs response actions from a designated Command Post. To effectively do this, the Incident Commander must constantly assess the situation, and develop and implement appropriate strategies. The Incident Commander must be familiar with the available resources, accurately document all response actions, and effectively communicate response strategies to others participating in the response. This function is typically filled by the school principal. The principal is assisted in carrying out this function by a Public Information & Liaison Officer and Safety Officer.

Planning & Intelligence

Planning and Intelligence involves the use of various methods to efficiently gather information, weigh and document the information for significance, and actively assess the status of the emergency. This understanding and knowledge about the situation at hand is vital to the effective management of a response. These activities are performed by a single person who reports directly to the Incident Commander.

Operations

All response actions are implemented under by Operations. This includes staff performing first aid, crisis intervention, search and rescue, site security, damage assessment, evacuations, and the release of students.

Logistics

Logistics supports the response by coordinating personnel; assembling and deploying volunteers; providing supplies, equipment, and services; and facilitating communications among emergency responders.

Finance & Administration

Finance & Administration involves the purchasing of all necessary materials, tracking financial records, timekeeping for emergency responders, and recovering school records following an emergency. These activities are performed by a single person who reports directly to the Incident Commander.

Types of Emergencies & Specific Procedures

Aircraft Crash

FALLEN AIRCRAFT

DEFINITION/DESCRIPTION

If an aircraft falls near the school, the principal will determine which emergency action, if any, will be taken. Local fire and police departments will be responding also. All students and staff should be kept at a safe distance to protect them from possible explosions and/or fire.

IMMEDIATE ACTION

Principal

- Determine which Action, if any, should be implemented.
- Where necessary, tell teachers they may need to take immediate action for the safety of students without waiting for directions from the principal.
- Determine, if possible, whether the aircraft is military, commercial or private. Contact the local police to determine appropriate action and refer all members of the press to the Emergency Operations Center.

Principal's Secretary

- Respond to calls.
- Assist principal as needed.
- Refer all members of the press to the Emergency Operations Center.

Teachers

- Follow principal's direction as to appropriate Action.
- Depending on the nature of the accident you may need to take Action DROP or Action TAKE COVER to protect students from a possible explosion and/or fire.

FOLLOW UP ACTION

Principal

- Provide up-to-date information to staff and students as it becomes available and arrange school site meetings to make assignments and determine plans.
- Coordinate activities of the school site team.
- Maintain contact with Emergency Operations Center and Superintendent's office.
- Arrange after-school staff meetings to debrief and clarify events.

Teachers

- Read bulletins/announcements as provided by the principal.
- Refer all media to the principal's office.
- Cooperate with the school site team to provide follow-up as appropriate.
- Refer for counseling students who may be at risk.
- Return to normal instructional activities as soon as possible.

Animal Disturbance

If a rabid or vicious animal is at or in the vicinity of the school, the Animal Control Center should be notified immediately. Teachers shall be notified Shelter In Place. Students outside of the building will be quietly and cautiously sent into the nearest building and secured in a room behind closed doors. Notify the Superintendent's Office.

Armed Assault on Campus

Follow A.L.I.C.E Procedures

Biological or Chemical Release

CHEMICAL SPILL

1. An announcement will be made to either Shelter in Place or evacuate the building and gather in the Assembly Area, depending on the situation.
2. The announcement will be made by the P.A. system, or if this fails to operate, messenger will alert classes.
3. If the Assembly Area is not safe, students will be evacuated to Lincoln Park, depending on the area of the spill and direction of the wind.

CHEMICAL ACCIDENT

1. DEFINITION/DESCRIPTION

Chemical accidents of disaster magnitude would include tank truck accidents involving large quantities of toxic gases or toxic liquids. This type of accident will likely be reported by an outside source unless the accident has occurred immediately adjacent to the school site.

2. IMMEDIATE ACTION

Principal

- a) Receive information about/review situation to determine if evacuation routes are safe (move crosswind to avoid fumes).
- b) Determine which action should be implemented.
- c) Sound alarm for appropriate action.
- d) Notify/maintain contact with Superintendent/Emergency Operations Center.
- e) Determine what further action to take.

Teachers

- a) Implement appropriate action, using alternate evacuation route if required.
- b) Maintain control of students.
- c) Take roll. Report students who are absent.
- d) Notify principal of any problems in/around area
- e) Notify principal of need for first aid, as appropriate.

Custodian

- a) Review situation to assess extent of spill, wind direction and proximity to building.
- b) Report findings to principal.
- c) Be prepared to direct fire/police department to spill site.
- d) Assist in spill clean-up or containment, as appropriate.

3. FOLLOW UP ACTION

Principal

- a) Determine, in coordination with M.O.F./Fire Department, whether buildings are habitable.
- b) Notify staff/students of any modification in schedule.
- c) Work with Emergency Operations Center to publicize information regarding accident.
- d) Arrange school site meeting to provide information to staff.

Principal's Secretary

- a) Screen all calls. Refer public to Emergency Operations Center.
- b) Refer media to Emergency Operations Center.
- c) Prepare necessary bulletins.

Teachers

- a) Read bulletins/announcements as provided by principal.
- b) Refer all media to principal's office.
- c) Cooperate with school site team to provide follow-up, as appropriate.
- d) Refer for counseling students who may be at risk.
- e) Return to normal instructional activities as soon as possible.

Bomb Threat/ Threat Of violence

1. DEFINITION/DESCRIPTION

A bomb threat will typically be received in writing or by telephone call. Responses will generally be the same with the initial exception of a person receiving a telephone threat. A copy of the Bomb Threat Checklist should be readily available for every administrative phone responder.

2. IMMEDIATE ACTION – Telephone Threat

Person Receiving Call

- a) Keep the caller on the line. Delay the caller with such statements as: “I’m sorry, I did not understand you. What did you say?”
- b) Use Bomb Threat Checklist (see form at the end of this “Bomb Threat” section). Get as much information as possible from the caller.
- c) Immediately after caller hangs up, report all information to principal.

All Office Personnel

Immediately search your work area for foreign or suspicious objects or packages. If one is found, DO NOT TOUCH OR MOVE IT!!

IMMEDIATE ACTION – Written Threat

Person Receiving Written Message

Give the message to the principal immediately upon identification.

Principal

- a) Receive/review all information about bomb threat.
- b) Determine which action should be taken.
- c) Initiate non-electronic evacuation procedure; i.e. runner or bullhorn, since electronic warnings could activate any device, being sure all evacuation routes are clear.
- d) Notify Superintendent/Police/Fire Department.
- e) Direct search of office complex, evacuation site and classrooms.
- f) Determine what further action should be taken.

Teachers

- a) Implement appropriate action, using alternate evacuation route if required.
- b) Maintain control of students.
- c) Take roll. Report students who are absent.
- d) Notify principal of any problems in or around area.
- e) Hold students until designated evacuation area has been searched and declared safe, and then conduct students to the cleared area.

Teachers assigned to the designated evacuation area will remain with the pupils; personnel who are assigned to search teams will report to the principal for briefing.

If notification of a threat is received and immediate evacuation is not ordered, teachers will search their classrooms for any unidentifiable objects. If nothing is found, resume instruction until the evacuation order is received.

Custodians

- a) Under the direction of the principal, immediately proceed with a thorough search of designated evacuation area (or other area large enough to contain the students) to provide a safe place for students evacuated from the buildings.
- b) Search, as required, to determine that no explosive is hidden in a book, clothes locker or restroom.

3. FOLLOW UP ACTION

Principal

- a) Determine, in coordination with M.O.F. and Fire Department, whether buildings are habitable.
- b) Notify staff/students of any modification in schedule, via special bulletin or telephone tree.
- c) Work with Emergency Operations Center to put messages on TV, radio and telephone system regarding any modifications in schedule.
- d) Arrange school site meeting to discuss plan.

Principal’s Secretary

- a) Screen all calls. Refer calls to Emergency Operations Center.
- b) Prepare necessary bulletins.

Teachers

- a) Read bulletins/announcements as provided by principal.
- b) Refer all media to principal's office.
- c) Cooperate with school site team to provide follow-up as appropriate.
- d) Refer for counseling students who may be at risk.
- e) Return to normal instructional activities as soon as possible.

EXPLOSION OR THREAT OF EXPLOSION

1. DEFINITION/DESCRIPTION

An explosion at the school, or the threat of an explosion, may be caused by leaking gas or a faulty boiler within a school building.

2. IMMEDIATE ACTION – EXPLOSION

Principal

- Sound the school alarm.
- Notify the Superintendent or Assistant Superintendent.
- Notify utility companies of a break or suspected break.
- Notify fire and police departments and direct further action as required.
- Notify teachers of proper action (DROP or LEAVE BUILDING).

Teachers

- Command DROP is given. Instruct students to react in the same manner on their own to this type of catastrophe in case it occurs when the teacher is temporarily not present.
- If the explosion occurred within the building, or threatened the building, immediately implement Action LEAVE BUILDING.
- Move to an area of safety and maintain control of students.
- Notify principal of students needing first aid as necessary.
- Fight incipient fires without endangering life.
- Take roll. Report absent students to principal.
- Students and staff should not return to the school until Fire Department officials declare the area safe.

IMMEDIATE ACTION - THREAT OF EXPLOSION:

Principal

- Sound the school fire alarm, or silent evacuation if electronic means could set off explosion. This will automatically implement Action LEAVE BUILDING.
- Follow procedures for principal -- 'c' and 'd' above.

Teacher

- Follow procedures for teachers -- 'c' through 'g' above.

Disorderly Conduct

CIVIL DISOBEDIENCE/MENACING INDIVIDUALS

1. DEFINITION/DESCRIPTION

Civil disobedience is defined as any assemblage on the school premises by unauthorized persons whose purpose and conduct is inimical to the orderly conduct of the school and the laws relating to the conduct of schools and the welfare of students.

WARNING: The presence of unauthorized individuals or an alert of an impending visitation. When this condition has been reported to the principal or authority in charge, he shall transmit the warning to all classes by the public address system. If the PA system is inoperable, a messenger will be sent to each classroom.

2. IMMEDIATE ACTION

The major plan of action will be to protect all personnel from undue exposure to danger. Every effort must be made to keep classes within their rooms. The following specific steps will be taken to implement the plan of action:

Principal or Designee

- a) Transmit a Shelter in Place alert to all staff members.

- b) Call the local law enforcement agencies to provide protection and to handle arrests.
- c) Make certain that a specific crime is committed before requesting arrests.
- d) School civil disobedience crimes involving arrest are listed in the Criminal Code Procedure and include the following:
 - 1. Disturbing the Peace
 - 2. Trespassing
 - 3. Loitering Around the School Grounds
- e) The principal should make an announcement to the demonstrators similar to the following:
 "I am the principal of this school. You are interfering with the orderly process of education in this school. I request that you leave. If you do not leave, I shall ask for your arrest. You are causing a disturbance."

Teachers

- a) Keep students within their locked classrooms until further notice, regardless of the bells and schedules.
- b) Lock classroom doors.
- c) Remain in charge of your class, utilizing the best judgment in occupying the students within the classroom.
- d) Precaution should be taken to protect personnel from flying glass in case of broken windows. Drapes, venetian blinds, or jalousies should be closed.
- e) Where there is evidence of a potential problem, all P.E. classes will immediately return to the locker rooms.

Custodians

Lock and secure all exterior doors.

3. FOLLOW UP ACTION

Principal

- a) Determine, in coordination with M.O.F., whether building(s) is/are habitable.
- b) Notify staff/students of any modification in schedule, via special bulletin or telephone tree.
- c) Work with Communications director to put messages regarding any modifications in schedule.
- d) Arrange school site meeting to discuss plan.

Principal's Secretary

- a) Screen all calls. Refer public to Director of Communications
- b) Refer media to Director of Communications
- c) Prepare necessary communication to community.

Teachers

- a) Read announcements as provided by principal.
- b) Refer all media to principal's office.
- c) Cooperate with school site team to provide follow-up, as appropriate.
- d) Refer for counseling students who may be at risk.
- e) Return to normal instructional activities as soon as possible.

Earthquake

Although the probability of an earthquake occurring is lower than most other emergency types, the potential for injuries and damage from one is high. It is essential that students and staff remain aware of the following basic actions:

This section removed from posted plan for security purposes. If you wish to see the full plan, contact the school principal for an appointment.

If an earthquake or other situation warrants, drop to the floor, take protective position under desks or furniture with backs to windows and hands covering head and face. Stay in position until directed to evacuate or take other protective action. If outside, move away from buildings and trees and take protective position. When situation permits, proceed to the designated assembly point. Standby: Alert students in your area to stand by for further information. Make whatever assessment of the situation is possible. Render emergency first aid as required. If inside, stay inside during ground shaking. In classrooms or offices, move away from windows, shelves and heavy objects or furniture that may fall. Take cover under a safe table, desk or counter. At the teacher's command, students should take the DROP position.

If a "shelter" (table, desk, etc.) is not available, move to an inside wall or corner, turn away from windows, kneel alongside wall, and bend head close to knees, with elbows firmly behind neck protecting face. If notebooks or jackets are handy, hold these overhead for added protection from flying glass and ceilings debris. Remain in sheltered position for at least 60 seconds or until directed to move by an adult. If in halls, on stairways, or other areas where no cover is available, students must follow the directions of the nearest teacher or school employee.

If in the library, immediately move away from windows and bookshelves and take appropriate cover. In the science lab or shops, all burners should be extinguished (if possible) before taking cover. Stay clear of hazardous chemicals that may spill. The duration of ground shaking depends on a number of factors, including the severity of the earthquake. Advise students to anticipate shorter or longer episodes of ground shaking during actual earthquakes and their aftershocks.

EARTHQUAKE HAZARDS COMMONLY FOUND IN SCHOOL BUILDINGS:

- Glass that shatters or flies around
- Objects stored above head-level on shelves, walls, and ceilings (such as unused projectors, books, science equipment, boxes)
- Objects that block movement to safe places (books on floors, tipped desks and bookcases)
- Cabinets without latches
- Objects stored on wheels
- Open shelving without a lip or restraining wire
- Free standing cabinets
- Blocked exits
- Objects in hallways that block movement (glass, tables, locker contents)

SETTLING DOWN AFTER THE FIRST SHOCK:

- After the first shock, teachers will evacuate the classrooms, being alert to the possibility of aftershocks.
- When leaving the classroom, teachers should make every effort to take with them the roll book and emergency supplies.
- Announce that no student is to return to the room unless directed to do so.
- Teachers will take classes to pre-arranged places on the campus.
- Teachers and students will remain in designated areas until re-entry to the building has been approved or they are directed to move elsewhere.
- School will remain open indefinitely until every student has been released to parents or to an authorized person.
- Do not light any fires after the earthquake because of possible gas leaks.
- If possible, notify utility companies of any break or suspected breaks in service.

THE GREAT SHAKEOUT EARTHQUAKE DRILLS

All AUSD schools are encouraged to participate in the annual Great ShakeOut Earthquake Drills. See <https://www.shakeout.org/index.html> for more information.

Explosion or Risk Of Explosion

EXPLOSION OR THREAT OF EXPLOSION

DEFINITION/DESCRIPTION

An explosion at the school, or the threat of an explosion, may be caused by leaking gas or a faulty boiler within a school building.

IMMEDIATE ACTION – EXPLOSION

Principal

- a) Sound the school alarm and report on Share911.
- b) Notify teachers of proper action (DROP or LEAVE BUILDING).

Teachers

- a) Command DROP is given. Instruct students to react in the same manner on their own to this type of catastrophe in case it occurs when the teacher is temporarily not present.
- b) If the explosion occurred within the building, or threatened the building, immediately implement Action LEAVE BUILDING.
- c) Move to an area of safety, and maintain control of students.
- d) Use Share911 to report students absent, found or needing first aid as necessary.
- e) Fight incipient fires without endangering life.
- g) Students and staff should not return to the school until Fire Department officials declare the area safe.

IMMEDIATE ACTION - THREAT OF EXPLOSION:

Principal

Sound the school fire alarm, or silent evacuation if electronic means could set off explosion. This will automatically implement Action LEAVE BUILDING.

Follow procedures for principal -- 'c' and 'd' above.

Teacher

Follow procedures for teachers -- 'c' through 'g' above.

Fire in Surrounding Area

Follow shelter in place procedures

Fire on School Grounds

DEFINITION/DESCRIPTION: A fire detected in or adjacent to any building at the school site.

IMMEDIATE ACTION

Principal or Site Safety Coordinator

- View fire or take report to determine that evacuation routes are safe.
- Notify teachers of alternate route if necessary.
- Sound school fire alarm and report on Share911.
- Determine what further action to take (i.e. send students/staff home).

Teachers

- Implement Action LEAVE BUILDING, using alternate route in necessary.
- Maintain control of students at a safe distance from the fire and fire fighting equipment.
- Take roll upon arrival at designated area. students.
- Remain with students in designated area until notified of next action.
- Notify principal of any hazards observed in/around area through Share911.
- Notify principal of need for first aid as appropriate through Share911.

Custodians

- View fire to identify location and extent.
- Report findings to principal.
- Fight incipient fire without endangering life.
- Be prepared to direct fire department to fire site.
- Shut off gas/water as appropriate.
- Shut off electricity after all necessary use of P.A. system is complete.

FOLLOW-UP ACTION

Principal

- Determine, in coordination with M.O.F. and Fire Department whether buildings) is/are habitable.
- Notify staff/students of any modification in schedule, via Share911 and special bulletin or telephone tree.
- Work with Director of Communications to put messages on TV, radio and communication system regarding any modifications in schedule
- Arrange school site meeting to discuss plan.

Principal's Secretary

- Screen all calls.
- Refer media to Director of Communication.
- Prepare necessary communications to community.

Teachers

- Read announcements as provided by principal.
- Refer all media to principal's office.
- Cooperate with school site team to provide follow-up as appropriate.
- Refer for counseling students who may be at risk.
- Return to normal instructional activities as soon as possible.

Flooding

DESCRIPTION/DEFINITION

There should be some thought and preparation for this eventuality should any sources around the school create flooding. Flooding may be the secondary effect of another disaster, such as an earthquake.

IMMEDIATE ACTION

Principal

- View flood or take report to determine that evacuation routes are safe.
- Broadcast Alert on Share911 and PA as appropriate.
- Determine what further action to take.

Teachers

- Implement appropriate Action in response to principal direction.
- Take roll upon arrival at evacuation area. Report absent students, needs for first aid and any hazards observed in/around area to principal through Share911.
- Maintain control of students at evacuation area.

Custodians

- View flood to identify location and extent.
- Report findings to principal.
- Be prepared to direct M.O.F./City to flood site/source.
- If flooding is result of school site damage, turn off water.

Follow up Plan

Principal

- Determine, in coordination with M.O.F. and Fire Department whether buildings) is/are habitable.
- Notify staff/students of any modification in schedule, via Share911 and special bulletin or telephone tree.
- Work with Director of Communications to put messages on TV, radio and communication system regarding any modifications in schedule
- Arrange school site meeting to discuss plan.

Principal's Secretary

- Screen all calls.
- Refer media to the Director of Communication.
- Prepare necessary communications to the community.

Teachers

- Read announcements as provided by the principal.
- Refer all media to the principal's office.
- Cooperate with the school site team to provide follow-up as appropriate.
- Refer for counseling students who may be at risk.
- Return to normal instructional activities as soon as possible.

Loss or Failure Of Utilities

UTILITIES LOSS OR FAILURE

CALL MOF - They will call the appropriate public works system based on the loss or failure.

LOSS OF ELECTRICAL POWER:

Consult Alameda Power

LOSS of GAS

PG&E

WATER EMERGENCY:

East Bay Municipal Utility District, colloquially referred to as "East Bay Mud

PHONE ISSUES:

Contact Technology Information Services to report phone issues.

ADDITIONAL INFORMATION:

Contact Maintenance, Operations & Facilities at extension if any utility will be off for an extended period of time.

Notify the superintendent of the situation.

If necessary, make appropriate arrangements with Maintenance and Operations for temporary communications, water delivery and portable rest rooms.

In the event of an extended outage, consult with the cafeteria manager. The cafeteria manager will consult with Food and Nutritional Services.

If an extended outage is likely, provide an update to keep parents/guardians informed.

Motor Vehicle Crash

Step1: Respond to the injured party and determine if first aid or CPR should be provided

Step 2: If 911 needs to be called have another person call while you deliver first aid or CPR

Step 3: Send another person to notify others and get any emergency equipment or information that would be helpful to the emergency

Step 4: When safe to do so, activate share 911 to communicate to staff if an ambulance is on its way

Step 5: Designate staff to the appropriate gate/entrance to help emergency services get in close proximity to injured party

Step 6: Staff are required to complete and turn in an Accident Report to administration for any injuries to any one on campus

Step 7: Accident forms need to be sent to the business office

Psychological Trauma

The sudden death, serious injury to a student or staff member either through natural causes, accidents or as the result of an act of violence, such as school shooting, missing students (known or suspected abduction), physical assault, sexual assault, non-natural or non-accidental causes or other unexpected events are, without question, a crisis. Responding to these kinds of crisis situations in a timely and effective manner is as critical as dealing with an earthquake or a fire.

1. Contact Student Services to request the District Crisis Intervention Team immediately following a serious injury, accident or death of a student or staff member.

2. Work with your school psychologist and or counselors to determine identification of short- and long-term interventions for students or staff traumatized by the event.
3. Work with the Superintendent's office to formulate a public statement.
4. Discuss the crisis in a factual manner in follow up meetings and/or communications.
5. Be sensitive to latent behavior problems that are trauma-related.

A general message will be prepared and whenever possible parents will be contacted first in order to be the first adults to provide the information and support their children. All staff will be debriefed and supported. Activities to best meet the needs of the community will be provided aimed at providing counseling, a way for all to process (writing, drawing, and sharing). Activities such as games, music and reading may be planned over a short period of time to reduce anxiety and work demands. Follow and close monitoring for students and staff to insure latent reactions and responses.

Opioid Overdose

Step (1) Call 911 An overdose is a medical emergency. It is important to have trained medical professionals assess the condition of the overdose victim. Even though Naloxone can reverse the overdose, there may be other health problems of which the responder may not be aware. In addition, people who survive any type of overdose are at risk of experiencing other health complications because of the overdose. Getting someone examined by a medical professional is an important part of reducing the harms associated with overdosing.

It is important for trained staff to remember that Naloxone only works if there are opioids involved with the overdose. It cannot reverse an overdose from benzodiazepines, meth, cocaine, or alcohol.

Step (2) Administer Naloxone (Narcan)

Open the Naloxone blister pack; do not push the plunger.

With the victim's head tilted slightly back, place two (2) fingers over the top of the medication with your thumb securing it from the bottom.

Insert the atomizer fully and gently into their nostril

Push the plunger forward with the thumb and deliver spray of medication. (There is no need to plug the opposing nostril).

Place the person to their side (recovery position).

If the individual is still not responding within two (2) minutes, give a second dose in the opposite nostril.

Follow Up

If the victim is a student, contact parent/guardian per school policy.

Complete an Accident/Injury Report

Facilitate a debriefing with responding staff

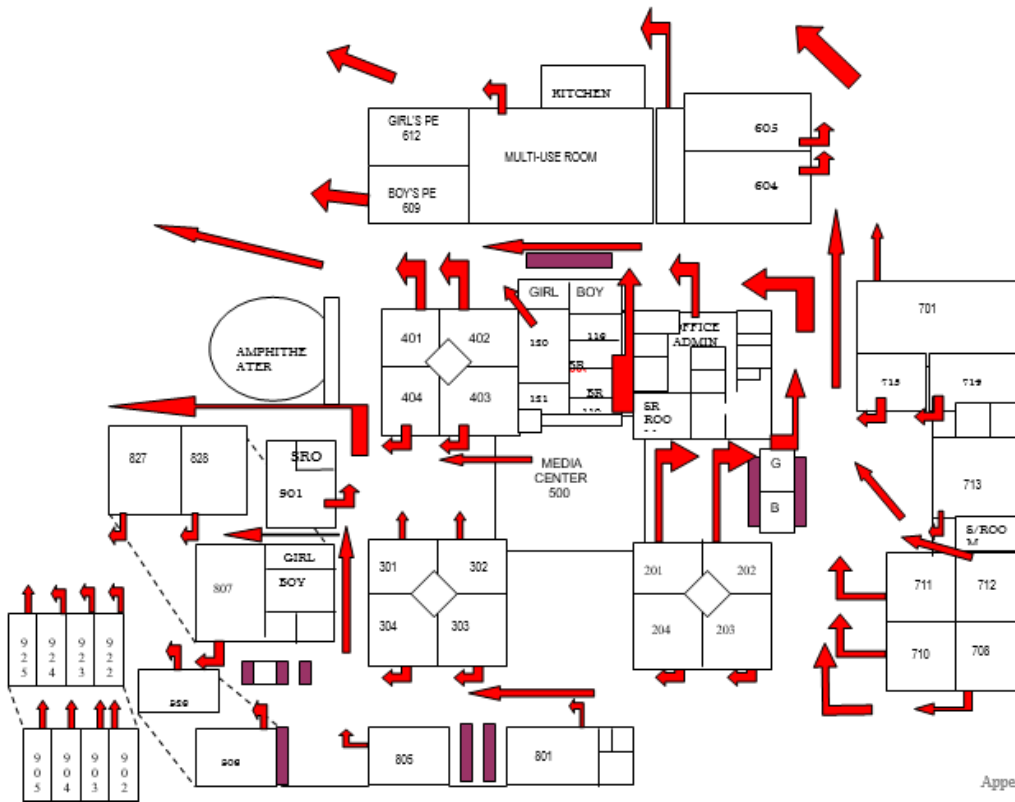
Consider a plan of care for the students' safe return to school

Emergency Evacuation Map

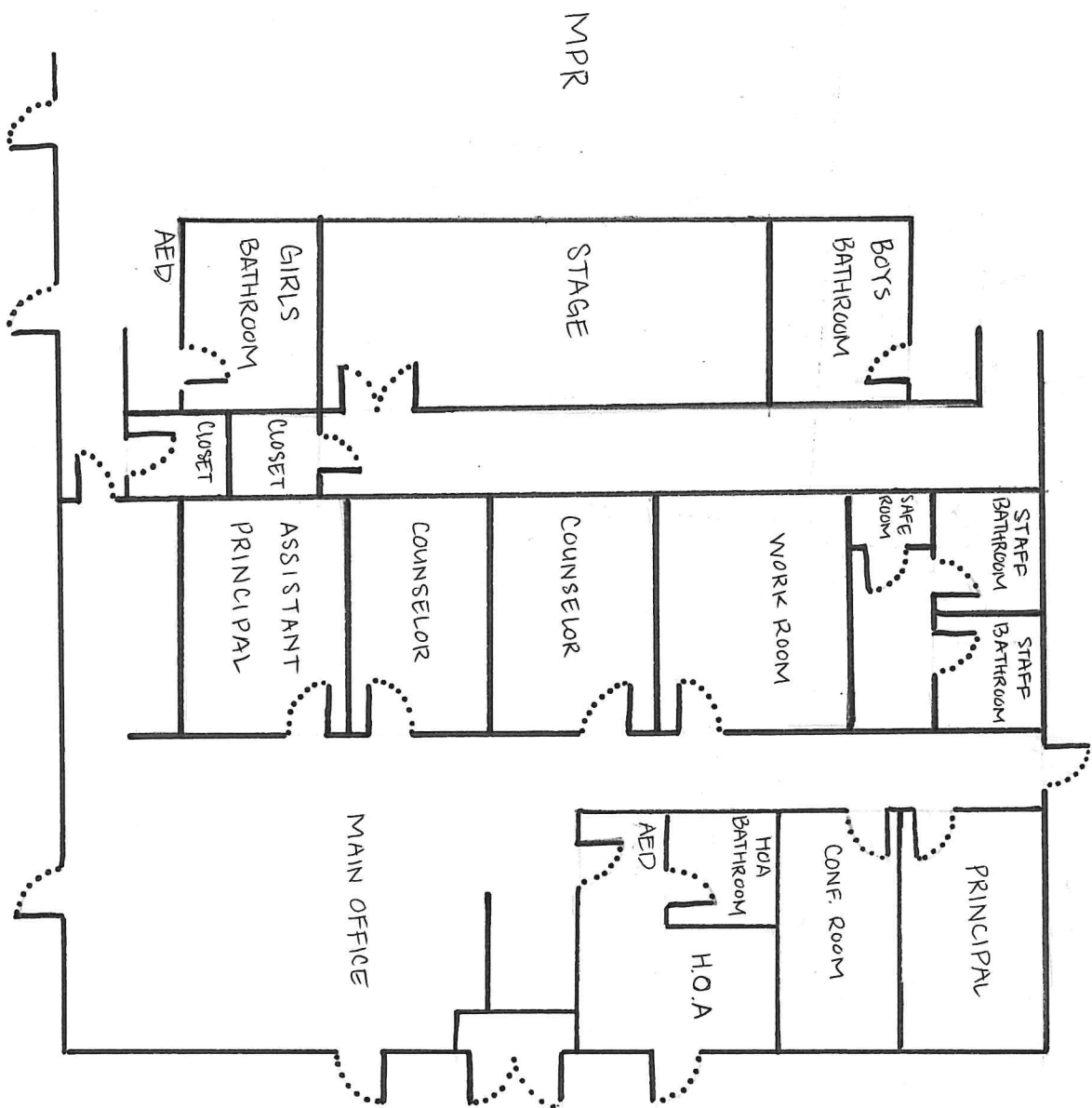
[See Attachments](#)

MC
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PE 3
PE 2
PE 1
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LMS BUILDING PLAN: EMERGENCY EXIT ROUTES



LMS OFFICE MAP





QUATTROCCHI
KWOK ARCHITECTS

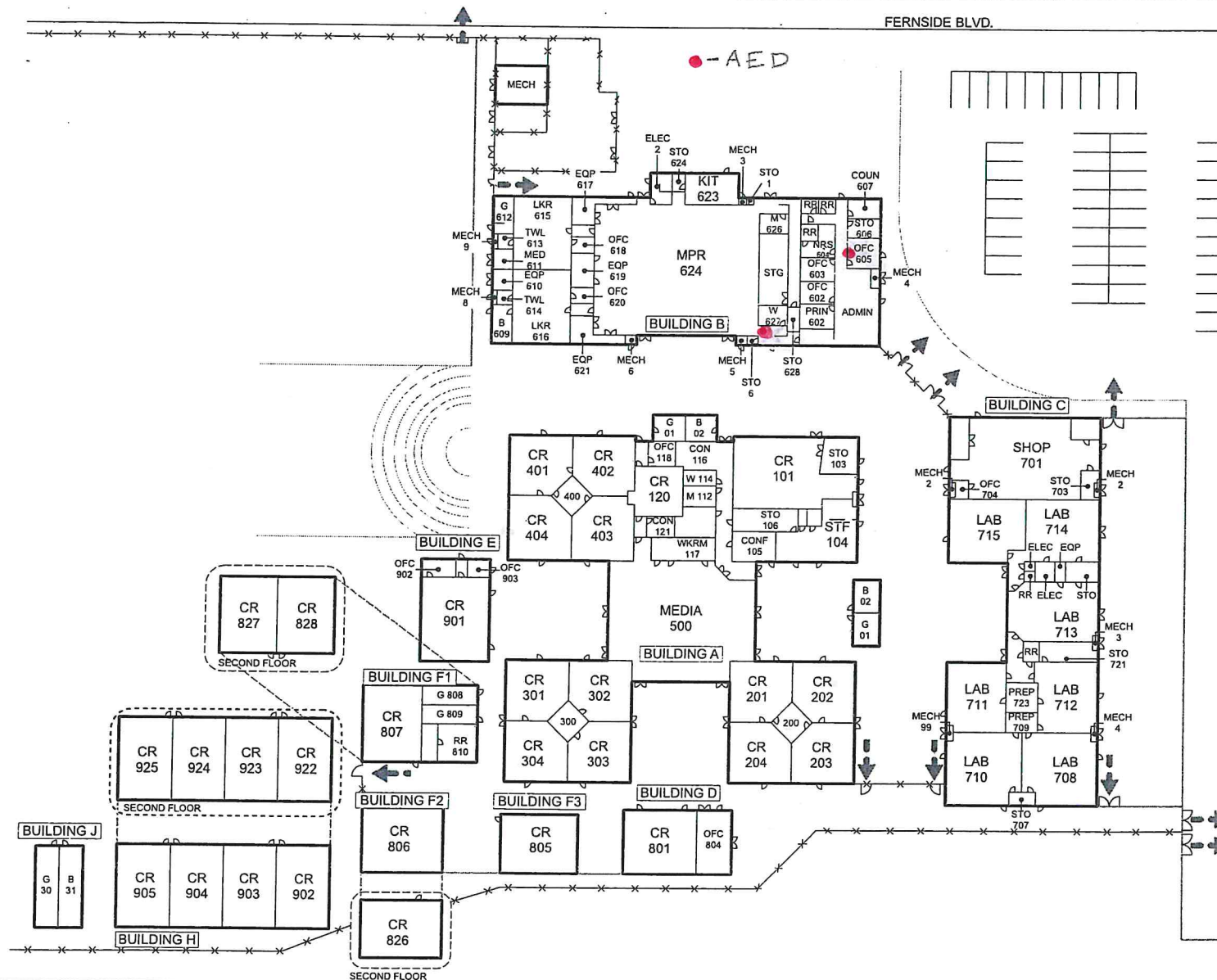
ALAMEDA UNIFIED
SCHOOL DISTRICT

LINCOLN MIDDLE SCHOOL

1250 Fernside Blvd,
Alameda, CA 94501

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March 29, 2023



Comprehensive School Safety Plan

**2023-24
School Year**

School: Love Elementary School
CDS Code: 01611196090047
District: Alameda Unified School District
Address: 2025 Santa Clara Avenue
Alameda, CA 94501
Date of Adoption: 1/30/2023
Date of Update: 3/24/2024
Date of Review:
- with Staff 1/30/2023
- with Law Enforcement
- with Fire Authority

Table of Contents

Comprehensive School Safety Plan Purpose.....	4
Safety Plan Vision.....	4
Components of the Comprehensive School Safety Plan (EC 32281).....	5
(A) Child Abuse Reporting Procedures (EC 35294.2 [a] [2]; PC 11166).....	5
(B) Disaster Procedures (EC 35295-35297; GC 8607 and 3100).....	7
(C) School Suspension, Expulsion and Mandatory Expulsion Guidelines	10
(D) Procedures to Notify Teachers of Dangerous Pupils (EC 49079).....	30
(E) Sexual Harassment Policies (EC 212.6 [b]).....	31
(F) School-wide Dress Code Relating to Gang-Related Apparel (EC 35183).....	34
(G) Procedure for Safe Ingress and Egress of Pupils, Parents, and Staff to and from School (EC 35294.2)	37
(H) A Safe and Orderly School Environment Conducive to Learning (EC 35294.2)	39
(I) School Discipline Rules and Consequences (EC 35291 and EC 35291.5)	41
(K) Hate Crime Reporting Procedures and Policies	41
(J) Procedures to Prepare for Active Shooters.....	43
Procedures for Preventing Acts of Bullying and Cyber-bullying.....	44
Emergency Contact Numbers	48
Safety Plan Review, Evaluation and Amendment Procedures	49
Love Elementary School Incident Command System.....	50
Incident Command Team Responsibilities.....	51
Types of Emergencies & Specific Procedures.....	58
Aircraft Crash	58
Animal Disturbance.....	58
Armed Assault on Campus	58
Biological or Chemical Release.....	58
Bomb Threat/ Threat Of violence	59
Disorderly Conduct	61
Earthquake	63
Explosion or Risk Of Explosion	63

Fire in Surrounding Area64

Fire on School Grounds64

Flooding66

Loss or Failure Of Utilities67

Motor Vehicle Crash67

Psychological Trauma.....67

Opioid Overdose68

Emergency Evacuation Map.....69

Comprehensive School Safety Plan Purpose

Effective January 1, 2019, Assembly Bill 1747 (Rodriguez), School Safety Plans, became law. This bill requires that during the writing and development of the comprehensive school safety plan (CSSP), the school site council or safety committee consult with a fire department and other first responder entities in addition to currently required entities. It requires the CSSP and any updates made to the plan to be shared with the law enforcement agency, the fire department, and the other first responder entities.

The California Education Code (sections 32280-32288) outlines the requirements of all schools operating any kindergarten and any grades 1 to 12, inclusive, to write and develop a school safety plan relevant to the needs and resources of that particular school.

In 2004, the Legislature and Governor recast and renumbered the Comprehensive School Safety Plan provisions in SB 719 and AB 115. It is the intent of the Legislature in enacting the provisions to support California public schools as they develop their mandated comprehensive safety plans that are the result of a systematic planning process, that include strategies aimed at the prevention of, and education about, potential incidents involving crime and violence on school campuses.

The historical requirement of the Comprehensive School Safety Plan was presented in Senate Bill 187, which was approved by the Governor and chaptered in 1997. This legislation contained a sunset clause that stated that this legislation would remain in effect only until January 1, 2000. Senate Bill 334 was approved and chaptered in 1999 and perpetuated this legislation under the requirement of the initial legislation.

Comprehensive School Safety Plans are required under SB 719 & AB 115 and contains the following elements:

Assessment of school crime committed on school campuses and at school-related functions

- Child abuse reporting procedures
- Disaster procedures
- Suspension and expulsion policies
- Procedures to notify teachers of dangerous pupils
- Discrimination and harassment policies
- School wide dress code policies
- Procedures for safe ingress and egress
- Policies enacted to maintain a safe and orderly environment
- Rules and procedures on school discipline
- Hate crime reporting procedures

The Comprehensive School Safety Plan will be reviewed and updated by March 1st every year. In July of every year, the school will report on the status of its school safety plan including a description of its key elements in the annual school accountability report card.

A copy of the Comprehensive School Safety Plan is available for review at .

Safety Plan Vision

The Alameda Unified School District is committed to providing a quality educational environment that is safe, secure, and peaceful. The primary goal of the District is to help each student develop to the maximum of his/her capacity and function as a responsible member of a democratic society. When parents, students and staff are aware of our mutual responsibilities to keep our community safe, we can effectively promote positive student participation in all of our schools.

The School Site Emergency Plan is designed for use as a school resource for prevention/mitigation, preparedness, response, and recovery planning and training as well as functioning as a template for meeting the requirements for the annual Safety Plan Process under Senate Bill 187, Education Code Section 35294, Statutes of 1998, and the National Incident Management System. It is designed to be a living document that is updated as necessary to meet site, District, and community needs, forms, and/or requirements—therefore, it should be maintained in hard copy and electronic form.

This document is NOT intended to be a “grab and go” guide in an actual emergency.

Components of the Comprehensive School Safety Plan (EC 32281)

Love Elementary School Safety Committee

Insert safety committee roster here

Assessment of School Safety

Current Status of School Crime. Each school is required to assess the current status of school crime committed on the school campus and at schoolrelated functions. You may accomplish this by reviewing the following type of information: Local law enforcement crime data; suspension/expulsion data; behavior referrals; counseling referrals; attendance rates; SART/SARB data; CHK Survey data; SPSA data; property damage/vandalism data; or any other data pertinent to your assessment. Insert Aeries data here.

Strategies and Programs to Provide and Maintain a High Level of Safety (EC 32281(a)1, items A-J)

Insert what the school does to support and build positive school climate. (use PBIS action planning tool)

(A) Child Abuse Reporting Procedures (EC 35294.2 [a] [2]; PC 11166)

Child Abuse Reporting Procedures

With concern for the total well-being of each student, employees of the district shall report known or suspected incidences of child abuse in accordance with state law and district regulations. Our employees cooperate with the child protective agencies responsible for reporting, investigating and prosecuting cases of child abuse.

A. Definition of Child Abuse

"Child Abuse," as defined by law, pursuant to Penal Code 273 and 11165, includes:

1. Physical abuse resulting in a non-accidental physical injury.
2. Physical neglect, including both severe and general neglect, resulting in negligent treatment or maltreatment of a child.
3. Sexual abuse including both sexual assault and sexual exploitation.
4. Emotional abuse and emotional deprivation including willful cruelty or unjustifiable punishment.
5. Severe corporal punishment.

B. Legal Duty to Report

Mandated child abuse reporting is governed by the Child Abuse and Neglect Reporting Act, P.C. 11164. The intent and purpose of the law is to protect children from abuse. The definition of a child is any person under 18 years of age.

Within the scope of his or her employment, any childcare custodian who has knowledge of, observes, or reasonably suspects a child is a victim of child abuse, shall report the known or suspected abuse to a child protective agency by telephone and written report. Additionally, any suspicion of mental suffering inflicted on a child where his or her well-being is endangered in any way, will also be reported.

"Mandated Reporters" are those people defined by law as "childcare custodians," "medical practitioners" and "non-medical practitioners" and include virtually all school employees.

(Penal Code 11165.7 and 11165.8) The following school personnel are required to report: teachers, administrators, supervisors of child welfare and attendance, certificated student personnel employees, employees of a child care programs, preschool teachers, school psychologists, licensed nurses, counselors, para-educators instructional aides or other classified employees trained in child abuse reporting. Employees do not need to have their employer's permission to make a child abuse report.

"Child Protective Agencies" are those law enforcement and child protective services responsible for investigating child abuse reports, including the local police or sheriff's department, county welfare or juvenile probation department and child protective services (CPS).

"Reasonable Suspicion" means that it is objectively reasonable for a person to entertain such a suspicion, based upon facts that could cause a reasonable person in a like position, drawing when appropriate on his/her training and experience, to suspect child abuse. (Penal Code 11166)

3. Employees will report known or suspected child abuse to a child protective agency by telephone immediately or as soon as practically possible and in writing within 36 hours. The reporting duties are individual and cannot be delegated to another individual.
4. When two or more persons who are required to report and both have knowledge of suspected child abuse, and when there is agreement among them, the telephone report may be made by any one of them who is selected by mutual agreement, and a single report may be made and signed by the person selected. However, if any person who knows or should know that the person designated to report failed to do so, that person then has a duty to make the report.
5. The duty to report child abuse is an individual duty and no supervisor or administrator may impede or inhibit such reporting duties. Furthermore, no person making such a report shall be subject to any sanction. Any supervisor or administrator in violation (Section 11166) is guilty of an infraction punishable by a fine not to exceed five thousand dollars (\$5000).

C. Legal Responsibility and Liability

1. Mandated reporters have absolute immunity. School employees required to report are not civilly or criminally liable for filing a required or authorized report of known or suspected child abuse.
2. Any mandated reporter who fails to report an incident of known reasonably suspected child abuse or neglect as required by this section is guilty of a misdemeanor punishable by up to six months confinement in a county jail or by fine of one thousand dollars (\$1000) or by both that fine and punishment. The mandated reporter may also be held civilly liable for damages of any injury to the child after a failure to report.

D. Reporting Procedures

The person who first observes or learns about the abuse is to complete the "Suspected Child Abuse Report" form (BCIA 8572) and call the Child Abuse Reporting phone number Call our hotline now at 510-259-1800, available 24 hours a day, 7 days a week or if it is an emergency call:

OR Immediately telephone the appropriate law enforcement agency (based upon where the abuse is suspected to have occurred). Jurisdiction, as to whether the county or the city responds, is determined by where the abuse took place.

a. City: Call the Alameda Police Department (510) 337-8340

3. Employees are not required to identify themselves to their employer when they make a child abuse report. If an employee wishes to waive his/her confidentiality rights he/she may wish to make photocopies of the "Suspected Child Abuse Report" form (SS8572) and forward a copy to the principal and to the Executive Director of Student and Family Support Services.

E. Victim Interviews

Upon request, a child protective agency representative may interview a suspected victim of child abuse, during school hours and on school premises, concerning a report of suspected child abuse that occurred within the child's home. The child shall be given the choice of being interviewed in private or in the presence of any adult school employee or volunteer aide selected by the child. A staff member or volunteer aide selected by a child may decline to present at the interview. If the selected person accepts, the principal or designee shall inform him/her, before the interview takes place, of the following legal requirements:

1. The purpose of the selected person's presence at the interview is to lend support to the child and enable him/her to be as comfortable as possible.
2. The selected person shall not participate in the interview.
3. The selected person shall not discuss the facts or circumstances of the case with the child.
4. The selected person is subject to the confidentiality requirements of Article 2.5 (Penal Code 11165 et seq.), a violation of which is punishable as specified by 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)

F. Release of Child to Peace Officer or to a Child Protective Services Worker

When a child is released to a peace officer and taken into custody as a victim of suspected child abuse, the principal or other school staff shall not notify the parent/guardian as required in other instances of removal of a child from school, but rather shall provide the peace officer with the address and telephone number of the child's parent/guardian. It is the responsibility of the peace officer to notify the parent/guardian of the situation

G. Staff Training

The Principal or designee shall provide training in child abuse identification and reporting for all certificated personnel, instructional and teacher aides, teacher assistants, para-educators and other classified employees. (Penal Code 11165.7) All employees trained in child abuse identification and reporting shall be given, as a part of that training, written notice of the child abuse reporting requirements and the employees' confidentiality rights. (Penal Code 11165.7). The absence of training does not excuse a mandated reporter from the duties imposed by the penal code.

(B) Disaster Procedures (EC 35295-35297; GC 8607 and 3100)

Disaster Plan (See Appendix C-F)

Purpose of the Plan

This response plan is designed to assist school staff, students, parents and local agencies organize resources of the school and community to respond to a crisis situation while school is in session. Regulatory Authority State laws and regulations require school districts develop emergency plans and train staff in emergency response procedures. These include laws applicable to school staff and students as well as Cal/OSHA regulations specifically addressing the safety of district employees. The Katz Act [California Education Code, §35295-35297] requires schools plan for earthquakes and other emergencies. It also requires training in earthquake preparedness procedures for both certificated and classified staff. The Petris Bill [Government Code, §8607] requires school districts be prepared to utilize the Standardized Emergency Management System (SEMS) when responding to emergencies. This requires that principles of SEMS are incorporated in District plans; that the Incident Command System (ICS) are used at school sites; that all school personnel are trained in how the respective systems work and correlate; and that schools have drills and exercises in order to practice using the systems. This plan is designed and structured to ensure compliance with the mandates of state law as well as with Cal/OSHA's Emergency Action Plan Standard Title 8, California Code of Regulations §3220. This regulation requires each employer facility have an Emergency Action Plan which focuses on specific emergency contingencies, response personnel roles, and evacuation plans of each employer's site where employees work. Schools and school districts are included in this mandate. School Site Emergency Preparedness and Response Coordination Each principal shall supervise the planning, operating and testing of their respective school's Emergency Preparedness and Crisis Response Plan. Each principal will also ensure that all school staff and students are familiar with the basic elements of the District's Emergency Operations Plan, which will be utilized at the district office in the event of a major emergency or district-wide disaster. The principal must ensure that the Incident Command System are utilized by all staff personnel in the event of an emergency incident and shall serve as the Incident Commander at all school crises or emergencies.

Campus and Facility Site Preparedness Duties

This school and the District have designated specific persons to assume emergency position responsibilities in the event of a site emergency or District-wide disaster. The following information provides a breakdown of these responsibilities:

All School Staff:

- Become familiar with the school's emergency and evacuation procedures.
- Participate in First Aid and CPR training, as appropriate.

Annually each principal shall:

- Designate Staff Incident Command Structure Assignments.
- Update this site Emergency Preparedness and Crisis Response Plan.
- Ensure personnel are properly trained in their respective assignments.
- Conduct survey of personnel to determine CPR/First Aid/Disaster Preparedness/Medical Training.
- Survey parents to determine who may wish to volunteer during an extended emergency or disaster.
- Ensure needs of students and staff with disabilities are provided for in the event of an emergency.
- Designate primary and alternate locations for command post, evacuation, first aid, student release, and morgue.
- See that parents are informed of the plan and its effect upon students.
- Compile/maintain list of local emergency agencies including telephone numbers and addresses.
- Practice building evacuation plans including testing of warning systems, alarm signals, and communications methods.
- With Maintenance and Operations, complete a site and building hazard survey.
- Ensure all emergency equipment and supplies are in usable condition at all times.

Teachers:

- Teachers are responsible for the supervision of students in their charge.
- Understand emergency response procedures.
- Have planned activities for use during disasters to lessen possible tension.

School Office Managers or Designee:

- Organize and maintain the emergency first aid supplies and distribute back-up supplies.
- Assist principal in developing procedures to protect essential records.
- Ensure battery-operated AM/FM radio is available in working condition; know the call number and frequency of disaster information station.
- Maintain an up-to-date list of students and staff who require life sustaining medication.

School Custodians or designee:

- Assist principal in planning control procedures for different types of building damage.
 - Routinely check that battery-operated equipment is in working condition.
- Directions for the Instructional Staff During a Declared Emergency

Crisis Response

The primary goals of crisis response are to:

- Prevent a potentially chaotic situation from escalating into a catastrophic event.
- Help those affected to return, as quickly as possible, to a normal level of functioning.
- Decrease the potential long-term effects of the crisis.

Incident Command System (ICS)

The Incident Command System is an emergency response system used to manage an emergency incident at a specific facility or site. The ICS, as designated by the AUSD, will be used by this school as the formal emergency response structure. This is in contrast to the Standardized Emergency Management System (SEMS) which is used to manage resources at a district-wide level.

Foundations of Crisis Response

The primary foundation for any emergency or crisis response system is to ensure, as much as is humanly possible, the application of the three C's at all times.

These three C's are:

- Control – Control is the cornerstone of every crisis/emergency response. In emergency response this is initiated and maintained through the effective use of the Incident Command System.
- Communication - Communication is essential to maintaining effective coordination of all response actions. Ongoing communication must be maintained between response persons, school staff, and the command team.
- Coordination - Coordination is essential to ensure that the most effective and appropriate response actions are used throughout a response operation. Proper utilization of the Incident Command System will ensure that all response operations are coordinated from a central point and that no response action is taken at cross purposes to any other.

Insert link to REMS packet here

Public Agency Use of School Buildings for Emergency Shelters

If the Superintendent declares a District emergency during the school day, the District has a clear statement of policy governing its actions.

Alameda Unified School District Policy is as follows:

IN CASE OF A DECLARED EMERGENCY BY THE SUPERINTENDENT DURING SCHOOL HOURS, ALL STUDENTS WILL BE REQUIRED TO REMAIN AT SCHOOL OR AN ALTERNATE, SAFE SITE UNDER THE SUPERVISION OF DISTRICT PERSONNEL:

1. Until regular dismissal time and then released only if it is considered safe, OR
2. Until released to an adult authorized by the parent or legal guardian whose name appears on District records.
 - a) If students are on their way to school they should proceed to school.
 - b) If students are on their way home from school they are to continue home.
3. To provide this supervision and care, Alameda Unified School District personnel will be utilized under Title 1, Division 4, Chapter 8 Government Code and other legal statutes. The statute states that all public employees are designated disaster service workers when an emergency is declared. The District Superintendent, or designee, has the legal authority to declare an emergency in this District. The authority also extends to Alameda County to declare an emergency and impress public employees into service as disaster service workers.

4. Alameda Unified School District encourages the utilization of a buddy system at District sites wherein staff responsibilities for specific emergency functions are assigned to pairs of employees who could, with approval of the Site Manager, carry on legally required supervision and care requirements while allowing emergency home visits to assure welfare of their own families.

(C) School Suspension, Expulsion and Mandatory Expulsion Guidelines

Definitions

Suspension from school means removal of a student from ongoing instruction for adjustment purposes.

The teacher of any class from which a student is suspended pursuant to Section 48910 shall require the student to complete any assignments and tests missed during the suspension. The school will monitor and address the educational needs of the student that arise due to the loss of instructional time. (Education Code 48913). However, suspension does not mean any of the following: (Education Code 48925)

- Reassignment to another education program or class at the same school where the student will receive continuing instruction for the length of day prescribed by the Governing Board for students of the same grade level.
- Referral to a certificated employee designated by the principal to advise students.
- Removal from the class, but without reassignment to another class or program, for the remainder of the class period without sending the student to the principal or designee as provided in Education Code 48910. Removal from a particular class shall not occur more than once every five school days.

Referral means removal from classroom instruction for discipline reasons.

Expulsion means removal of a student from the immediate supervision and control, or the general supervision, of school personnel. (Education Code 48925)

Day means a calendar day unless otherwise specifically provided. (Education Code 48925)

School day means a day upon which the schools of the district are in session or weekdays during the summer recess. (Education Code 48925)

Student includes a student's parent/guardian or legal counsel. (Education Code 48925)

Principal's designee means one or more administrators or, if there is not a second administrator at one school site, a certificated person specifically designated by the principal, in writing, to assist with disciplinary procedures. Only one such person may be designated at any time as the principal's primary designee, and only one such person may be designated as secondary designee for the school year. The names of such persons shall be on file in the principal's office. (Education Code 48911)

School property, for the purposes described in Education Code 48900, includes, but is not limited to, electronic files and databases. (Education Code 48900(u))

The District database is the Aeries Student Information System.

Restorative Practices (RP) is a continuum of practices by which schools build community through circles and other activities, where students learn to use affective statements and the process where all stakeholders affected by an injustice have an opportunity to discuss how they have been affected by the injustice and to decide what should be done to repair the harm.

Positive Behavioral Interventions and Supports (PBIS) is a framework for providing a range of systemic and individualized strategies for achieving important academic and behavioral outcomes while preventing problem behaviors.

Social and Emotional Learning (SEL) is a process through which children and adults develop the fundamental skills for life effectiveness. The five SEL competencies are: self-awareness, self-management, social awareness, relationship skills, and responsible decision-making.

Multi Tiered System of Support (MTSS) is a way of organizing instruction and intervention to help all students. The goal of the multi-tiered framework is to provide high-quality instruction and supports based on student need. This framework helps educators by providing information (data) to identify students needing additional support (academic and behavioral) and also identify students who may need special education services. MTSS includes three levels (or tiers) of instruction. Each tier has a set of evidence-based practices to meet the instructional goals.

Tier 1

For MTSS, a school must first establish its Tier 1 or universal supports. Universal supports are the instructional practices that help all students in a school. Once the universal supports are in place, staff can use assessment data to determine which students need additional supports.

Tiers 2 and 3

The intensity and duration of supports increase for Tiers 2 and 3. The appropriate level of support for each student is determined by assessment data.

Grounds for Suspension and Expulsion

The following is a list of grounds for which suspension and expulsion may be permitted or shall be imposed subject to the

restrictions and requirements herein:

- Caused, attempted to cause, or threatened to cause physical injury to another person or willfully used force or violence upon another person, except in self-defense (Education Code 48900(a))
- A student who aids or abets the infliction or attempted infliction of physical injury on another person, as defined in Penal Code 31, may be suspended, but not expelled. However, such a student may be suspended or expelled pursuant to Education Code 48900(a) when he/she has been adjudged by a juvenile court to have committed, as an aider or abettor, a crime of physical violence in which the victim suffered great or serious bodily injury. (Education Code 48900(t))
- 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))
- 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))
- 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))
- Committed or attempted to commit robbery or extortion (Education Code 48900(e))
- Caused or attempted to cause damage to school property or private property (Education Code 48900(f))
- Stole or attempted to steal school property or private property (Education Code 48900(g))
- 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))
- Committed an obscene act or engaged in habitual profanity or vulgarity (Education Code 48900(i))
- Unlawfully possessed, offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Health and Safety Code 11014.5 (Education Code 48900(j))

As provided in California Education Code section 48900(k), no student enrolled in grades T-Kindergarten through third grade may be suspended or expelled for disrupting school activities or willfully defying the authority of school personnel ("disruption and willful defiance") and no student in TK-12 may be expelled for willful disruption or defiance.

Effective July 1, 2019, no student enrolled in grades T-Kindergarten through twelve (TK-12) grades may be suspended or expelled for disrupting school activities or willfully defying the authority of school personnel. The Board will review data regarding suspensions for defiance in Grades 4 through 12 in August 2019 and January 2020. If, based on review of the data, it appears further steps should be undertaken to meet the goal of eliminating suspensions for defiance by July 1, 2019, the Board will direct the Superintendent to implement such additional measures to achieve the goal of no suspensions for defiance by July 1, 2020.

- Knowingly received stolen school property or private property (Education Code 48900(l))
- 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))

- 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))
- 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))
- Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma (Education Code 48900(p))
- 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.

- 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.

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 (items #20-22 below), that has any of the effects described above on a reasonable student.

Electronic act means the transmission of a communication, 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.

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))

- 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)

A student in grades 4-12 is also subject to suspension or recommendation for expulsion when it is determined that he/she:

- 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)

- 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)

- 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)

A student may be suspended or expelled for any of the acts listed above if the act is related to school activity or school attendance occurring at any district school or within any other school district, at any time, including, but not limited to, the following: (Education Code 48900(s))

- While on school grounds
- While going to or coming from school
- During the lunch period, whether on or off the school campus
- During, going to, or coming from a school-sponsored activity

Teacher-Initiated Suspensions Pursuant to Section 48910

The Board desires the adoption of a Multi-Tiered System of Support which includes Positive Behavior Intervention Supports to facilitate a consistent approach for positive, pro-social behavior management (BP 5144). The District expects teachers to attempt interventions prior to initiating a suspension pursuant to Section 48910 except where suspension for a first offense is permitted or mandated by law, as described on pp. 8-9 below.

When removing a student from his/her class pursuant to Section 48910, 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 removed. (Education Code 48910)

The site administrator or designee shall ensure that site staff completed the following:

- The teacher completed the Teacher-Initiated Pupil Suspension Report and, starting in the 2019-20 school year, the office referral form.
- The teacher contacted the parent/guardian to request their participation in a parent-teacher conference regarding the suspension within 24 hours. 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)
- The site administrator or designee reviewed the office referral form and completed the in-school suspension form if warranted.
- The site administrator or designee contacted parent/guardian regarding the suspension.
- The site administrator or designee recorded the classroom interventions and referral in the District database.

A student suspended from class pursuant to Section 48910 shall not be returned to class during the period of suspension without the approval of the teacher of the class and the principal. (Education Code 48910)

A student suspended from class pursuant to Section 48910 shall not be placed in another regular class during the period of suspension. However, if a student is assigned to more than one class per day, he/she may be placed in any other regular classes except those held at the same time as the class from which the student was removed. (Education Code 48910)

The teacher of any class from which a student is suspended pursuant to Section 48910 shall require the student to complete any assignments and tests missed during the suspension. The school will monitor and address the educational needs of the student that arise due to the loss of instructional time. (Education Code 48913)

When suspending a student in Grades TK-3 from class for committing an obscene act or engaging in habitual profanity or vulgarity, the teacher of the class may require any parent/guardian who lives with the student to attend a portion of the school day in the class from which the student is being suspended, to assist in resolving the classroom behavior problems. (Education Code 48900.1) The teacher of the class may also require any parent/guardian who lives with the student to attend a portion of the school day in the class to assist in resolving classroom behavior problems.

When suspending a student in Grades 4-12 from class for committing an obscene act or engaging in habitual profanity or vulgarity, disrupting school activities, or otherwise willfully defying valid staff authority, the teacher of the class may require any parent/guardian who lives with the student to attend a portion of the school day in the class from which the student is being suspended, to assist in resolving the classroom behavior problems. (Education Code 48900.1)

When suspending a student in any grade from class for committing an obscene act, engaging in habitual profanity or vulgarity, the teacher of the class may require any parent/guardian who lives with the student to attend a portion of the school day in the class from which the student is being suspended, to assist in resolving the classroom behavior problems. (Education Code 48900.1) The teacher of the class may also require any parent/guardian who lives with the student to attend a portion of the school day in the class to assist in resolving classroom behavior problems.

Teachers should reserve the option of required parental attendance for cases in which they have determined that it is the best strategy to promote positive interaction between the teacher and the student and his/her parents/guardians and to improve the student's behavior.

Any teacher requiring parental attendance pursuant to this policy shall apply the policy uniformly to all students within the classroom. (Education Code 48900.1)

When a teacher makes this request, the principal shall send the parent/guardian a written notice that the parent/guardian's attendance is requested pursuant to law. (Education Code 48900.1)

The notice shall specify that the attendance may be on either the date the student is scheduled to return to class or within one week thereafter.

This notice shall also:

- Inform the parent/guardian when his/her presence is expected and by what means he/she may arrange an alternate date
- Ask the parent/guardian to meet with the principal after the visit and before leaving school, as required by Education Code 48900.1

At the meeting with the student's parent/guardian, the principal or designee shall explain the district's and school's discipline policies, including the disciplinary strategies that may be used to achieve proper student conduct.

When a parent/guardian does not respond to the request to attend school, the principal or designee shall contact him/her by telephone, mail, or other method that maintains the confidentiality of the student's records.

District regulations shall include procedures for implementing parental attendance requirements. Parents/guardians shall be notified of this policy prior to its implementation. (Education Code 48900.1)

Suspensions by Superintendent, Principal, or Designee

The Board does not support a zero tolerance approach to discipline except where mandated by law. Schools may not adopt zero tolerance policies that conflict with District discipline policies. The Board desires that schools will adopt, engage, and implement positive approaches to addressing problem behavior prior to initiating the suspension of a student.

Suspension for a first time offense is limited to certain serious offenses (listed below in permissible and mandatory categories) or where it can be documented that the presence of a student causes a danger to persons.

Defiance

As provided in California Education Code section 48900(k), no student enrolled in grades T-Kindergarten through third grade may be suspended or expelled for disrupting school activities or willfully defying the authority of school personnel ("disruption and willful defiance") and no student regardless of grade may be expelled for willful defiance or disruption.

Effective July 1, 2019, no student enrolled in grades T-Kindergarten through twelve (TK-12) grades may be suspended or expelled for disrupting school activities or willfully defying the authority of school personnel. Suspension and expulsion shall not be imposed for a violation of Education Code section 48900(k), including disruption of school activities or willful defiance. The District expects schools to develop appropriate interventions, for example, behavioral plans, restorative circles, or SEL groups for students who engage in a pattern of defiant behavior.

Defiance is when a student continues to disobey a school official, teacher, or administrator after having been taught the rules and expectations of the school and the student displays behavior that directly interferes with the rights of others to learn.

The Board will review data regarding suspensions for defiance in Grades 4 through 12 in August and January. If, based on review of the data, it appears further steps should be undertaken to meet the goal of eliminating suspensions for defiance, the Board will direct the Superintendent to implement such additional measures to achieve the goal of no suspensions for defiance by July 1, 2020.

Discipline and Intervention Matrix for Administrators

Attached to this Administrative Regulation is the discipline and intervention matrix aligned to the District's Multi-Tiered System of Support framework that models a progressive and holistic approach to discipline. As provided in the Board Policy, each school is responsible for adopting strategies, programs, and interventions within this framework to facilitate a positive approach to behavior management. Even if suspension is appropriate, administrators must first consider whether other interventions should be used.

Except where suspension for a first offense is permitted or mandatory (as described above), in-school and out-of-school suspension and other sanctions that result in a student's loss of instruction shall only be imposed when the principal or designee has determined that other means of correction that are consistent with District policies and procedures have failed to bring about proper conduct. (Education Code 48900.5)

As described in AR 5144, interventions and other alternatives to suspension should be attempted and evaluated prior to referral from the classroom. In addition, the principal or designee shall document the other means of correction used and retain them in the student's record. (Education Code 48900.5)

The Principal or designee shall complete the suspension form and record the suspension in the District's database.

The Superintendent, principal, or designee may suspend a student from school for not more than five consecutive school days unless the suspension is extended pending expulsion. (Education Code 48911)

A student may be suspended from school for not more than 20 school days in any school year unless, for purposes of adjustment, the student enrolls in or is transferred to another regular school, an opportunity school, or continuation school or class, in which case suspension shall not exceed 30 days in any school year. However, this restriction on the number of days of suspension does not apply when the suspension is extended pending an expulsion. (Education Code 48903, 48911, 48912)

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)

Suspensions shall be initiated according to the following procedures:

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 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. 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)

Administrative Actions: All requests for student suspension are to be processed by the principal or designee. All suspensions shall be recorded in the District database. 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)

Notice to Parents/Guardians: At the time of the suspension, a school employee shall make a reasonable effort to contact the parent/guardian by telephone or in person. Whenever a student is suspended, the parent/guardian shall be notified in writing of the suspension. (Education Code 48911)

This notice shall state the specific offense committed by the student. (Education Code 48900.8)

In addition, the notice may state the date and time when the student may return to school. If school officials wish to ask the parent/guardian to confer regarding matters pertinent to the suspension, the notice may add that state law requires the parent/guardian to respond to such requests without delay.

Parent/Guardian Conference: Whenever a student is suspended, school officials may meet 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)

Although the parent/guardian is required to respond without delay to a request for a conference about his/her child's behavior, 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 readmission solely because the parent/guardian failed to attend the conference. (Education Code 48911)

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 Principal may, in writing, extend the suspension until such time as the Board has made a decision. (Education Code 48911)

Any extension of the original period of suspension shall be preceded by notice of such extension with an offer to hold a conference concerning the extension, giving the student an opportunity to be heard. This conference may be held in conjunction with a meeting requested by the student or parent/guardian to challenge the original suspension. Extension of the suspension may be made only if

the Superintendent or Principal determines, following a meeting in which the student and the student's parent/guardian were invited to participate, that the student's presence at the school or at an alternative school would endanger persons or property or threaten to disrupt the instructional process. (Education Code 48911)

If the student involved is a foster youth, the Superintendent or designee shall notify the district liaison for foster youth of the need to invite the student's attorney and a representative of the appropriate county child welfare agency to attend the meeting. (Education Code 48853.5, 48911, 48918.1)

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.

The student shall be responsible for contacting the school to receive assignments to be completed during the period of the suspension. The school shall make available all assignments and tests that the student will miss while suspended.

Suspension by the Board

The Board may suspend a student for any of the acts listed in "Grounds for Suspension and Expulsion" above and within the limits specified in "Suspensions by Superintendent, Principal, or Designee" above. (Education Code 48912)

The Board may suspend a student enrolled in a continuation school or class for a period not longer than the remainder of the semester if any of the acts listed in "Grounds for Suspension and Expulsion" occurred. The suspension shall meet the requirements of Education Code 48915. (Education Code 48912.5)

When the Board is considering a suspension, disciplinary action, or any other action (except expulsion) against any student, it shall hold a closed session if a public hearing would lead to disclosure of information violating a student's right to privacy under Education Code 49073-49079. (Education Code 35146, 48912)

The Board shall provide the student and his/her parent/guardian with written notice. Upon receiving this notice, the student or parent/guardian may request a public meeting, and this request shall be granted if made in writing within 48 hours after receipt of the Board's notice. However, any discussion that conflicts with any other student's right to privacy still shall be held in closed session. (Education Code 35146, 48912)

Supervised Suspension Classroom

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 a supervised suspension classroom in a separate classroom, building, or site for the entire period of suspension. The following conditions shall apply: (Education Code 48911.1)

The supervised suspension classroom shall be staffed in accordance with law and by certificated employees.

The student shall have access to appropriate counseling services.

The supervised suspension classroom shall promote completion of schoolwork and tests missed by the student during the suspension.

The student shall be responsible for contacting his/her teacher(s) to receive assignments to be completed in the supervised suspension classroom except where otherwise set out in the student's Individualized Education Program (IEP) or Section 504 plan. 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.

The Principal or designee shall complete the in-school suspension form and record the suspension in the District's database.

At the time a student is assigned to a supervised suspension classroom, the principal or designee shall notify the student's parent/guardian in person or by telephone. When the assignment is for longer than one class period, this notification shall be made in writing. (Education Code 48911.1)

Involuntary Transfer

The District may not involuntarily transfer a student in Grades TK- 3rd grade to another school based on a finding of disruption of school activities or willful defiance of the authority of school personnel (California Education Code section 48900(k)).

Effective July 1, 2019, the District may not involuntarily transfer a student to another school based on a finding of disruption of school activities or willful defiance of the authority of school personnel (California Education Code section 48900(k)).

Involuntary transfers may only occur following a recommendation for expulsion and after a hearing before the District's Disciplinary Hearing Panel (DHP) consistent with the requirements in Education Code section 48918 and the notice and hearing procedures set forth below for expulsions. In addition, an involuntary transfer to a continuation school must be made pursuant to Education Code section 48432.5.

Expulsions

The Board shall expel, as required by law, any student found to have committed any offense listed below under "Mandatory Recommendation and Mandatory Expulsion" (see page 13). (Education Code 48915)

For all other grounds listed under "Grounds for Suspension and Expulsion," the Board shall order a student expelled upon the recommendation of the Superintendent, principal, or designee only if the Board makes a finding of either or both of the following: (Education Code 48915(b) and (e))

- That other means of correction have repeatedly failed to bring about proper conduct
- 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

Authority to Expel

A student may be expelled only by the Board. (Education Code 48918(j))

The Board shall expel, as required by law, any student found to have committed any offense listed below under "Mandatory Recommendation and Mandatory Expulsion." (Education Code 48915)

For all other grounds listed above under "Grounds for Suspension and Expulsion," the Board shall order a student expelled upon the recommendation of the Superintendent, principal, or designee, only if the Board makes a finding of either or both of the following: (Education Code 48915(b) and (e))

- That other means of correction are not feasible or have repeatedly failed to bring about proper conduct
- 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

Recommendation for Expulsion Expected Unless It Is Not Appropriate or Alternative Means of Correction Would Address the Conduct

Unless the Superintendent, principal, or designee 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(a))

- Causing serious physical injury to another person, except in self-defense

- Possession of any knife as defined in Education Code 48915(g), explosive, or other dangerous object of no reasonable use to the student
- 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
- Robbery or extortion
- 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)

Mandatory Recommendation and Mandatory Expulsion

The Superintendent, principal, or designee shall recommend that the Board expel any student found at school or at a school activity to be: (Education Code 48915(c))

Possessing, as verified by a district employee, selling, or otherwise furnishing a firearm.

Possession of an imitation firearm, as defined in Education Code 48900(m), shall not be regarded as an offense requiring a mandatory recommendation for expulsion and mandatory expulsion. However, an administrator shall have discretion on a case-by-case basis to recommend expulsion for the possession of an imitation firearm.

Brandishing a knife as defined in Education Code 48915(g) at another person

Unlawfully selling a controlled substance listed in Health and Safety Code 11053-11058

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

Possessing an explosive as defined in 18 USC 921

Upon finding that the student committed any of the above acts, the Board shall expel the student. (Education Code 48915)

Student's Right to Expulsion Hearing

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 one of the acts listed above under "Grounds for Suspension and Expulsion." (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))

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)

Receive five days' notice of his/her scheduled testimony at the hearing

Have up to two adult support persons of his/her choosing present at the hearing at the time he/she testifies

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)

The rights of a complaining witness are further outlined in Administrative Regulation 5145.7 (Sexual Harassment).

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))

- The date and place of the hearing.
- A statement of the specific facts, charges, and offense upon which the proposed expulsion is based.
- A copy of district disciplinary rules which relate to the alleged violation.
- 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).
- 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 advisor.

Legal counsel means an attorney or lawyer who is admitted to the practice of law in California and is an active member of the State Bar of California.

Nonattorney advisor means an individual who is not an attorney or lawyer, but who is familiar with the facts of the case and has been selected by the student or student's parent/guardian to provide assistance at the hearing.

- The right to inspect and obtain copies of all documents to be used at the hearing.
- The opportunity to confront and question all witnesses who testify at the hearing.
- 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

At least 10 days prior to a hearing to determine if a student who is a foster youth as defined under Education Code 48853.5 should be expelled for an offense not requiring a mandatory recommendation for expulsion, the Superintendent or designee shall notify the student's attorney and a representative of an appropriate county child welfare agency. If the hearing is pursuant to an offense requiring a mandatory expulsion recommendation, the Superintendent or designee may provide the same notification. The notice shall be provided by the most cost-effective method possible, including by email or a telephone call. (Education Code 48918.1)

Conduct of Expulsion Hearing

Closed Session: Notwithstanding the provisions of Government Code 54953 and Education Code 35145, the Board shall conduct a hearing to consider the expulsion of the student in a session closed to the public unless the student requests in writing at least five days prior to the hearing that the hearing be a public meeting. If such a request is made, the meeting shall be public unless another student's privacy rights would be violated. (Education Code 48918(c))

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))

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))

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))

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" 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.

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)

- Any complaining witness shall be given five days' notice before being called to testify.
- Any complaining witness shall be entitled to have up to two adult support persons, including, but not limited to, a parent/guardian or legal counsel, present during his/her testimony.
- Before a complaining witness testifies, support persons shall be admonished that the hearing is confidential.
- The person presiding over the hearing may remove a support person whom he/she finds is disrupting the hearing.
- If one or both support persons are also witnesses, the hearing shall be conducted in accordance with Penal Code 868.5.

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.

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.

The district shall provide a room separate from the hearing room for the use of the complaining witness before and during breaks in testimony.

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.

The person conducting the hearing may:

- Arrange the seating within the hearing room so as to facilitate a less intimidating environment for the complaining witness
- 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
- Permit one of the support persons to accompany the complaining witness to the witness stand

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. Alternatively, the Board may appoint an impartial administrative panel composed of three or more certificated personnel, none of whom shall be members of the Board or on the staff of the school in which the student is enrolled. (Education Code 48918(d))

A hearing conducted by the hearing officer or administrative panel shall conform to the same procedures applicable to a hearing conducted by the Board as specified above in "Conduct of Expulsion Hearing," including the requirement to issue its 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 expulsion referral was made, unless the parent, guardian, or responsible adult of the pupil requests another school placement in writing. Before the placement decision is made by the parent, guardian, or responsible adult, the superintendent of schools or the superintendent's designee shall consult with school district personnel, including the pupil's teachers, and the parent, guardian, or responsible adult regarding any other school placement options for the pupil in addition to the option to return to his or her classroom instructional program from which the expulsion referral was made. If the hearing officer or administrative panel finds that the pupil committed any of the acts specified in subdivision (c) of Section 48915, but does not recommend expulsion, the pupil shall be immediately reinstated and may be referred to his or her prior school or another comprehensive school, or, pursuant to the procedures set forth in Section 48432.5, a continuation school of the school district. The decision not to 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 for a period of one year. (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, the final action to expel shall be taken by the Board at a public meeting. (Education Code 48918(j))

If the Board conducts the hearing and reaches a decision not to expel, this decision shall be final and the student shall be reinstated immediately.

Upon ordering an expulsion, the Board shall set a date when the student shall be reviewed for readmission to a school within the district. For a student expelled for 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)

- Periodic review, as well as assessment at the time of review, for readmission
- 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:

- The specific offense committed by the student for any of the causes for suspension or expulsion listed above under "Grounds for Suspension and Expulsion" (Education Code 48900.8)
- The fact that a description of readmission procedures will be made available to the student and his/her parent/guardian (Education Code 48916)
- Notice of the right to appeal the expulsion to the County Board of Education (Education Code 48918)
- Notice of the alternative educational placement to be provided to the student during the time of expulsion (Education Code 48918)
- Notice of the student's or parent/guardian's obligation to inform any new district in which the student seeks to enroll of the student's status with the expelling district, pursuant to Education Code 48915.1 (Education Code 48918)

Decision Not to Enforce Expulsion Order

In accordance with Board policy, when deciding whether to suspend the enforcement of an expulsion order, the Board shall take into account the following criteria:

- The student's pattern of behavior
- 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:

- 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)
- During the period when enforcement of the expulsion order is suspended, the student shall be on probationary status. (Education Code 48917)
- The suspension of the enforcement of an expulsion order may be revoked by the Board if the student commits any of the acts listed under "Grounds for Suspension and Expulsion" above or violates any of the district's rules and regulations governing student conduct. (Education Code 48917)
- 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)

- 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)

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))

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)

Right to 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)

The student shall submit 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 furnishment 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)

Post-Expulsion Placements

The Board shall refer expelled students to a program of study that is: (Education Code 48915, 48915.01)

- Appropriately prepared to accommodate students who exhibit discipline problems
- Not provided at a comprehensive middle, junior, or senior high school or at any elementary school, unless the program is offered at a community day school established at such a site
- Not housed at the school site attended by the student at the time of suspension

When the placement described above is not available and when the County Superintendent so certifies, students expelled for acts described in items #6-13 and #20-22 under "Grounds for Suspension and Expulsion" 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

Readmission procedures shall be as follows:

- On the date set by the Board when it ordered the expulsion, the district shall consider readmission of the student. (Education Code 48916)
- 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.
- The Superintendent or designee shall transmit to the Board his/her recommendation regarding readmission. The Board shall consider this recommendation in closed session if information would be disclosed in violation of Education Code 49073-49079. If a written request for open session is received from the parent/guardian or adult student, it shall be honored.
- 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.

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)

If the Board denies the readmission of a student, the Board shall determine either to continue the student's placement in the alternative educational program initially selected or to place the student in another program that serves expelled students, including placement in a county community school. (Education Code 48916)

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 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)

Outcome Data

The Superintendent or designee shall maintain the following data and report such data annually to the California Department of Education, using forms supplied by the California Department of Education: (Education Code 48900.8, 48916.1)

- The number of students recommended for expulsion
- The specific grounds for each recommended expulsion
- Whether the student was subsequently expelled
- Whether the expulsion order was suspended
- The type of referral made after the expulsion
- The disposition of the student after the end of the expulsion period

Public Reporting of Discipline Data

The Superintendent or designee shall ensure that the following data is publicly available on the District's public website twice annually, within 60 days after the completion of each semester:

- The aggregate number and rates of office referrals, teacher suspensions, supervised in-school and out-of-school suspensions, involuntary transfers, expulsion referrals, expulsions, on-campus citations, school-based arrests, and four-year graduation and drop-out rates, disaggregated by all subgroups, including race, gender, ethnicity, English Language Learner status, socio-economic status, foster youth, homeless youth, and disability and by offense for the district and by school-site.
- The number of instructional days and ADA funding lost to suspensions, transfers, and expulsions.
- The school sites to which students were transferred after the Disciplinary Review Hearing procedure or through any involuntary transfer process, whether they enrolled subsequently, and the outcomes for such students, including, but not limited to, graduation and drop-out rates.

In reporting such data, the privacy of individual students and teachers shall be protected. Data will not be disaggregated in any manner that could reveal student identity to the public or to knowledgeable members of the school community. The data shall be reported for the district as a whole and for each school-site.

The procedures shall also include requirements that appropriate district and school officials regularly review this data and take action to address disparities or disproportionate use of punitive discipline measures for particular subgroups.

Expungement of Student Disciplinary Records

As provided in Board Policy 5144.3, a student, parent, guardian, appointed advocate on behalf of the student, or Superintendent on behalf of a student may apply for expungement of student disciplines record which meet the criteria set forth in BP 5144.3.

(D) Procedures to Notify Teachers of Dangerous Pupils (EC 49079)

Notice Regarding Student Offenses

When a student commits certain offenses that may endanger staff or others, the following procedures shall be implemented to notify staff members as appropriate:

Acts That Are Grounds for Suspension or Expulsion

The Superintendent or designee shall inform the teacher(s) of each student who, during the previous three school years, has engaged in or is reasonably suspected to have engaged in any act, except the possession or use of tobacco products, that would constitute a ground for suspension or expulsion as specified in AR 5144.1 - Suspension and Expulsion/Due Process. This information shall be based upon district records maintained in the ordinary course of business or records received from a law enforcement agency. (Education Code 49079)

Upon receiving a transfer student's record regarding acts committed by the student that resulted in suspension or expulsion, the Superintendent or designee shall inform the student's teacher(s) that the student was suspended from school or expelled from the former district and of the act that resulted in the suspension or expulsion. (Education Code 48201)

Information received by teacher(s) shall be received in confidence for the limited purpose for which it was provided and shall not be further disseminated by the teacher. (Education Code 48201, 49079)

Offenses Reported to the District by a Court

When informed by a court that a minor student has been found by the court to have committed any felony or any misdemeanor involving curfew, gambling, alcohol, drugs, tobacco products, carrying of weapons, a sex offense listed in Penal Code 290, assault or battery, larceny, vandalism, or graffiti, the Superintendent or designee shall expeditiously notify the school principal. (Welfare and Institutions Code 827)

The principal shall expeditiously disseminate this information to any counselor who directly supervises or reports on the student's behavior or progress and to any teacher or administrator directly supervising or reporting on the student's behavior or progress whom the principal thinks may need the information in order to work with the student appropriately, avoid being needlessly vulnerable, or protect others from vulnerability. (Welfare and Institutions Code 827)

Any court-initiated information that a teacher, counselor, or administrator receives shall be kept confidential and used only to rehabilitate the student and protect other students and staff. The information shall be further disseminated only when communication with the student, parent/guardian, law enforcement staff, and probation officer is necessary to rehabilitate the student or to protect students and staff. (Welfare and Institutions Code 827)

When a student is removed from school as a result of an offense, the Superintendent shall hold the court's information in a separate confidential file until the student is returned to the district. If the student is returned to a different district, the Superintendent shall transmit the information provided by the student's parole or probation officer to the superintendent of the new district of attendance. (Welfare and Institutions Code 827)

Any confidential file of court-initiated information shall be kept until the student becomes 18, graduates from high school, or is released from juvenile court jurisdiction, whichever occurs first, and shall then be destroyed. (Welfare and Institutions Code 827)

In order to maintain confidentiality when providing information about student offenses to a counselor or teacher, the principal or designee shall send the staff member a written notification that a student has committed an offense that requires review of a student's file in the school office. This notice shall not name or otherwise identify the student. The staff member shall initial the notification and shall also initial the student's file when reviewing it in the school office.

(E) Sexual Harassment Policies (EC 212.6 [b])

Definitions

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, regardless of whether or not the conduct is motivated by sexual desire. Conduct is considered to be sexual harassment when made against another person of the same or opposite sex in the work or educational setting under any of the following conditions: (Education Code 212.5; Government Code 12940; 2 CCR 11034)

- Submission to the conduct is made explicitly or implicitly a term or condition of the individual's employment.
- Submission to or rejection of the conduct is used as the basis for an employment decision affecting the individual.
- The conduct has the purpose or effect of having a negative impact upon the individual's work performance or of creating an intimidating, hostile, or offensive work environment.
- 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. For purposes of applying the complaint procedures specified in Title IX of the Education Amendments of 1972, sexual harassment is defined as any of the following forms of conduct that occurs in an education program or activity in which a district school exercises substantial control over the context and respondent: (34 CFR 106.30, 106.44)
- A district employee conditioning the provision of a district aid, benefit, or service on the student's participation in unwelcome sexual conduct
- Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the district's education program or activity

Sexual assault, dating violence, domestic violence, or stalking as defined in 20 USC 1092 or 34 USC 12291

Examples of Sexual Harassment

Examples of actions that might constitute sexual harassment under state or federal law in accordance with the definitions above, in the work or educational setting, whether committed by a supervisor, a co-worker, or a non-employee, include, but are not limited to:

- 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
- Unwelcome visual conduct such as drawings, pictures, graffiti, or gestures; sexually explicit emails; displaying sexually suggestive objects
- 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

Title IX Coordinator/Compliance Officer

The district designates the following individual(s) as the responsible employee(s) to coordinate its efforts to comply with Title IX of the Education Amendments of 1972 in accordance with AR 4119.12/4219.12/4319.12 - Title IX Sexual Harassment Complaint Procedures, as well as to oversee, investigate, and resolve sexual harassment complaints processed under AR 4030 - Nondiscrimination in Employment.

The Title IX Coordinator(s) may be contacted at:

Asst. Superintendent of Educational Services
2060 Challenger Drive
Alameda, CA 94501
(510) 337-7095
kzazo@alamedaunified.org

Training

Every two years, the Superintendent or designee shall ensure that supervisory employees receive at least two hours, and nonsupervisory employees receive at least one hour, of classroom or other effective interactive training and education regarding sexual harassment. All newly hired employees and employees promoted to a supervisory position 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)

Such training may be completed by employees individually or as part of a group presentation, may be completed in shorter segments as long as the applicable hourly requirement is met, and may be provided in conjunction with other training provided to the employees. The training shall be presented by trainers or educators with knowledge and expertise in the prevention of harassment, discrimination, and retaliation. (Government Code 12950.1)

The district's sexual harassment training and education program shall include, but is not limited to, the following: (Government Code 12950.1; 2 CCR 11024)

- Information and practical guidance regarding federal and state laws concerning the prohibition, prevention, and correction of sexual harassment
- The types of conduct that constitute sexual harassment
- Remedies available for victims in civil actions, and potential employer/individual exposure/liability
- Strategies to prevent harassment in the workplace

- Supervisors' obligation to report sexual harassment, discrimination, and retaliation of which they become aware
- 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
- The limited confidentiality of the complaint process
- Resources for victims of unlawful harassment, such as to whom they should report any alleged harassment
- Steps necessary to take appropriate remedial measures to correct harassing behavior, which includes the district's obligation to conduct an effective workplace investigation of a harassment complaint
- What to do if the supervisor is personally accused of harassment
- The essential elements of the district's anti-harassment policy, and how to use the policy if a harassment complaint is filed

Employees shall receive a copy of the district's sexual harassment policy and administrative regulations, which they shall read and acknowledge that they have received. Information, including practical examples, of harassment based on gender identity, gender expression, and sexual orientation. Prevention of abusive conduct, including a review of the definition and elements of abusive conduct pursuant to Government Code 12950.1, the negative effects that abusive conduct has on the victim and other in the workplace, the detrimental consequences of this conduct on employee productivity and morale, and that a single act does not constitute abusive conduct unless the act is severe or egregious.

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

The Superintendent or designee shall notify employees that the district does not discriminate on the basis of sex as required by Title IX, that the Title IX nondiscrimination requirement extends to employment, and that inquiries about the application of Title IX to the district may be referred to the district's Title IX Coordinator and/or to the Assistant Secretary for Civil Rights, U.S. Department of Education. (34 CFR 106.8)

The district shall notify employees, bargaining units, and applicants for employment of the name or title, office address, email address, and telephone number of the district's Title IX Coordinator. (34 CFR 106.8)

A copy of the Board policy and this administrative regulation shall:

- 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 (Education Code 231.5)
- 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 (Education Code 231.5)
- Appear in any school or district publication that sets forth the school's or district's comprehensive rules, regulations, procedures, and standards of conduct (Education Code 231.5)
- Be posted, along with the name or title and contact information of the Title IX Coordinator, in a prominent location on the district's web site (34 CFR 106.8)

- Be included, along with the name or title and contact information of the Title IX Coordinator, in any handbook provided to employees or employee organizations (34 CFR 106.8)

All employees shall receive a copy of an information sheet prepared by the California Department of Fair Employment and Housing (DFEH) or the district that contains, at a minimum, components on: (Government Code 12950)

- The illegality of sexual harassment
- The definition of sexual harassment under applicable state and federal law
- A description of sexual harassment, with examples
- The district's complaint process available to the employee
- The legal remedies and complaint process available through DFEH and the Equal Employment Opportunity Commission (EEOC)
- Directions on how to contact DFEH and the EEOC

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, the DFEH poster on discrimination in employment and the illegality of sexual harassment and the DFEH poster regarding transgender rights. (Government Code 12950)

Complaint Procedures

All complaints and allegations of sexual harassment by and against employees shall be investigated and resolved in accordance with law and district procedures. The Title IX Coordinator shall review the allegations to determine the applicable procedure for responding to the complaint. All complaints that meet the definition of sexual harassment under Title IX shall be investigated and resolved in accordance with AR 4119.12/4219.12/4319.12 - Title IX Sexual Harassment Complaint Procedures. Other sexual harassment complaints shall be investigated and resolved pursuant to AR 4030 - Nondiscrimination in Employment.

If sexual harassment is found following an investigation, the Title IX Coordinator, or designee in consultation with the Coordinator, shall take prompt action to stop the sexual harassment, prevent recurrence, and address any continuing effects.

(F) School-wide Dress Code Relating to Gang-Related Apparel (EC 35183)

Basic Principles:

All students are encouraged to dress in a manner that is comfortable and conducive to an active school day.

Students should be able to wear clothing without fear of or actual unnecessary discipline or body shaming.

The student dress code should serve to support all students to develop a body-positive self-image.

All items listed in the "must wear" and "may wear" categories below must meet these basic principles.

Students MUST Wear:

- Top
- Bottom
- Shoes

Clothing that covers specific body parts (genitals, buttocks, and areolae/nipples) with opaque material. Courses or specific class activities that include attire as part of the curriculum may include assignment-specific dress, but should not focus on covering students' bodies or promoting culturally-specific attire. Activity specific shoe requirements are permitted (Examples include but are not limited to physical education and shop class).

Students MAY Choose to Wear:

- Sun-protective clothing, including but not limited to hats, for outdoor use during the school day. (Education Code 35183.5)
- Hats, including religious headwear
- Hooded shirts/jackets (over head is allowed)*

Teachers may direct students to remove/adjust the position of hats/hoods over the head in class during the administration of a test/exam, to address headphone/earbud use issues, or to enable visual identification of a student's face. This does NOT apply to any headwear worn for religious reasons.

Students CANNOT Wear:

- Clothing that includes violent language or images
- Clothing that includes images or language depicting drugs or alcohol (or any illegal item or activity) or the use of same
- Clothing that includes hate speech, profanity, pornography
- Clothing that includes images or language that create a hostile or intimidating environment based on any protected class
- Visible underwear or bathing suits of similar design - Visible waistbands or straps on undergarments worn under other clothing are not a violation
- Helmets, hoods, or other headgear that obscures a student's identity (except as a religious observance).

A student's face must be clearly visible when taking their school photo for identification purposes. This may require the removal of a hood and/or hat. No grade of a student participating in a physical education class shall be adversely affected if the student does not wear standardized physical education apparel because of circumstances beyond the student's control. (Education Code 49066)

Training and Enforcement:

- All staff should be trained to understand the purpose/spirit of the code, the actual code, and how to enforce with the least impact on student learning and self-confidence.
- All staff must enforce the district dress code consistently, once it is adopted. All staff should not have discretion to vary the requirements in ways that lead to discriminatory enforcement.
- All staff should be trained and able to use student/body-positive language to explain the code and to address code violations.
- Enforcement should be consistent with a school's overall discipline plan. Failure to comply with the student dress code should be enforced consistently with comparable behavior and conduct violations, including access to a student advocate or ombudsperson and appeals process.

- Enforcement for students should be limited to safety and non-violence/non-discrimination and will not include messages based on body maturity.
- Violations should be treated as minor on the continuum of school rule violations.
- Students should never be removed from a classroom for a dress code violation unless they are violating the 'Students Cannot Wear' and 'Students MUST Wear' sections of the dress code. Loss of class time should be avoided or kept to a minimum.
- Students should never be forced to wear extra school clothing (that isn't their own) when they are in violation of the code. Students should be presented with a variety of options to rectify the situation. This could include but is not limited to: personal on-site clothing, school-offered clothing, and delivery of alternate clothing.
- Parents/guardians should never be called during the school day to bring alternative clothing for the student to wear for the remainder of the day unless by student request.
- No student should be disproportionately affected by dress code enforcement because of gender, race, body size, or body maturity.
- Students should not be shamed or required to display their body in front of others (students, parents, or staff) in school. "Shaming" includes but is not limited to kneeling or bending over to check attire fit, measuring/commenting on straps, skirt length, or cleavage, asking students to account for their attire in the classroom, and directing students to correct a dress code violation during instructional time.

Evaluation:

The Superintendent or designee shall annually review the effectiveness of this policy and determine, as appropriate, if any further review or revision is required.

Gang-Related Apparel

At individual schools that have a dress code prohibiting gang-related apparel at school or school activities, the principal, staff, and parents/guardians participating in the development of the school safety plan shall define "gang-related apparel" and shall limit this definition to apparel that reasonably could be determined to threaten the health and safety of the school environment if it were worn or displayed on a school campus. (Education Code 32282)

Because gang-related symbols are constantly changing, definitions of gang-related apparel shall be reviewed at least once each semester and updated whenever related information is received. As necessary, the school shall collaborate with law enforcement agencies to update definitions of gang-related apparel.

Uniforms

In schools that require a schoolwide uniform, the principal, staff, and parents/guardians of the school shall jointly select the specific uniform to be worn. (Education Code 35183)

At least six months before a school uniform policy is implemented, the principal or designee shall notify parents/guardians of this policy. (Education Code 35183)

Parents/guardians shall also be informed of their right to have their child exempted.

The Superintendent or designee shall establish criteria for determining student eligibility for financial assistance when purchasing uniforms.

Students who participate in a nationally recognized youth organization shall be allowed to wear organization uniforms on days when the organization has a scheduled meeting. (Education Code 35183)

(G) Procedure for Safe Ingress and Egress of Pupils, Parents, and Staff to and from School (EC 35294.2)

EVACUATION PROCEDURES

EVACUATION ALARM SYSTEM

A crisis or emergency may warrant an evacuation of the school building(s). Once notified of an emergency situation, the Incident Commander, will carry out the initial response actions delineated in the Emergency Preparedness and Crisis Response Plan. In consultation with members of the Incident Command Team, the principal will determine whether an evacuation is warranted or is the safest action given the character of the emergency. Incident Command Team members will immediately assume their designated response duties as activated by the Incident Commander. The Disaster Response Officer will ensure, during the evacuation itself, that all evacuation assistance personnel are operative and performing their respective duties as assigned. When a decision is made to evacuate, the Assembly /Shelter and Care Team leader will immediately report to the assembly area and inspect the area for hazards. The Assembly /Shelter and Care Team leader will notify the Disaster Response Officer immediately if the area is safe. If not, the Assembly /Shelter and Care Team will advise that the evacuation be done to the alternate assembly location. This evacuation may be a partial evacuation of only portions of the building in a localized emergency [e.g., a small chemical spill] or it may be a general evacuation of all building. When an evacuation is ordered, students and staff will be notified according to the site's Preparedness and Crisis Response REMS packet. If deemed appropriate and safe, the school's fire alarm will sound in the event of a general building evacuation. If neither mechanical system is operable, the Incident Commander will utilize office, custodial or student personnel to notify classrooms of the need to evacuate.

COORDINATING THE EVACUATION

Upon receiving the order to evacuate, staff will assume their designated positions in the school. They will then monitor the evacuation procedures and assure that all persons have left the building. Staff are also responsible to ensure that all disabled persons in the building are assisted as necessary.

1. Take emergency backpack, and attendance information.
2. Teachers evacuate with current class. If evacuation occurs outside of a class period: Return to previous class
3. Upon exit lock door to indicate room is all clear and lock door. Keep unlocked if victim is inside.
4. Check with buddy teacher. Assist/evacuate both classes if needed.
5. If on prep or don't have a class: move to nearest evacuation area and assist
6. Check common areas while evacuating.
7. Evacuate to primary location via assigned route, adjust as needed.
8. At evacuation location, line up, and take attendance.
9. List missing students on Share 911
10. Stay with class unless you are released to assume other duties.
11. Release from drill will be PA announcement/bell
12. Communicate with your students and maintain control.

EVACUATION ASSEMBLY AREAS

When ordered to evacuate, students and staff will follow the evacuation route prescribed for their respective areas and exit the building in an orderly and controlled manner. Any volunteers or visitors to the classroom should be advised to go with the classroom to the assembly area. ALL students and staff must report to the assembly area and remain there until the Incident Command Team, via the Assembly/Shelter and Care Team, notifies them it is clear to return to the building. Under no circumstances are students to leave the area unless released by the teacher in strict accordance with the school's Student Release Procedures as outlined in the site's Preparedness and Crisis Response Cliff Notes. This will not be done unless it is authorized by the Incident Command Team. Teachers MUST take a head count of all persons under their care to ensure that all students, volunteers and visitors are present. This will be reported to the Assembly /Shelter and Care Team as outlined in the site's Preparedness and Crisis Response Cliff Notes.. If someone is deemed missing, the teacher is to immediately report this fact to the Assembly /Shelter and Care Team as outlined in the site's Preparedness and Crisis REMS packet.

ACCESS CONTROL PERSONNEL

Whenever an evacuation is called, the designated Security/Traffic response team (designated prior to an emergency) will automatically assume duties as traffic controllers to prevent unauthorized public vehicles or persons access to the school campus and building(s). They will function according to the duties delineation shown in the Emergency Preparedness and Crisis Response Plan.

STUDENT EARLY DISMISSAL AND EMERGENCY SCHOOL CLOSURE

During school hours, all students are considered under the care and supervision of school staff. In all circumstances, and especially in the event of emergency incidents or circumstances, the safety of the students and the school staff is of paramount importance. All actions taken shall bear in mind the safety and well-being of both students and school employees. Thus, in the event of a major emergency incident or disaster during school hours, school will not be dismissed without the expressed and clear authorization of the District Superintendent or a designee, and children will remain under the supervision of school authorities. Students will only be released from school and District responsibility in strict accordance with the procedures outlined in the District's Early Release Policy as described below. Parents/guardians or designated emergency contacts who come to the school to pick up students must properly identify themselves in order for their children to be released.

RELEASE OF STUDENTS FROM SCHOOL

AUSD and this school want to reunite parents with their children at the earliest time possible after an emergency situation or major disaster event. However, if it is not possible for parents to pick up their children or make arrangements for others to do so, students will be held at the school or other area until such time as they can be safely released. Each year the school will notify all parents of the procedure for reuniting parents with children in the event of an emergency at school. Parents are encouraged to print out and complete data confirmation each year and update their emergency contacts. In the event students are held at a school, they may be released only to the student's own parent(s) or a person authorized beforehand by the parent. As a part of annual registration, sites collect emergency contact information in AERIES. From AERIES, Emergency Cards shall be printed and used for this purpose. It is recommended sites print copies for teachers to have on hand in their emergency packs along with roll information. Office shall also print out the Emergency Student List or Emergency Cards and Parents or others must check with this school's Student Release team at the emergency Student Release Location prior to pick up of their children. Teachers will release students according to the procedure outlined under the Emergency Student Release Procedures described below.

EMERGENCY RELEASE PLAN PROCEDURES

Teachers will utilize the following procedures to properly release students from their care to a parent, legal guardian or person authorized in writing to pick up the student:

1. At time of emergency, students remain with their current classes. Teacher takes roll on an Accountability Form and await direction from Incident Commander via Student Release team.
2. Incident Command will communicate with district office for dismissal directive. Students will report to (first period or other) classes, upon Student Release team directive.
3. Students will be released only to authorized adults listed on the Emergency Card or Emergency Student List. Adults picking up students must sign Student Release Log and indicate destination. Unless otherwise directed by Incident Commander via Student Release officer, a runner takes message to teacher with name of student being released and name of adult picking up student. Teacher double-checks sign-out sheet, stamps/marks student and releases.
4. Students may go home with people listed on Emergency Card or Emergency Student List if parent can't be reached.
5. Periodically, as students are released, remaining students will be consolidated.
7. Teacher takes attendance after each consolidation, informs Assembly/Shelter and Care team as well as the Student Release team, and keeps all documentation.

(H) A Safe and Orderly School Environment Conducive to Learning (EC 35294.2)

Component:

Component I: The Social Climate, People, and Programs

Element:

Identify proposed changes to or the addition of curriculum, strategies and programs that ensure a safe and orderly environment.

Opportunity for Improvement:

Goal: Utilize PBIS to help students to follow the rules in a positive manner.

Objectives	Action Steps	Resources	Lead Person	Evaluation
Constantly teach and refer to schoolwide expectations.	Toolbox/ Life Skills awards	schoolwide posters, pictures, and lessons reteaching expected behaviors.	Amanda Brenc	Discipline Data
Provide students with more praise than correction	Distribute Eagle Eyes when students are observed modeling expected behaviors.	The 4 B's posters, eagle eye slips	PBIS Team	Number of incentives being given based on eagle eyes received.
Look for the positive first and provide positive, immediate, frequent, and explicit feedback.	Distribute Eagle Eyes, Schoolwide Assemblies, Grade Level aligned lesson planning around the 4 B's, community meeting	Lesson Plan resources, eagle eye slips, bin to fill with eagle eyes for incentives,	Intervention Lead	Discipline data, amount of incentives given out.

Component:

Component II: Physical Environment

Element:

Identify proposed changes to or the addition of strategies and programs that ensure a safe and orderly environment.

Opportunity for Improvement:

Goal: We have adopted a unified set of school-wide rules. You will see these rules in classrooms and in our hallways

Objectives	Action Steps	Resources	Lead Person	Evaluation
Utilize the 4B's matrix to ensure a schoolwide standard of behavior throughout the campus.	explicitly teach the 4B's, schoolwide assemblies, incentive plans	lesson materials, eagle eye slips, staff time and effort	Amanda Brenc and Intervention Lead	Uh Oh data, Student small groups, academic growth.

(I) School Discipline Rules and Consequences (EC 35291 and EC 35291.5)

Love Elementary School Student Conduct Code

ALAMEDA UNIFIED SCHOOL DISTRICT DISCIPLINE AND INTERVENTION PROTOCOL

Alameda Unified School District is committed to creating a safe and positive school culture in which all students feel included, supported, and respected. We want to help eliminate inequality in the use of punitive consequences and provide each child with excellent teachers who are equipped to promote academic and social emotional growth in all students. AUSD takes a positive approach to student behavior and the use of restorative practices to minimize the need for punitive consequences and maximize instructional time for every student. We recognize the importance of developing the social and emotional health of all youth and adults in our organization.

The following chart indicates the types of disciplinary action that may apply to each type of infraction. In each instance, an opportunity to teach appropriate behavior through the use of intervention, restorative practices and a corrective action is stated. Each situation or violation involving student conduct should be individualized and the least punitive action based on the violation should be taken. The administrator shall, however, determine whether a specific infraction warrants the corrective action described on the chart. Corrective action taken by the administrator shall take place after progressive discipline interventions by the school fail to bring about proper conduct. These corrective measures are intended to assist in teaching appropriateness and responsibility, while maintaining consistent student discipline on campus.

See Link to discipline matrix: <https://docs.google.com/document/d/1YyzYC48Eq5WsTycFdS35jhrGP4G3nALhYghgdznwzuQ/edit#>

Conduct Code Procedures

(K) Hate Crime Reporting Procedures and Policies

Hate-motivated behavior is any behavior intended to cause emotional suffering, physical injury, or property damage through intimidation, harassment, bigoted slurs or epithets, force or threat of force, or vandalism motivated in part or in whole by bias or hostility toward the victim's real or perceived race, color, ancestry, nationality, national origin, immigration status, ethnic group identification, ethnicity, age, religion, marital status, pregnancy, parental status, physical or mental disability, medical condition, sex, sexual orientation, gender, gender identity, gender expression, or genetic information, or any other characteristic identified in Education Code 200 or 220, Government Code 11135, or Penal Code 422.55.

The Superintendent or designee shall design strategies to promote harmonious relationships among students, prevent incidents of hate-motivated behavior to the extent possible, and address such incidents in a timely manner when they occur.

The Superintendent or designee shall collaborate with regional programs and community organizations to promote an environment where diversity is celebrated and hate-motivated behavior is not tolerated. Such collaborative efforts shall focus on the development of effective prevention strategies and response plans, provision of assistance to students affected by hate-motivated behavior, and/or education of students who have perpetrated hate-motivated acts.

The district shall provide students with age-appropriate instruction that:

1. Includes the development of social-emotional learning
2. Promotes an understanding, awareness, appreciation, and respect for human rights, human relations, diversity, and acceptance in a multicultural society
3. Explains the harm and dangers of explicit and implicit biases
4. Discourages discriminatory attitudes and practices
5. Provides strategies to manage conflicts constructively

As necessary, the district shall provide counseling, guidance, and support to students who are victims of hate motivated behavior and to students who exhibit such behavior.

When appropriate, students who engage in hate-motivated behavior shall be disciplined.

The Superintendent or designee shall provide staff with training that:

1. Promotes an understanding of diversity, equity, and inclusion
2. Discourages the development of discriminatory attitudes and practices
3. Includes social-emotional learning and nondiscriminatory instructional and counseling methods
4. Supports the prevention, recognition, and response to hate-motivated behavior
5. Raises the awareness and sensitivity of staff to potentially prejudicial and discriminatory behavior
6. Includes effective enforcement of rules for appropriate student conduct

Employees who engage in hate-motivated behavior shall be subject to disciplinary action, up to and including dismissal.

Rules prohibiting hate-motivated behavior and procedures for reporting a hate-motivated incident shall be provided to students, staff, and parents/guardians.

This policy shall be posted in a prominent location on the district's website in a manner that is readily and easily accessible to parents/guardians and students. (Education Code 234.6)

Complaints

Any staff member who is notified that hate-motivated behavior has occurred, observes such behavior, or otherwise becomes aware of an incident shall immediately contact the compliance officer responsible for coordinating the district's response to complaints and complying with state and federal civil rights laws. As appropriate, the staff member shall also contact law enforcement.

A student or parent/guardian who believes the student is a victim of hate-motivated behavior is encouraged to report the incident to a teacher, the principal, the district's compliance officer, or other staff member.

Any complaint of hate-motivated behavior shall be investigated and, if determined to be discriminatory, shall be resolved in accordance with law and the district's uniform complaint procedures specified in AR 1312.3 - Uniform Complaint Procedures or other applicable procedure. If, during the investigation, it is determined that a complaint is about nondiscriminatory behavior, the principal or designee shall inform the complainant and shall take all necessary actions to resolve the complaint.

(J) Procedures to Prepare for Active Shooters

When responding to a situation that requires our school to go into lockdown (this may include, but is not limited to, an active shooter in the building), the ALICE (Alert, Lockdown, Inform, Counter, Evacuate) protocol will be followed.

ALERT

Purpose: To use clear, concise language to indicate presence and location of active shooter or other harmful individual.

Indicate lockdown and the harmful presence and/or location of threat. For example, "LOCKDOWN, There is an active shooter in the Computer Lab," or "LOCKDOWN, an armed gunman is walking through the first floor long hallway."

Anyone can alert the school community to such a situation. Do not wait for or rely on Administration or the front office staff to make the announcement. If a staff or faculty member undoubtedly sees or is notified of a harmful individual inside the school building, he or she has the authority to alert the rest of the school community of a lockdown. Some ways to alert include: the PA system, Using the classroom phone to activate LOCKDOWN, yelling, using share 911. Faculty and staff must use any means available to them to alert the school community and to spread the word. This may be a team effort where a group of individuals work together to inform everyone. If the opportunity to escape presents itself, you should do so and report to the predetermined Rally Point.

LOCKDOWN

Purpose: To allow for an aggressive use of current technology and procedures.

A traditional lockdown procedure is the first best option when in a high-risk area (or near the harmful individual). If you do not know if you are in a high-risk area, assume you are high risk and proceed to lockdown. If remaining in lockdown remains the best option, all members of the school community should work together to protect themselves.

First, close and lock classroom doors. Use belt or backpack strap to secure door handle if possible.

Create a barricade between you and students in the classroom and the intruder on the outside; use desks, chairs, shelves, cabinets and other pieces of furniture to block entry and to provide more time for survival (have smaller items near at hand in event intruder enters the room)

Gather in the area furthest from the entry point to the room; greater distance means greater safety.

Taking attendance and maintaining order are not the priority.

INFORM

Purpose: To continually communicate the shooter's whereabouts using direct and clear language. (Use Share 911 and the PA system)

By communicating with the school community, all members can make well-informed judgment calls and can be aggressive in protecting themselves. Students, faculty and staff should use every opportunity to alert others and to communicate the whereabouts of the harmful individual.

The use of share 911, phones (school or cell), yelling, and PA system are encouraged to communicate the whereabouts and will keep the intruder off balance. Working together to make informed decisions will put the intruder at a disadvantage.

COUNTER

Purpose: To apply skills to distract, confuse and gain control.

Counter is an absolute last resort. If one finds himself in close proximity to the intruder (no chance to flee or safely get away), he should apply the following counter movements to increase chances of survival:

- Throw objects at the intruder
- Distract the intruder by noise and/or movement
- Run away in a zig zag pattern
- Swarm the intruder
- Flight or fight but do not freeze
- Turn chaos into an advantage
- Use body weight and gravity to gain control

EVACUATE

Purpose: To remove as many people as possible from the danger zone to minimize targets of opportunity.

If you know the intruder's whereabouts and you are not in a high-risk area, you should Evacuate to the school's Rally Point. Only people on the first floor should exit through the windows if necessary. People on the 2nd and 3rd floors should not evacuate through windows as this may cause harm and use the safest stairwell then exit the school to the Rally Point.

REUNIFICATION

Purpose: To reunify students with their parent/guardians in a safe location

Procedures for Preventing Acts of Bullying and Cyber-bullying

Definitions:

Bullying is an unwanted, aggressive behavior that involves a real or perceived imbalance of power between individuals with the intent to cause emotional or physical harm. Bullying can be physical, verbal, or social/relational and involves repetition or potential repetition of a deliberate act.

Cyberbullying includes the electronic creation or transmission of harassing communications, direct threats, or other harmful texts, sounds, or images. Cyberbullying also includes breaking into another person's electronic account or assuming that person's online identity in order to damage that person's reputation.

Examples of the types of conduct that may constitute bullying and are prohibited by the district include, but are not limited to:

- Physical bullying that inflicts harm upon a person's body or possessions, such as hitting, kicking, pinching, spitting, tripping, pushing, taking or breaking someone's possessions, or making cruel or rude hand gestures
- Verbal bullying that includes saying or writing hurtful things, such as teasing, name-calling, inappropriate sexual comments, taunting, or threats to cause harm
- Social/relational bullying that harms a person's reputation or relationships, such as leaving a person out of an activity on purpose, influencing others not to be friends with someone, spreading rumors, or embarrassing someone in public
- Cyberbullying, such as sending demeaning or hateful text messages or emails, sending rumors by email or by posting on social networking sites, or posting embarrassing photos, videos, web site, or fake profiles

Measures to Prevent Bullying:

The Superintendent or designee shall implement measures to prevent bullying in district schools, including, but not limited to, the following:

- Ensuring that each school establishes clear rules for student conduct and implements strategies to promote a positive, collaborative school climate
- Providing to students, through student handbooks and other age-appropriate means, information about district and school rules related to bullying, mechanisms available for reporting incidents or threats, and the consequences for engaging in bullying
- Encouraging students to notify school staff when they are being bullied or when they suspect that another student is being bullied, and providing means by which students may report threats or incidents confidentially and anonymously

- Conducting an assessment of bullying incidents at each school and, if necessary, increasing supervision and security in areas where bullying most often occurs, such as classrooms, playgrounds, hallways, restrooms, and cafeterias
- Annually notifying district employees that, pursuant to Education Code 234.1, any school staff who witnesses an act of bullying against a student has a responsibility to immediately intervene to stop the incident when it is safe to do so

Staff Development:

The Superintendent or designee shall make the California Department of Education's online training module on the dynamics of bullying and cyberbullying, which includes the identification of bullying and cyberbullying and the implementation of strategies to address bullying, available annually to all certificated staff and to other employees who have regular interaction with students. (Education Code 32283.5)

The Superintendent or designee shall provide training to teachers and other school staff to raise their awareness about the legal obligation of the district and its employees to prevent discrimination, harassment, intimidation, and bullying of district students. Such training shall be designed to provide staff with the skills to:

- Discuss the diversity of the student body and school community, including their varying immigration experiences
- Discuss bullying prevention strategies with students, and teach students to recognize the behavior and characteristics of bullying perpetrators and victims
- Identify the signs of bullying or harassing behavior
- Take immediate corrective action when bullying is observed
- Report incidents to the appropriate authorities, including law enforcement in instances of criminal behavior

Student Instruction:

As appropriate, the district shall provide students with instruction, in the classroom or other educational settings, that promotes social-emotional learning, effective communication and conflict resolution skills, character/values education, respect for cultural and individual differences, self-esteem development, assertiveness skills, and appropriate online behavior.

The district shall also educate students about the negative impact of bullying, discrimination, intimidation, and harassment based on actual or perceived immigration status, religious beliefs and customs, or any other individual bias or prejudice.

Students should be taught the difference between appropriate and inappropriate behaviors, how to advocate for themselves, how to help another student who is being bullied, and when to seek assistance from a trusted adult. As role models for students, staff shall be expected to demonstrate effective problem-solving and anger management skills.

To discourage cyberbullying, teachers may advise students to be cautious about sharing passwords, personal data, or private photos online and to consider the consequences of making negative comments about others online.

Reporting and Filing of Complaints:

Any student, parent/guardian, or other individual who believes that a student has been subjected to bullying or who has witnessed bullying may report the incident to a teacher, the principal, a compliance officer, or any other available school employee.

When a report of bullying is submitted, the principal or a district compliance officer shall inform the student or parent/guardian of the right to file a formal written complaint in accordance with AR 1312.3 - Uniform Complaint Procedures. The student who is the alleged victim of the bullying shall be given an opportunity to describe the incident, identify witnesses who may have relevant information, and provide other evidence of bullying.

Within one business day of receiving such a report, a staff member shall notify the principal of the report, whether or not a uniform complaint is filed. In addition, any school employee who observes an incident of bullying involving a student shall, within one business day, report such observation to the principal or a district compliance officer, whether or not the alleged victim files a complaint.

Within two business days of receiving a report of bullying, the principal shall notify the district compliance officer identified in AR 1312.3.

When the circumstances involve cyberbullying, individuals with information about the activity shall be encouraged to save and print any electronic or digital messages that they feel constitute cyberbullying and to notify a teacher, the principal, or other employee so that the matter may be investigated. When a student uses a social networking site or service to bully or harass another student, the Superintendent or designee may file a request with the networking site or service to suspend the privileges of the student and to have the material removed.

Discipline/Corrective Actions:

Corrective actions for a student who commits an act of bullying of any type may include counseling, behavioral intervention and education, and, if the behavior is severe or pervasive as defined in Education Code 48900, may include suspension or expulsion in accordance with district policies and regulations.

When appropriate based on the severity or pervasiveness of the bullying, the Superintendent or designee shall notify the parents/guardians of victims and perpetrators and may contact law enforcement.

The Superintendent, principal, or principal's designee may refer a victim, witness, perpetrator, or other student affected by an act of bullying to a school counselor, school psychologist, social worker, child welfare attendance personnel, school nurse, or other school support service personnel for case management, counseling, and/or participation in a restorative justice program as appropriate.

(Education Code 48900.9)

If any student involved in bullying exhibits warning signs of suicidal thought or intention or of intent to harm another person, the Superintendent or designee shall, as appropriate, implement district intervention protocols which may include, but are not limited to, referral to district or community mental health services, other health professionals, and/or law enforcement.

Emergency Contact Numbers

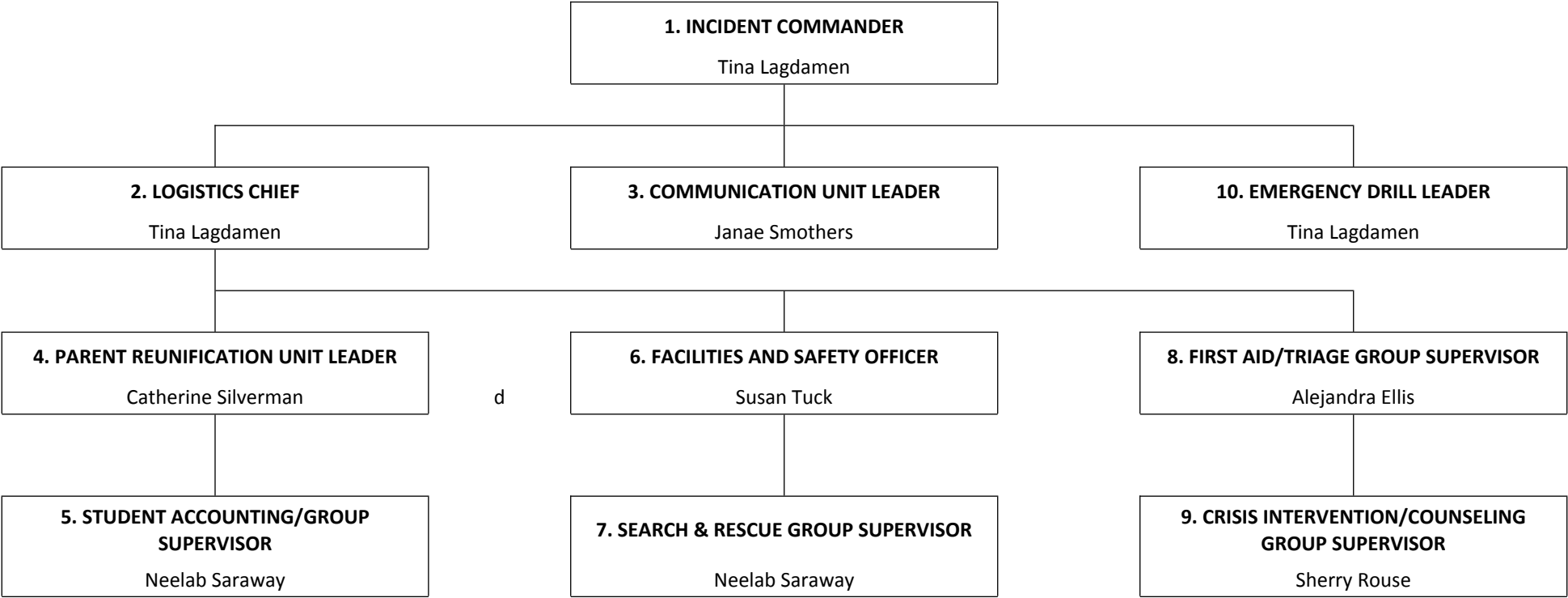
Utilities, Responders and Communication Resources

Type	Vendor	Number	Comments
City Services	City of Alameda	510-747-7400	
Other	County of Alameda	510-208-9770	
Law Enforcement/Fire/Paramedic	APD Non-Emergency	510-337-8340	
Law Enforcement/Fire/Paramedic	POLICE DEPARTMENT 911	911	
Other	Hazardous Materials Unit	510-567-6702	
Other	HEALTH DEPARTMENT - Alameda County	510-267-8000	
Local Hospitals	Alameda Hospital (Emergency Room)	510-522-3700	
American National Red Cross	RED CROSS	510-595-4400	

Safety Plan Review, Evaluation and Amendment Procedures

Activity Description (i.e. review steps, meetings conducted, approvals, etc)	Date and Time	Attached Document (description and location)
Faculty Meeting		Emergency response training with all staff
Safety Committee Meeting	3/14/2023	Review of Safety Plan and procedures, roles and responsibilities, maps and evacuation routes
Faculty Meeting		Safety Committee share out
Safety Committee Meeting		Table top drill and training planning
Faculty Meeting		Review of REMS roles and responsibilities
Safety Committee Meeting		Update Safety plan with revisions
Public Hearing		Safety plan review with community
School Community Meeting	2/13/2023	SSC approval of plan

Love Elementary School Incident Command System



Incident Command Team Responsibilities

Standardized Emergency Response Management System Overview

The California Standardized Emergency Management System (SEMS) is designed to centralize and coordinate emergency response through the use of standardized terminology and processes. This greatly facilitates the flow of information and resources among the agencies participating in response to an emergency. SEMS consists of five functions:

SITE ORGANIZATION DURING A DECLARED EMERGENCY COMMAND POST PERSONNEL AND DUTIES

If notified of a Declared Emergency from the Superintendent's Office, OR if the site suffers a severe disaster, the Site Manager shall immediately implement the plans and procedures in the Site Emergency Plan.

The Site Manager or Incident Commander shall:

- A. Activate alarm/Broadcast Alert on Share911 and PA to notify staff
- B. Activate Command Post and 2-way radio
- C. Activate Emergency Teams
- D. Assess total school situation
- E. Make initial site assessment report on Share911 to District Emergency Operations Center.
- F. Check to see that Site Emergency Teams are operating
- G. Assign messengers to needed areas
- H. Request help from 911 or Emergency Operations Center as required
- I. Secure information from Emergency Teams Update Site Status Reports - Report to the Emergency Operations Center
- J. Reassign team members to other duties as required when they finish initial assignment duties
- K. Personally address these items:
 - 1. Is campus secure?
 - 3. Are utilities off or secure?
 - 4. Are signs directing adults to release area up?
 - 5. Are traffic controllers needed?
 - 6. Is First Aid Center functioning?
 - 7. Have buildings been searched for victims?
 - 8. Is the student release program set up and operational?

Logistics Chief: The Site Office Manager shall:

- A. Report immediately to the Command Post with:

1. Master keys
2. Current roster of students and staff
3. Emergency forms and documents
4. Office supplies to assist unit leads

B. Assume responsibilities as directed by Site Manager

The Site Clerical Staff shall:

A. Team up with other personnel as a member of a Site Emergency Team, otherwise:

B. Report to the Site Command Post and assume responsibilities as directed by the Site Manager

The Attendance Clerk shall:

A. Keep a current file of all students release information from forms parents are required to fill out authorizing listed persons to pick up their children in case of a severe emergency. The Attendance Clerk will take these records to the Student Release Area in the Cafeteria and give them to the Student Release Team to use.

The Site Custodians shall:

A. Check the condition of the utilities and connecting pipes and lines and if necessary, turn them off.

B. Check the site completely for:

1. Fire and electrical hazards
2. Chemical hazards (Chlorine storage)
3. Other hazards

C. Notify Site Manager of hazards and services needed

D. Barricade hazardous areas using whatever materials handy

E. When site is secure, report to the Command Post for direction

F. Open emergency container and provide emergency sanitation areas if toilets are unavailable

Directions for the Instructional Staff During a Declared Emergency

Teachers and Para Professionals shall:

A. Respond immediately to emergency signals requiring specific actions and check in on Share911

B. If signal is one to Leave Building, know if signal is for:

1. Fire evacuation

2. Earthquake evacuation
3. Chemical spill evacuation

Evacuate Accordingly!

A. When leaving building:

1. Take emergency backpack
2. Require students to be silent in order to hear instructions
3. Close doors to classroom
4. Go directly to pre-assigned location

B. Check with nearby classrooms when evacuating. If there are seriously injured persons who cannot be moved, assign one teacher to remain and the other to evacuate the rest of the students. Report on Share911

C. Teachers shall provide First Aid to the best of their ability to students under their supervision until the emergency First Aid station is activated. Students with major injuries are to remain in the classroom supervised by a teacher or aide. Students with minor injuries are to be cared for after evacuation.

D. Upon reaching evacuation destination, teachers shall:

1. Take roll
2. List missing students on Share 911 and on paper
3. Give list to Assembly Area Team members
4. Calm students. Remind them of District policies about remaining at school
5. Monitor warmth and protection of students. Move if necessary

E. If assigned to a Site Emergency Team, transfer your students to paired teacher to supervise, report immediately to the Command Post for supplies and begin implementation of Team responsibilities.

USE REMS TO ESTABLISH YOUR EMERGENCY SITE TEAM

Note: Contact listing is intended to be shared with team members to enhance communication in the event of a critical incident. It is recommended that the Principal and Designee establish an intranet list server to further enhance communications. The personal information listed is intended for team members. Please type name and number under each assignment.

REMS Team Members Primary Contact/Cell number Secondary Contact/Cell number

Incident Commander: Tina Lagdamen 510-435-6025

Establishes an Incident Command Center, lists incident objectives and designates the following positions to perform the following duties.

Logistics Chief: Janae Smothers 510-4271979

Supports each unit leader with where to find the necessary tools to support the team fulfilling their duties.

Report immediately to the Command Post with:

- Master keys
- Current roster of students and staff
- Emergency forms and documents
- Office supplies to assist unit leads
- Computers and walkie talkies
- Assume responsibilities as directed by Site Manager

Communication Unit Leader: Janae Smothers, 510-427-1979

Works with the incident commander to communicate out important information to all supervisors and the public.

Report immediately to the Command Post with:

- Computer
- Office supplies

Parent Reunification Unit Leader: Catherine Silverman

Reunification refers to getting students reunited with their parents or guardians in an efficient and orderly manner. Reunification can be an enormous challenge and takes a lot of planning.

The Student Release Team is responsible for:

- Setting up secure reunion area
- Checking student emergency cards for authorized releases
- Completing release logs
- Coordinating with the Public Information Office on external messages

Student Accounting/Group Supervisor: Neelab Saraway

Evacuation, shelter, and student care in an emergency is one of the most important tasks faced by schools. It includes student accounting, protection from weather, providing for sanitation needs, and providing for food and water and releasing of students to their guardians.

The Evacuation/Shelter/Care Team is responsible for:

- Accounting for the whereabouts of all students, staff, and volunteers
- Setting up secure assembly area
- Managing sheltering and sanitation operations
- Managing student feeding and hydration
- Coordinating with the Student Release Team
- Coordinating with the Logistics Section to secure the needed space and supplies

Search & Rescue Group Supervisor: Neelab Saraway

Search & Rescue Teams search the entire school facility, entering only after they have checked the outside for signs of structural damage and determined that it is safe to enter. Search & Rescue Teams are responsible for ensuring that all students and staff evacuate the building (or, if it is unsafe to move the persons, that their locations are documented so that professional responders can locate them easily and extricate them).

Search & Rescue Teams are also responsible for:

- Using Share 911 to identify where injuries may exist
- Obtaining injury and missing student reports from teachers
- Moving injured members from building if emergency responders are unable to do so
- Identifying and marking unsafe areas
- Conducting initial damage assessment

First Aid/Triage Group Supervisor: Alejandra Ellis 650-771-6223

First Aid Teams provide triage and treatment for students and other disaster victims. First Aid Teams are responsible for setting up first aid area for students, assessing and treating injuries, and completing master injury report.

First Aid Teams are responsible for:

- Setting up a first aid area for students
- Assessing and treating injuries
- Completing master injury report

Note: The Logistics Section Medical Unit provides care to responders. The Operations Section First Aid Team is dedicated to students or other disaster victims.

Crisis Intervention/ Counseling Group Supervisor: Sherry Rouse 415-351-9243

The Crisis Intervention Team is responsible for assisting students and school personnel who are unable to cope with the fears and psychological trauma associated with emergencies and disasters.

This includes:

- Assessing need for onsite mental health support
- Determining need for outside agency assistance
- Providing onsite intervention/counseling
- Monitoring well-being of school emergency team, staff, and students, and reporting all findings to the Operations Section Chief

Facilities and Safety Officer: Susan Tuck 774-285-4096

The Facilities & Security Response Team is responsible for:

- Locating all utilities and turning them off, if necessary
- Securing and isolating fire/HazMat
- Opening Emergency Trailer
- Assessing and notifying officials of fire/HazMat
- Conducting perimeter control

Emergency Drill Leader: Tina Lagdamen 510-459-7294

The Emergency Drill Leader is responsible for:

- Training staff
- Coordinating and running all required drills
- Monitoring participations
- Reviewing after action reports
- Reporting to the incident commander

LIST SEARCH TEAM DUTY DESCRIPTIONS

EXAMPLE: If assignment is SEARCH TEAM:

Take heavy gloves, flashlight, hard hat and masking tape (no entry) from Emergency Backpack.

Leave Emergency Backpack and students with designated teacher (see previous page).

Report to INCIDENT COMMAND CENTER near gate in lower yard meet with search team partner(s).

Receive directions for search instructions from Search team supervisor.

LIST WHO WILL BE:

SEARCH TEAM #1 Search team will be delegated by Tina Lagdamen 510-459-7294

LIST FIRST AID FUNCTION

EXAMPLE: Minimize injuries and loss of life: provide temporary care of injured students.

Set up desk at picnic tables behind multipurpose room (or if unsafe here, on blacktop near multipurpose room).

Organize supplies and treatment area.

Help with wounded.

Keep Check Out Station informed.

Request additional help (ambulances, etc.) through Check Out Station.

Look up emergency information if necessary.

LIST WHO WILL BE:

TREATMENT Alejandra Ellis

TRIAGE Alejandra Ellis

RECORDER Catherine Silverman

List the things you will have to accomplish and assign to operations section or logistics section.

Examples:

Set up table, chairs and sign "Incident Command Center"

Set up operations table, logistics table.

Set up a first aid station

Put traffic cones in the street, blocking off access to the parking lot entry drive

Set up people to handle the check out of students. Display signs A-L, M-Z. Have emergency card information forms out.

Record finding of search teams

List any unaccounted for students and those in First Aid or in need of first aid.

Keep track of the walkie-talkies

Listen to radio

Use runners as necessary to retrieve information and students

Organize parent line-up and announce using bullhorn to parents that students have been evacuated

Assist in calming and organizing parents

Provide pen and paper for non-English speaking students to write their name

Communicate to District Personnel

INCIDENT COMMAND POST – Blacktop (Basketball Court)

The Site Manager or designee is the final authority at each school. He/she must be available for all decisions, information and authority during the time the schools are isolated.

Therefore, the Site Manager and the Command Post should be housed in a central area, i.e., the front of the school, where the manager is available to radio, telephone, emergency equipment or personnel and parents.

The Command Post will begin to operate immediately after a disaster.

This is where the record keeping, communication, and major decision making will take place. The Site Manager or Incident commander will be here.

In addition, a separate Student Release Area will be established to coordinate the release of students to authorized adults. Student release area will be in the bike cage (if inaccessible at the end of the parking lot behind the second gate.

Emergency Release Information Forms are needed at the Release Area to document the release of all students.

While the Command Post is functioning, The First Aid and Search/Assessment Teams will carry out their functions and provide information to the Incident commander about the:

1. Condition of students
2. Condition of staff
3. Condition of facilities

Management

During an emergency, the Incident Commander directs response actions from a designated Command Post. To effectively do this, the Incident Commander must constantly assess the situation, and develop and implement appropriate strategies. The Incident Commander must be familiar with the available resources, accurately document all response actions, and effectively communicate response strategies to others participating in the response. This function is typically filled by the school principal. The principal is assisted in carrying out this function by a Public Information & Liaison Officer and Safety Officer.

Planning & Intelligence

Planning and Intelligence involves the use of various methods to efficiently gather information, weigh and document the information for significance, and actively assess the status of the emergency. This understanding and knowledge about the situation at hand is vital to the effective management of a response. These activities are performed by a single person who reports directly to the Incident Commander.

Operations

All response actions are implemented under by Operations. This includes staff performing first aid, crisis intervention, search and rescue, site security, damage assessment, evacuations, and the release of students.

Logistics

Logistics supports the response by coordinating personnel; assembling and deploying volunteers; providing supplies, equipment, and services; and facilitating communications among emergency responders.

Finance & Administration

Finance & Administration involves the purchasing of all necessary materials, tracking financial records, timekeeping for emergency responders, and recovering school records following an emergency. These activities are performed by a single person who reports directly to the Incident Commander.

Types of Emergencies & Specific Procedures

Aircraft Crash

FALLEN AIRCRAFT

DEFINITION/DESCRIPTION

If an aircraft falls near the school, the principal will determine which emergency action, if any, will be taken. Local fire and police departments will be responding also. All students and staff should be kept at a safe distance to protect them from possible explosions and/or fire.

IMMEDIATE ACTION

Principal

- Determine which Action, if any, should be implemented.
- Where necessary, tell teachers they may need to take immediate action for the safety of students without waiting for directions from the principal.
- Determine, if possible, whether the aircraft is military, commercial or private. Contact the local police to determine appropriate action and refer all members of the press to the Emergency Operations Center.

Principal's Secretary

- Respond to calls.
- Assist principal as needed.
- Refer all members of the press to the Emergency Operations Center.

Teachers

- Follow principal's direction as to appropriate Action.
- Depending on the nature of the accident you may need to take Action DROP or Action TAKE COVER to protect students from a possible explosion and/or fire.

FOLLOW UP ACTION

Principal

- Provide up-to-date information to staff and students as it becomes available and arrange school site meetings to make assignments and determine plans.
- Coordinate activities of the school site team.
- Maintain contact with Emergency Operations Center and Superintendent's office.
- Arrange after-school staff meetings to debrief and clarify events.

Teachers

- Read bulletins/announcements as provided by the principal.
- Refer all media to the principal's office.
- Cooperate with the school site team to provide follow-up as appropriate.
- Refer for counseling students who may be at risk.
- Return to normal instructional activities as soon as possible.

Animal Disturbance

If a rabid or vicious animal is at or in the vicinity of the school, the Animal Control Center should be notified immediately. Teachers shall be notified Shelter In Place. Students outside of the building will be quietly and cautiously sent into the nearest building and secured in a room behind closed doors. Notify the Superintendent's Office.

Armed Assault on Campus

Follow A.L.I.C.E Procedures

Biological or Chemical Release

CHEMICAL SPILL

1. An announcement will be made to either Shelter in Place or evacuate the building and gather in the Assembly Area, depending on the situation.
2. The announcement will be made by the P.A. system, or if this fails to operate, messenger will alert classes.
3. If the Assembly Area is not safe, students will be evacuated to Lincoln Park, depending on the area of the spill and direction of the wind.

CHEMICAL ACCIDENT

1. DEFINITION/DESCRIPTION

Chemical accidents of disaster magnitude would include tank truck accidents involving large quantities of toxic gases or toxic liquids. This type of accident will likely be reported by an outside source unless the accident has occurred immediately adjacent to the school site.

2. IMMEDIATE ACTION

Principal

- a) Receive information about/review situation to determine if evacuation routes are safe (move crosswind to avoid fumes).
- b) Determine which action should be implemented.
- c) Sound alarm for appropriate action.
- d) Notify/maintain contact with Superintendent/Emergency Operations Center.
- e) Determine what further action to take.

Teachers

- a) Implement appropriate action, using alternate evacuation route if required.
- b) Maintain control of students.
- c) Take roll. Report students who are absent.
- d) Notify principal of any problems in/around area
- e) Notify principal of need for first aid, as appropriate.

Custodian

- a) Review situation to assess extent of spill, wind direction and proximity to building.
- b) Report findings to principal.
- c) Be prepared to direct fire/police department to spill site.
- d) Assist in spill clean-up or containment, as appropriate.

3. FOLLOW UP ACTION

Principal

- a) Determine, in coordination with M.O.F./Fire Department, whether buildings are habitable.
- b) Notify staff/students of any modification in schedule.
- c) Work with Emergency Operations Center to publicize information regarding accident.
- d) Arrange school site meeting to provide information to staff.

Principal's Secretary

- a) Screen all calls. Refer public to Emergency Operations Center.
- b) Refer media to Emergency Operations Center.
- c) Prepare necessary bulletins.

Teachers

- a) Read bulletins/announcements as provided by principal.
- b) Refer all media to principal's office.
- c) Cooperate with school site team to provide follow-up, as appropriate.
- d) Refer for counseling students who may be at risk.
- e) Return to normal instructional activities as soon as possible.

Bomb Threat/ Threat Of violence

1. DEFINITION/DESCRIPTION

A bomb threat will typically be received in writing or by telephone call. Responses will generally be the same with the initial exception of a person receiving a telephone threat. A copy of the Bomb Threat Checklist should be readily available for every administrative phone responder.

2. IMMEDIATE ACTION – Telephone Threat

Person Receiving Call

- a) Keep the caller on the line. Delay the caller with such statements as: “I’m sorry, I did not understand you. What did you say?”
- b) Use Bomb Threat Checklist (see form at the end of this “Bomb Threat” section). Get as much information as possible from the caller.
- c) Immediately after caller hangs up, report all information to principal.

All Office Personnel

Immediately search your work area for foreign or suspicious objects or packages. If one is found, DO NOT TOUCH OR MOVE IT!!

IMMEDIATE ACTION – Written Threat

Person Receiving Written Message

Give the message to the principal immediately upon identification.

Principal

- a) Receive/review all information about bomb threat.
- b) Determine which action should be taken.
- c) Initiate non-electronic evacuation procedure; i.e. runner or bullhorn, since electronic warnings could activate any device, being sure all evacuation routes are clear.
- d) Notify Superintendent/Police/Fire Department.
- e) Direct search of office complex, evacuation site and classrooms.
- f) Determine what further action should be taken.

Teachers

- a) Implement appropriate action, using alternate evacuation route if required.
- b) Maintain control of students.
- c) Take roll. Report students who are absent.
- d) Notify principal of any problems in or around area.
- e) Hold students until designated evacuation area has been searched and declared safe, and then conduct students to the cleared area.

Teachers assigned to the designated evacuation area will remain with the pupils; personnel who are assigned to search teams will report to the principal for briefing.

If notification of a threat is received and immediate evacuation is not ordered, teachers will search their classrooms for any unidentifiable objects. If nothing is found, resume instruction until the evacuation order is received.

Custodians

- a) Under the direction of the principal, immediately proceed with a thorough search of designated evacuation area (or other area large enough to contain the students) to provide a safe place for students evacuated from the buildings.
- b) Search, as required, to determine that no explosive is hidden in a book, clothes locker or restroom.

3. FOLLOW UP ACTION

Principal

- a) Determine, in coordination with M.O.F. and Fire Department, whether buildings are habitable.
- b) Notify staff/students of any modification in schedule, via special bulletin or telephone tree.
- c) Work with Emergency Operations Center to put messages on TV, radio and telephone system regarding any modifications in schedule.
- d) Arrange school site meeting to discuss plan.

Principal’s Secretary

- a) Screen all calls. Refer calls to Emergency Operations Center.
- b) Prepare necessary bulletins.

Teachers

- a) Read bulletins/announcements as provided by principal.
- b) Refer all media to principal's office.
- c) Cooperate with school site team to provide follow-up as appropriate.
- d) Refer for counseling students who may be at risk.
- e) Return to normal instructional activities as soon as possible.

EXPLOSION OR THREAT OF EXPLOSION

1. DEFINITION/DESCRIPTION

An explosion at the school, or the threat of an explosion, may be caused by leaking gas or a faulty boiler within a school building.

2. IMMEDIATE ACTION – EXPLOSION

Principal

Sound the school alarm.

Notify the Superintendent or Assistant Superintendent.

Notify utility companies of a break or suspected break.

Notify fire and police departments and direct further action as required.

Notify teachers of proper action (DROP or LEAVE BUILDING).

Teachers

Command DROP is given. Instruct students to react in the same manner on their own to this type of catastrophe in case it occurs when the teacher is temporarily not present.

If the explosion occurred within the building, or threatened the building, immediately implement Action LEAVE BUILDING.

Move to an area of safety and maintain control of students.

Notify principal of students needing first aid as necessary.

Fight incipient fires without endangering life.

Take roll. Report absent students to principal.

Students and staff should not return to the school until Fire Department officials declare the area safe.

IMMEDIATE ACTION - THREAT OF EXPLOSION:

Principal

Sound the school fire alarm, or silent evacuation if electronic means could set off explosion. This will automatically implement Action LEAVE BUILDING.

Follow procedures for principal -- 'c' and 'd' above.

Teacher

Follow procedures for teachers -- 'c' through 'g' above.

Disorderly Conduct

CIVIL DISOBEDIENCE/MENACING INDIVIDUALS

1. DEFINITION/DESCRIPTION

Civil disobedience is defined as any assemblage on the school premises by unauthorized persons whose purpose and conduct is inimical to the orderly conduct of the school and the laws relating to the conduct of schools and the welfare of students.

WARNING: The presence of unauthorized individuals or an alert of an impending visitation. When this condition has been reported to the principal or authority in charge, he shall transmit the warning to all classes by the public address system. If the PA system is inoperable, a messenger will be sent to each classroom.

2. IMMEDIATE ACTION

The major plan of action will be to protect all personnel from undue exposure to danger. Every effort must be made to keep classes within their rooms. The following specific steps will be taken to implement the plan of action:

Principal or Designee

- a) Transmit a Shelter in Place alert to all staff members.

- b) Call the local law enforcement agencies to provide protection and to handle arrests.
- c) Make certain that a specific crime is committed before requesting arrests.
- d) School civil disobedience crimes involving arrest are listed in the Criminal Code Procedure and include the following:
 - 1. Disturbing the Peace
 - 2. Trespassing
 - 3. Loitering Around the School Grounds
- e) The principal should make an announcement to the demonstrators similar to the following:
 "I am the principal of this school. You are interfering with the orderly process of education in this school. I request that you leave. If you do not leave, I shall ask for your arrest. You are causing a disturbance."

Teachers

- a) Keep students within their locked classrooms until further notice, regardless of the bells and schedules.
- b) Lock classroom doors.
- c) Remain in charge of your class, utilizing the best judgment in occupying the students within the classroom.
- d) Precaution should be taken to protect personnel from flying glass in case of broken windows. Drapes, venetian blinds, or jalousies should be closed.
- e) Where there is evidence of a potential problem, all P.E. classes will immediately return to the locker rooms.

Custodians

Lock and secure all exterior doors.

3. FOLLOW UP ACTION

Principal

- a) Determine, in coordination with M.O.F., whether building(s) is/are habitable.
- b) Notify staff/students of any modification in schedule, via special bulletin or telephone tree.
- c) Work with Communications director to put messages regarding any modifications in schedule.
- d) Arrange school site meeting to discuss plan.

Principal's Secretary

- a) Screen all calls. Refer public to Director of Communications
- b) Refer media to Director of Communications
- c) Prepare necessary communication to community.

Teachers

- a) Read announcements as provided by principal.
- b) Refer all media to principal's office.
- c) Cooperate with school site team to provide follow-up, as appropriate.
- d) Refer for counseling students who may be at risk.
- e) Return to normal instructional activities as soon as possible.

Earthquake

Although the probability of an earthquake occurring is lower than most other emergency types, the potential for injuries and damage from one is high. It is essential that students and staff remain aware of the following basic actions:

This section removed from posted plan for security purposes. If you wish to see the full plan, contact the school principal for an appointment.

If an earthquake or other situation warrants, drop to the floor, take protective position under desks or furniture with backs to windows and hands covering head and face. Stay in position until directed to evacuate or take other protective action. If outside, move away from buildings and trees and take protective position. When situation permits, proceed to the designated assembly point. Standby: Alert students in your area to stand by for further information. Make whatever assessment of the situation is possible. Render emergency first aid as required. If inside, stay inside during ground shaking. In classrooms or offices, move away from windows, shelves and heavy objects or furniture that may fall. Take cover under a safe table, desk or counter. At the teacher's command, students should take the DROP position.

If a "shelter" (table, desk, etc.) is not available, move to an inside wall or corner, turn away from windows, kneel alongside wall, and bend head close to knees, with elbows firmly behind neck protecting face. If notebooks or jackets are handy, hold these overhead for added protection from flying glass and ceilings debris. Remain in sheltered position for at least 60 seconds or until directed to move by an adult. If in halls, on stairways, or other areas where no cover is available, students must follow the directions of the nearest teacher or school employee.

If in the library, immediately move away from windows and bookshelves and take appropriate cover. In the science lab or shops, all burners should be extinguished (if possible) before taking cover. Stay clear of hazardous chemicals that may spill. The duration of ground shaking depends on a number of factors, including the severity of the earthquake. Advise students to anticipate shorter or longer episodes of ground shaking during actual earthquakes and their aftershocks.

EARTHQUAKE HAZARDS COMMONLY FOUND IN SCHOOL BUILDINGS:

- Glass that shatters or flies around
- Objects stored above head-level on shelves, walls, and ceilings (such as unused projectors, books, science equipment, boxes)
- Objects that block movement to safe places (books on floors, tipped desks and bookcases)
- Cabinets without latches
- Objects stored on wheels
- Open shelving without a lip or restraining wire
- Free standing cabinets
- Blocked exits
- Objects in hallways that block movement (glass, tables, locker contents)

SETTLING DOWN AFTER THE FIRST SHOCK:

- After the first shock, teachers will evacuate the classrooms, being alert to the possibility of aftershocks.
- When leaving the classroom, teachers should make every effort to take with them the roll book and emergency supplies.
- Announce that no student is to return to the room unless directed to do so.
- Teachers will take classes to pre-arranged places on the campus.
- Teachers and students will remain in designated areas until re-entry to the building has been approved or they are directed to move elsewhere.
- School will remain open indefinitely until every student has been released to parents or to an authorized person.
- Do not light any fires after the earthquake because of possible gas leaks.
- If possible, notify utility companies of any break or suspected breaks in service.

THE GREAT SHAKEOUT EARTHQUAKE DRILLS

All AUSD schools are encouraged to participate in the annual Great ShakeOut Earthquake Drills. See <https://www.shakeout.org/index.html> for more information.

Explosion or Risk Of Explosion

EXPLOSION OR THREAT OF EXPLOSION

DEFINITION/DESCRIPTION

An explosion at the school, or the threat of an explosion, may be caused by leaking gas or a faulty boiler within a school building.

IMMEDIATE ACTION – EXPLOSION

Principal

- a) Sound the school alarm and report on Share911.
- b) Notify teachers of proper action (DROP or LEAVE BUILDING).

Teachers

- a) Command DROP is given. Instruct students to react in the same manner on their own to this type of catastrophe in case it occurs when the teacher is temporarily not present.
- b) If the explosion occurred within the building, or threatened the building, immediately implement Action LEAVE BUILDING.
- c) Move to an area of safety, and maintain control of students.
- d) Use Share911 to report students absent, found or needing first aid as necessary.
- e) Fight incipient fires without endangering life.
- g) Students and staff should not return to the school until Fire Department officials declare the area safe.

IMMEDIATE ACTION - THREAT OF EXPLOSION:

Principal

Sound the school fire alarm, or silent evacuation if electronic means could set off explosion. This will automatically implement Action LEAVE BUILDING.

Follow procedures for principal -- 'c' and 'd' above.

Teacher

Follow procedures for teachers -- 'c' through 'g' above.

Fire in Surrounding Area

Follow shelter in place procedures

Fire on School Grounds

DEFINITION/DESCRIPTION: A fire detected in or adjacent to any building at the school site.

IMMEDIATE ACTION

Principal or Site Safety Coordinator

- View fire or take report to determine that evacuation routes are safe.
- Notify teachers of alternate route if necessary.
- Sound school fire alarm and report on Share911.
- Determine what further action to take (i.e. send students/staff home).

Teachers

- Implement Action LEAVE BUILDING, using alternate route in necessary.
- Maintain control of students at a safe distance from the fire and fire fighting equipment.
- Take roll upon arrival at designated area. students.
- Remain with students in designated area until notified of next action.
- Notify principal of any hazards observed in/around area through Share911.
- Notify principal of need for first aid as appropriate through Share911.

Custodians

- View fire to identify location and extent.
- Report findings to principal.
- Fight incipient fire without endangering life.
- Be prepared to direct fire department to fire site.
- Shut off gas/water as appropriate.
- Shut off electricity after all necessary use of P.A. system is complete.

FOLLOW-UP ACTION

Principal

- Determine, in coordination with M.O.F. and Fire Department whether buildings) is/are habitable.
- Notify staff/students of any modification in schedule, via Share911 and special bulletin or telephone tree.
- Work with Director of Communications to put messages on TV, radio and communication system regarding any modifications in schedule
- Arrange school site meeting to discuss plan.

Principal's Secretary

- Screen all calls.
- Refer media to Director of Communication.
- Prepare necessary communications to community.

Teachers

- Read announcements as provided by principal.
- Refer all media to principal's office.
- Cooperate with school site team to provide follow-up as appropriate.
- Refer for counseling students who may be at risk.
- Return to normal instructional activities as soon as possible.

Flooding

DESCRIPTION/DEFINITION

There should be some thought and preparation for this eventuality should any sources around the school create flooding. Flooding may be the secondary effect of another disaster, such as an earthquake.

IMMEDIATE ACTION

Principal

- View flood or take report to determine that evacuation routes are safe.
- Broadcast Alert on Share911 and PA as appropriate.
- Determine what further action to take.

Teachers

- Implement appropriate Action in response to principal direction.
- Take roll upon arrival at evacuation area. Report absent students, needs for first aid and any hazards observed in/around area to principal through Share911.
- Maintain control of students at evacuation area.

Custodians

- View flood to identify location and extent.
- Report findings to principal.
- Be prepared to direct M.O.F./City to flood site/source.
- If flooding is result of school site damage, turn off water.

Follow up Plan

Principal

- Determine, in coordination with M.O.F. and Fire Department whether buildings) is/are habitable.
- Notify staff/students of any modification in schedule, via Share911 and special bulletin or telephone tree.
- Work with Director of Communications to put messages on TV, radio and communication system regarding any modifications in schedule
- Arrange school site meeting to discuss plan.

Principal's Secretary

- Screen all calls.
- Refer media to the Director of Communication.
- Prepare necessary communications to the community.

Teachers

- Read announcements as provided by the principal.
- Refer all media to the principal's office.
- Cooperate with the school site team to provide follow-up as appropriate.
- Refer for counseling students who may be at risk.
- Return to normal instructional activities as soon as possible.

Loss or Failure Of Utilities

UTILITIES LOSS OR FAILURE

CALL MOF - They will call the appropriate public works system based on the loss or failure.

LOSS OF ELECTRICAL POWER:

Consult Alameda Power

LOSS of GAS

PG&E

WATER EMERGENCY:

East Bay Municipal Utility District, colloquially referred to as "East Bay Mud

PHONE ISSUES:

Contact Technology Information Services to report phone issues.

ADDITIONAL INFORMATION:

Contact Maintenance, Operations & Facilities at extension if any utility will be off for an extended period of time.

Notify the superintendent of the situation.

If necessary, make appropriate arrangements with Maintenance and Operations for temporary communications, water delivery and portable rest rooms.

In the event of an extended outage, consult with the cafeteria manager. The cafeteria manager will consult with Food and Nutritional Services.

If an extended outage is likely, provide an update to keep parents/guardians informed.

Motor Vehicle Crash

Step1: Respond to the injured party and determine if first aid or CPR should be provided

Step 2: If 911 needs to be called have another person call while you deliver first aid or CPR

Step 3: Send another person to notify others and get any emergency equipment or information that would be helpful to the emergency

Step 4: When safe to do so, activate share 911 to communicate to staff if an ambulance is on its way

Step 5: Designate staff to the appropriate gate/entrance to help emergency services get in close proximity to injured party

Step 6: Staff are required to complete and turn in an Accident Report to administration for any injuries to any one on campus

Step 7: Accident forms need to be sent to the business office

Psychological Trauma

The sudden death, serious injury to a student or staff member either through natural causes, accidents or as the result of an act of violence, such as school shooting, missing students (known or suspected abduction), physical assault, sexual assault, non-natural or non-accidental causes or other unexpected events are, without question, a crisis. Responding to these kinds of crisis situations in a timely and effective manner is as critical as dealing with an earthquake or a fire.

1. Contact Student Services to request the District Crisis Intervention Team immediately following a serious injury, accident or death of a student or staff member.

2. Work with your school psychologist and or counselors to determine identification of short- and long-term interventions for students or staff traumatized by the event.
3. Work with the Superintendent's office to formulate a public statement.
4. Discuss the crisis in a factual manner in follow up meetings and/or communications.
5. Be sensitive to latent behavior problems that are trauma-related.

A general message will be prepared and whenever possible parents will be contacted first in order to be the first adults to provide the information and support their children. All staff will be debriefed and supported. Activities to best meet the needs of the community will be provided aimed at providing counseling, a way for all to process (writing, drawing, and sharing). Activities such as games, music and reading may be planned over a short period of time to reduce anxiety and work demands. Follow and close monitoring for students and staff to insure latent reactions and responses.

Opioid Overdose

Step (1) Call 911 An overdose is a medical emergency. It is important to have trained medical professionals assess the condition of the overdose victim. Even though Naloxone can reverse the overdose, there may be other health problems of which the responder may not be aware. In addition, people who survive any type of overdose are at risk of experiencing other health complications because of the overdose. Getting someone examined by a medical professional is an important part of reducing the harms associated with overdosing.

It is important for trained staff to remember that Naloxone only works if there are opioids involved with the overdose. It cannot reverse an overdose from benzodiazepines, meth, cocaine, or alcohol.

Step (2) Administer Naloxone (Narcan)

Open the Naloxone blister pack; do not push the plunger.

With the victim's head tilted slightly back, place two (2) fingers over the top of the medication with your thumb securing it from the bottom.

Insert the atomizer fully and gently into their nostril

Push the plunger forward with the thumb and deliver spray of medication. (There is no need to plug the opposing nostril).

Place the person to their side (recovery position).

If the individual is still not responding within two (2) minutes, give a second dose in the opposite nostril.

Follow Up

If the victim is a student, contact parent/guardian per school policy.

Complete an Accident/Injury Report

Facilitate a debriefing with responding staff

Consider a plan of care for the students' safe return to school

Emergency Evacuation Map

[See Attachments](#)

Comprehensive School Safety Plan

**2023-24
School Year**

School: Maya Lin Elementary School
CDS Code: 01611190139220
District: Alameda Unified School District
Address: 825 Taylor St.
Alameda, CA 94501
Date of Adoption:
Date of Update: 12/4/23
Date of Review:
- with Staff 12/4/23
- with Law Enforcement
- with Fire Authority

Table of Contents

Comprehensive School Safety Plan Purpose.....	4
Safety Plan Vision.....	4
Components of the Comprehensive School Safety Plan (EC 32281).....	5
(A) Child Abuse Reporting Procedures (EC 35294.2 [a] [2]; PC 11166).....	6
(B) Disaster Procedures (EC 35295-35297; GC 8607 and 3100).....	8
(C) School Suspension, Expulsion and Mandatory Expulsion Guidelines	11
(D) Procedures to Notify Teachers of Dangerous Pupils (EC 49079).....	31
(E) Sexual Harassment Policies (EC 212.6 [b]).....	32
(F) School-wide Dress Code Relating to Gang-Related Apparel (EC 35183).....	35
(G) Procedure for Safe Ingress and Egress of Pupils, Parents, and Staff to and from School (EC 35294.2)	38
(H) A Safe and Orderly School Environment Conducive to Learning (EC 35294.2)	40
(I) School Discipline Rules and Consequences (EC 35291 and EC 35291.5)	43
(K) Hate Crime Reporting Procedures and Policies	43
(J) Procedures to Prepare for Active Shooters.....	45
Procedures for Preventing Acts of Bullying and Cyber-bullying.....	46
Emergency Contact Numbers	50
Safety Plan Review, Evaluation and Amendment Procedures	51
Maya Lin Elementary School Incident Command System.....	52
Incident Command Team Responsibilities.....	53
Types of Emergencies & Specific Procedures.....	60
Aircraft Crash	60
Animal Disturbance.....	60
Armed Assault on Campus	60
Biological or Chemical Release.....	60
Bomb Threat/ Threat Of violence	61
Disorderly Conduct	63
Earthquake	65
Explosion or Risk Of Explosion	65

Fire in Surrounding Area66

Fire on School Grounds66

Flooding68

Loss or Failure Of Utilities69

Motor Vehicle Crash69

Psychological Trauma.....69

Opioid Overdose70

Emergency Evacuation Map.....71

Comprehensive School Safety Plan Purpose

Effective January 1, 2019, Assembly Bill 1747 (Rodriguez), School Safety Plans, became law. This bill requires that during the writing and development of the comprehensive school safety plan (CSSP), the school site council or safety committee consult with a fire department and other first responder entities in addition to currently required entities. It requires the CSSP and any updates made to the plan to be shared with the law enforcement agency, the fire department, and the other first responder entities.

The California Education Code (sections 32280-32288) outlines the requirements of all schools operating any kindergarten and any grades 1 to 12, inclusive, to write and develop a school safety plan relevant to the needs and resources of that particular school.

In 2004, the Legislature and Governor recast and renumbered the Comprehensive School Safety Plan provisions in SB 719 and AB 115. It is the intent of the Legislature in enacting the provisions to support California public schools as they develop their mandated comprehensive safety plans that are the result of a systematic planning process, that include strategies aimed at the prevention of, and education about, potential incidents involving crime and violence on school campuses.

The historical requirement of the Comprehensive School Safety Plan was presented in Senate Bill 187, which was approved by the Governor and chaptered in 1997. This legislation contained a sunset clause that stated that this legislation would remain in effect only until January 1, 2000. Senate Bill 334 was approved and chaptered in 1999 and perpetuated this legislation under the requirement of the initial legislation.

Comprehensive School Safety Plans are required under SB 719 & AB 115 and contains the following elements:

Assessment of school crime committed on school campuses and at school-related functions

- Child abuse reporting procedures
- Disaster procedures
- Suspension and expulsion policies
- Procedures to notify teachers of dangerous pupils
- Discrimination and harassment policies
- School wide dress code policies
- Procedures for safe ingress and egress
- Policies enacted to maintain a safe and orderly environment
- Rules and procedures on school discipline
- Hate crime reporting procedures

The Comprehensive School Safety Plan will be reviewed and updated by March 1st every year. In July of every year, the school will report on the status of its school safety plan including a description of its key elements in the annual school accountability report card.

A copy of the Comprehensive School Safety Plan is available for review at .

Safety Plan Vision

The Alameda Unified School District is committed to providing a quality educational environment that is safe, secure, and peaceful. The primary goal of the District is to help each student develop to the maximum of his/her capacity and function as a responsible member of a democratic society. When parents, students and staff are aware of our mutual responsibilities to keep our community safe, we can effectively promote positive student participation in all of our schools.

The School Site Emergency Plan is designed for use as a school resource for prevention/mitigation, preparedness, response, and recovery planning and training as well as functioning as a template for meeting the requirements for the annual Safety Plan Process under Senate Bill 187, Education Code Section 35294, Statutes of 1998, and the National Incident Management System. It is designed to be a living document that is updated as necessary to meet site, District, and community needs, forms, and/or requirements—therefore, it should be maintained in hard copy and electronic form.

This document is NOT intended to be a “grab and go” guide in an actual emergency.

Components of the Comprehensive School Safety Plan (EC 32281)

Maya Lin Elementary School Safety Committee

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Assessment of School Safety

The following data is from the 2021-2022 school year -

CHRONIC ABSENTEEISM

Prior to the COVID-19 pandemic, chronic absenteeism had been decreasing over a 3 year period. Unfortunately, this trend has been disrupted during the 21-22 school year. As of March 28, 2022, 20% of students at Maya Lin School are chronically absent. The lowest levels are seen in August (11.7%) and December (15%); the highest rates of chronic absenteeism have been in January (20.7%) and tapering off only slightly to 20% in February and March. The January and February data coincides with the Omicron surge; there have not, however, been any positive COVID cases in March 2022, yet there is a 20% rate of chronic absenteeism.

DISCIPLINE

There were 4 suspensions in 2021-2022 (2 for 1 student); all 3 students on boys with IEPs. This accounts for less than 0.1%, which is only slightly lower than previous years and below the district average. As of April 1, 2022, there have been 37 Office Referrals this year, 34 of which are for male students. In general, most discipline is handled by individual teachers within their classrooms. The majority of office referrals have been for a single student, who is transitioning to a different set of supports along the special education continuum of services. Of the remaining office referrals, the majority are from recess and lunchtime, when and where there is less structure.

CALIFORNIA HEALTHY KIDS SURVEY

In 2021-2022, Maya Lin students respond comparably to students across the district that they feel safe at school. The numbers for this year reflect what they have indicated in previous school years. It should be noted that the 2021-22 CHKS data is somewhat incomplete. Only 34 of the 75 5th graders at Maya Lin School completed CHKS. One of the 5th grade teachers missed the window, so the official CHKS only reflects only 45% of students in the grade. In order to collect further info, we gave a shortened survey with some CHKS questions to 50 5th and 4th graders who did not take the official CHKS. The info below is an estimated aggregate of responses to the 2 surveys.

Strengths: 4 out of 5 students feel safe at school, cared for by staff, and supported to resolve conflicts and treat others with respect.
82% of students report that teachers and other grown-ups at school care about them most or all of the time.
83% of students report they feel safe at school all or most of the time
83% of students report that the school help students resolve conflicts with one another.
89% of students teach students to care about each other and treat each other with respect

Areas for Growth: Less than 3 out of 5 kids feel like grown-ups make an effort to know them, check in on how they are feeling, and teach students to understand how other students think and feel.

57% believe teachers and other grown-ups at school make an effort to get to know them most or all of the time.

52% believe adults check in with them to see how they are feeling.

60% believe the school teacher them to understand how other students think and feel.

Area for growth: Less than 1 in 3 kids reports feeling like they are given a chance to determine class activities or rules.

SAFETY INCIDENTS INVOLVING ADULTS IN THE COMMUNITY

In the 2021-2022 school year, there was 1 incident in which 2 community members had an altercation on the sidewalk outside of the campus during afterschool programming. As of January 2023, there has been 1 incident of a community member who tried to come onto campus to talk to students about religion. He was not able to get onto campus.

Strategies and Programs to Provide and Maintain a High Level of Safety (EC 32281(a)1, items A-J)

PBIS

Maya Lin School uses Positive Behavior Intervention Systems to proactively support students to make good choices. Students begin the year with a kickoff event learning about the 4 schoolwide expectations - be kind, be safe, be responsible, be an ally - in all locations of the school. A refresher is also done in January when students return from Winter Break. There is signage posted in all locations to help students remember expectations. The principal reminds students of the expectations daily during schoolwide Morning Opening. Students receive Wolf Tags for making good choices and there is a weekly Wolf Tag drawing in front of the whole school of 1 student from each class to be in a picture and get a prize. The school also has a system to track uh-oh slips for minor behaviors and office referrals for major behaviors. This process allows the team to identify trends to be addressed schoolwide as well as individual students who need a higher level of intervention. Teachers also have monthly opportunities during collaboration to discuss with peers strategies to better support students in their classroom.

TOOLBOX PROJECT

All students learning the Toolbox Tools. There is a schoolwide focus for each tool for a 2-week period. The principal reviews the tool in the Morning Opening and teachers engage in related activities in class.

RESTORATIVE PRACTICES

All Maya Lin staff participated in restorative practices training in the 2022-2023 school year. Teachers hold classroom circles at least once per week to establish a strong foundation and work together to solve classroom challenges. All staff are also participating in training on conflict resolution through restorative circles to address conflicts and restore peace.

SAFETY TRAINING AND DRILLS

All Maya Lin staff participate in 2 emergency procedures trainings. The whole school also participates in monthly fire drills, 2 earthquake drills, and 3 lockdown/shelter-in-place drills.

(A) Child Abuse Reporting Procedures (EC 35294.2 [a] [2]; PC 11166)

Child Abuse Reporting Procedures

With concern for the total well-being of each student, employees of the district shall report known or suspected incidences of child abuse in accordance with state law and district regulations. Our employees cooperate with the child protective agencies responsible for reporting, investigating and prosecuting cases of child abuse.

A. Definition of Child Abuse

"Child Abuse," as defined by law, pursuant to Penal Code 273 and 11165, includes:

1. Physical abuse resulting in a non-accidental physical injury.
2. Physical neglect, including both severe and general neglect, resulting in negligent treatment or maltreatment of a child.
3. Sexual abuse including both sexual assault and sexual exploitation.
4. Emotional abuse and emotional deprivation including willful cruelty or unjustifiable punishment.
5. Severe corporal punishment.

B. Legal Duty to Report

Mandated child abuse reporting is governed by the Child Abuse and Neglect Reporting Act, P.C. 11164. The intent and purpose of the law is to protect children from abuse. The definition of a child is any person under 18 years of age.

Within the scope of his or her employment, any childcare custodian who has knowledge of, observes, or reasonably suspects a child is a victim of child abuse, shall report the known or suspected abuse to a child protective agency by telephone and written report. Additionally, any suspicion of mental suffering inflicted on a child where his or her well-being is endangered in any way, will also be reported.

"Mandated Reporters" are those people defined by law as "childcare custodians," "medical practitioners" and "non-medical practitioners" and include virtually all school employees.

(Penal Code 11165.7 and 11165.8) The following school personnel are required to report: teachers, administrators, supervisors of child welfare and attendance, certificated student personnel employees, employees of a child care programs, preschool teachers, school psychologists, licensed nurses, counselors, para-educators instructional aides or other classified employees trained in child abuse reporting. Employees do not need to have their employer's permission to make a child abuse report.

"Child Protective Agencies" are those law enforcement and child protective services responsible for investigating child abuse reports, including the local police or sheriff's department, county welfare or juvenile probation department and child protective services (CPS).

"Reasonable Suspicion" means that it is objectively reasonable for a person to entertain such a suspicion, based upon facts that could cause a reasonable person in a like position, drawing when appropriate on his/her training and experience, to suspect child abuse. (Penal Code 11166)

3. Employees will report known or suspected child abuse to a child protective agency by telephone immediately or as soon as practically possible and in writing within 36 hours. The reporting duties are individual and cannot be delegated to another individual.

4. When two or more persons who are required to report and both have knowledge of suspected child abuse, and when there is agreement among them, the telephone report may be made by any one of them who is selected by mutual agreement, and a single report may be made and signed by the person selected. However, if any person who knows or should know that the person designated to report failed to do so, that person then has a duty to make the report.

5. The duty to report child abuse is an individual duty and no supervisor or administrator may impede or inhibit such reporting duties. Furthermore, no person making such a report shall be subject to any sanction. Any supervisor or administrator in violation (Section 11166) is guilty of an infraction punishable by a fine not to exceed five thousand dollars (\$5000).

C. Legal Responsibility and Liability

1. Mandated reporters have absolute immunity. School employees required to report are not civilly or criminally liable for filing a required or authorized report of known or suspected child abuse.

2. Any mandated reporter who fails to report an incident of known reasonably suspected child abuse or neglect as required by this section is guilty of a misdemeanor punishable by up to six months confinement in a county jail or by fine of one thousand dollars (\$1000) or by both that fine and punishment. The mandated reporter may also be held civilly liable for damages of any injury to the child after a failure to report.

D. Reporting Procedures

The person who first observes or learns about the abuse is to complete the "Suspected Child Abuse Report" form (BCIA 8572) and call the Child Abuse Reporting phone number Call our hotline now at 510-259-1800, available 24 hours a day, 7 days a week or if it is an emergency call:

OR Immediately telephone the appropriate law enforcement agency (based upon where the abuse is suspected to have occurred). Jurisdiction, as to whether the county or the city responds, is determined by where the abuse took place.

a. City: Call the Alameda Police Department (510) 337-8340

3. Employees are not required to identify themselves to their employer when they make a child abuse report. If an employee wishes to waive his/her confidentiality rights he/she may wish to make photocopies of the "Suspected Child Abuse Report" form (SS8572) and forward a copy to the principal and to the Executive Director of Student and Family Support Services.

E. Victim Interviews

Upon request, a child protective agency representative may interview a suspected victim of child abuse, during school hours and on school premises, concerning a report of suspected child abuse that occurred within the child's home. The child shall be given the choice of being interviewed in private or in the presence of any adult school employee or volunteer aide selected by the child. A staff member or volunteer aide selected by a child may decline to present at the interview. If the selected person accepts, the principal or designee shall inform him/her, before the interview takes place, of the following legal requirements:

1. The purpose of the selected person's presence at the interview is to lend support to the child and enable him/her to be as comfortable as possible.
2. The selected person shall not participate in the interview.
3. The selected person shall not discuss the facts or circumstances of the case with the child.
4. The selected person is subject to the confidentiality requirements of Article 2.5 (Penal Code 11165 et seq.), a violation of which is punishable as specified by 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)

F. Release of Child to Peace Officer or to a Child Protective Services Worker

When a child is released to a peace officer and taken into custody as a victim of suspected child abuse, the principal or other school staff shall not notify the parent/guardian as required in other instances of removal of a child from school, but rather shall provide the peace officer with the address and telephone number of the child's parent/guardian. It is the responsibility of the peace officer to notify the parent/guardian of the situation

G. Staff Training

The Principal or designee shall provide training in child abuse identification and reporting for all certificated personnel, instructional and teacher aides, teacher assistants, para-educators and other classified employees. (Penal Code 11165.7) All employees trained in child abuse identification and reporting shall be given, as a part of that training, written notice of the child abuse reporting requirements and the employees' confidentiality rights. (Penal Code 11165.7). The absence of training does not excuse a mandated reporter from the duties imposed by the penal code.

(B) Disaster Procedures (EC 35295-35297; GC 8607 and 3100)

Disaster Plan (See Appendix C-F)

Purpose of the Plan

This response plan is designed to assist school staff, students, parents and local agencies organize resources of the school and community to respond to a crisis situation while school is in session. Regulatory Authority State laws and regulations require school districts develop emergency plans and train staff in emergency response procedures. These include laws applicable to school staff and students as well as Cal/OSHA regulations specifically addressing the safety of district employees. The Katz Act [California Education Code, §35295-35297] requires schools plan for earthquakes and other emergencies. It also requires training in earthquake preparedness procedures for both certificated and classified staff. The Petris Bill [Government Code, §8607] requires school districts be prepared to utilize the Standardized Emergency Management System (SEMS) when responding to emergencies. This requires that principles of SEMS are incorporated in District plans; that the Incident Command System (ICS) are used at school sites; that all school personnel are trained in how the respective systems work and correlate; and that schools have drills and exercises in order to practice using the systems. This plan is designed and structured to ensure compliance with the mandates of state law as well as with Cal/OSHA's Emergency Action Plan Standard Title 8, California Code of Regulations §3220. This regulation requires each employer facility have an Emergency Action Plan which focuses on specific emergency contingencies, response personnel roles, and evacuation plans of each employer's site where employees work. Schools and school districts are included in this mandate. School Site Emergency Preparedness and Response Coordination Each principal shall supervise the planning, operating and testing of their respective school's Emergency Preparedness and Crisis Response Plan. Each principal will also ensure that all school staff and students are familiar with the basic elements of the District's Emergency Operations Plan, which will be utilized at the district office in the event of a major emergency or district-wide disaster. The principal must ensure that the Incident Command System are utilized by all staff personnel in the event of an emergency incident and shall serve as the Incident Commander at all school crises or emergencies.

Campus and Facility Site Preparedness Duties

This school and the District have designated specific persons to assume emergency position responsibilities in the event of a site emergency or District-wide disaster. The following information provides a breakdown of these responsibilities:

All School Staff:

- Become familiar with the school's emergency and evacuation procedures.
- Participate in First Aid and CPR training, as appropriate.

Annually each principal shall:

- Designate Staff Incident Command Structure Assignments.
- Update this site Emergency Preparedness and Crisis Response Plan.
- Ensure personnel are properly trained in their respective assignments.
- Conduct survey of personnel to determine CPR/First Aid/Disaster Preparedness/Medical Training.
- Survey parents to determine who may wish to volunteer during an extended emergency or disaster.
- Ensure needs of students and staff with disabilities are provided for in the event of an emergency.
- Designate primary and alternate locations for command post, evacuation, first aid, student release, and morgue.
- See that parents are informed of the plan and its effect upon students.
- Compile/maintain list of local emergency agencies including telephone numbers and addresses.
- Practice building evacuation plans including testing of warning systems, alarm signals, and communications methods.
- With Maintenance and Operations, complete a site and building hazard survey.
- Ensure all emergency equipment and supplies are in usable condition at all times.

Teachers:

- Teachers are responsible for the supervision of students in their charge.
- Understand emergency response procedures.
- Have planned activities for use during disasters to lessen possible tension.

School Office Managers or Designee:

- Organize and maintain the emergency first aid supplies and distribute back-up supplies.
- Assist principal in developing procedures to protect essential records.
- Ensure battery-operated AM/FM radio is available in working condition; know the call number and frequency of disaster information station.
- Maintain an up-to-date list of students and staff who require life sustaining medication.

School Custodians or designee:

- Assist principal in planning control procedures for different types of building damage.
 - Routinely check that battery-operated equipment is in working condition.
- Directions for the Instructional Staff During a Declared Emergency

Crisis Response

The primary goals of crisis response are to:

- Prevent a potentially chaotic situation from escalating into a catastrophic event.
- Help those affected to return, as quickly as possible, to a normal level of functioning.
- Decrease the potential long-term effects of the crisis.

Incident Command System (ICS)

The Incident Command System is an emergency response system used to manage an emergency incident at a specific facility or site. The ICS, as designated by the AUSD, will be used by this school as the formal emergency response structure. This is in contrast to the Standardized Emergency Management System (SEMS) which is used to manage resources at a district-wide level.

Foundations of Crisis Response

The primary foundation for any emergency or crisis response system is to ensure, as much as is humanly possible, the application of the three C's at all times.

These three C's are:

- Control – Control is the cornerstone of every crisis/emergency response. In emergency response this is initiated and maintained through the effective use of the Incident Command System.
- Communication - Communication is essential to maintaining effective coordination of all response actions. Ongoing communication must be maintained between response persons, school staff, and the command team.
- Coordination - Coordination is essential to ensure that the most effective and appropriate response actions are used throughout a response operation. Proper utilization of the Incident Command System will ensure that all response operations are coordinated from a central point and that no response action is taken at cross purposes to any other.

Insert link to REMS packet here

Public Agency Use of School Buildings for Emergency Shelters

If the Superintendent declares a District emergency during the school day, the District has a clear statement of policy governing its actions.

Alameda Unified School District Policy is as follows:

IN CASE OF A DECLARED EMERGENCY BY THE SUPERINTENDENT DURING SCHOOL HOURS, ALL STUDENTS WILL BE REQUIRED TO REMAIN AT SCHOOL OR AN ALTERNATE, SAFE SITE UNDER THE SUPERVISION OF DISTRICT PERSONNEL:

1. Until regular dismissal time and then released only if it is considered safe, OR
2. Until released to an adult authorized by the parent or legal guardian whose name appears on District records.
 - a) If students are on their way to school they should proceed to school.
 - b) If students are on their way home from school they are to continue home.
3. To provide this supervision and care, Alameda Unified School District personnel will be utilized under Title 1, Division 4, Chapter 8 Government Code and other legal statutes. The statute states that all public employees are designated disaster service workers when an emergency is declared. The District Superintendent, or designee, has the legal authority to declare an emergency in this District. The authority also extends to Alameda County to declare an emergency and impress public employees into service as disaster service workers.

4. Alameda Unified School District encourages the utilization of a buddy system at District sites wherein staff responsibilities for specific emergency functions are assigned to pairs of employees who could, with approval of the Site Manager, carry on legally required supervision and care requirements while allowing emergency home visits to assure welfare of their own families.

(C) School Suspension, Expulsion and Mandatory Expulsion Guidelines

Definitions

Suspension from school means removal of a student from ongoing instruction for adjustment purposes.

The teacher of any class from which a student is suspended pursuant to Section 48910 shall require the student to complete any assignments and tests missed during the suspension. The school will monitor and address the educational needs of the student that arise due to the loss of instructional time. (Education Code 48913). However, suspension does not mean any of the following: (Education Code 48925)

- Reassignment to another education program or class at the same school where the student will receive continuing instruction for the length of day prescribed by the Governing Board for students of the same grade level.
- Referral to a certificated employee designated by the principal to advise students.
- Removal from the class, but without reassignment to another class or program, for the remainder of the class period without sending the student to the principal or designee as provided in Education Code 48910. Removal from a particular class shall not occur more than once every five school days.

Referral means removal from classroom instruction for discipline reasons.

Expulsion means removal of a student from the immediate supervision and control, or the general supervision, of school personnel. (Education Code 48925)

Day means a calendar day unless otherwise specifically provided. (Education Code 48925)

School day means a day upon which the schools of the district are in session or weekdays during the summer recess. (Education Code 48925)

Student includes a student's parent/guardian or legal counsel. (Education Code 48925)

Principal's designee means one or more administrators or, if there is not a second administrator at one school site, a certificated person specifically designated by the principal, in writing, to assist with disciplinary procedures. Only one such person may be designated at any time as the principal's primary designee, and only one such person may be designated as secondary designee for the school year. The names of such persons shall be on file in the principal's office. (Education Code 48911)

School property, for the purposes described in Education Code 48900, includes, but is not limited to, electronic files and databases. (Education Code 48900(u))

The District database is the Aeries Student Information System.

Restorative Practices (RP) is a continuum of practices by which schools build community through circles and other activities, where students learn to use affective statements and the process where all stakeholders affected by an injustice have an opportunity to discuss how they have been affected by the injustice and to decide what should be done to repair the harm.

Positive Behavioral Interventions and Supports (PBIS) is a framework for providing a range of systemic and individualized strategies for achieving important academic and behavioral outcomes while preventing problem behaviors.

Social and Emotional Learning (SEL) is a process through which children and adults develop the fundamental skills for life effectiveness. The five SEL competencies are: self-awareness, self-management, social awareness, relationship skills, and responsible decision-making.

Multi Tiered System of Support (MTSS) is a way of organizing instruction and intervention to help all students. The goal of the multi-tiered framework is to provide high-quality instruction and supports based on student need. This framework helps educators by providing information (data) to identify students needing additional support (academic and behavioral) and also identify students who may need special education services. MTSS includes three levels (or tiers) of instruction. Each tier has a set of evidence-based practices to meet the instructional goals.

Tier 1

For MTSS, a school must first establish its Tier 1 or universal supports. Universal supports are the instructional practices that help all students in a school. Once the universal supports are in place, staff can use assessment data to determine which students need additional supports.

Tiers 2 and 3

The intensity and duration of supports increase for Tiers 2 and 3. The appropriate level of support for each student is determined by assessment data.

Grounds for Suspension and Expulsion

The following is a list of grounds for which suspension and expulsion may be permitted or shall be imposed subject to the

restrictions and requirements herein:

- Caused, attempted to cause, or threatened to cause physical injury to another person or willfully used force or violence upon another person, except in self-defense (Education Code 48900(a))
- A student who aids or abets the infliction or attempted infliction of physical injury on another person, as defined in Penal Code 31, may be suspended, but not expelled. However, such a student may be suspended or expelled pursuant to Education Code 48900(a) when he/she has been adjudged by a juvenile court to have committed, as an aider or abettor, a crime of physical violence in which the victim suffered great or serious bodily injury. (Education Code 48900(t))
- 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))
- 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))
- 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))
- Committed or attempted to commit robbery or extortion (Education Code 48900(e))
- Caused or attempted to cause damage to school property or private property (Education Code 48900(f))
- Stole or attempted to steal school property or private property (Education Code 48900(g))
- 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))
- Committed an obscene act or engaged in habitual profanity or vulgarity (Education Code 48900(i))
- Unlawfully possessed, offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Health and Safety Code 11014.5 (Education Code 48900(j))

As provided in California Education Code section 48900(k), no student enrolled in grades T-Kindergarten through third grade may be suspended or expelled for disrupting school activities or willfully defying the authority of school personnel ("disruption and willful defiance") and no student in TK-12 may be expelled for willful disruption or defiance.

Effective July 1, 2019, no student enrolled in grades T-Kindergarten through twelve (TK-12) grades may be suspended or expelled for disrupting school activities or willfully defying the authority of school personnel. The Board will review data regarding suspensions for defiance in Grades 4 through 12 in August 2019 and January 2020. If, based on review of the data, it appears further steps should be undertaken to meet the goal of eliminating suspensions for defiance by July 1, 2019, the Board will direct the Superintendent to implement such additional measures to achieve the goal of no suspensions for defiance by July 1, 2020.

- Knowingly received stolen school property or private property (Education Code 48900(l))
- 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))

- 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))
- 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))
- Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma (Education Code 48900(p))
- 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.

- 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.

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 (items #20-22 below), that has any of the effects described above on a reasonable student.

Electronic act means the transmission of a communication, 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.

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))

- 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)

A student in grades 4-12 is also subject to suspension or recommendation for expulsion when it is determined that he/she:

- 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)

- 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)

- 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)

A student may be suspended or expelled for any of the acts listed above if the act is related to school activity or school attendance occurring at any district school or within any other school district, at any time, including, but not limited to, the following: (Education Code 48900(s))

- While on school grounds
- While going to or coming from school
- During the lunch period, whether on or off the school campus
- During, going to, or coming from a school-sponsored activity

Teacher-Initiated Suspensions Pursuant to Section 48910

The Board desires the adoption of a Multi-Tiered System of Support which includes Positive Behavior Intervention Supports to facilitate a consistent approach for positive, pro-social behavior management (BP 5144). The District expects teachers to attempt interventions prior to initiating a suspension pursuant to Section 48910 except where suspension for a first offense is permitted or mandated by law, as described on pp. 8-9 below.

When removing a student from his/her class pursuant to Section 48910, 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 removed. (Education Code 48910)

The site administrator or designee shall ensure that site staff completed the following:

- The teacher completed the Teacher-Initiated Pupil Suspension Report and, starting in the 2019-20 school year, the office referral form.
- The teacher contacted the parent/guardian to request their participation in a parent-teacher conference regarding the suspension within 24 hours. 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)
- The site administrator or designee reviewed the office referral form and completed the in-school suspension form if warranted.
- The site administrator or designee contacted parent/guardian regarding the suspension.
- The site administrator or designee recorded the classroom interventions and referral in the District database.

A student suspended from class pursuant to Section 48910 shall not be returned to class during the period of suspension without the approval of the teacher of the class and the principal. (Education Code 48910)

A student suspended from class pursuant to Section 48910 shall not be placed in another regular class during the period of suspension. However, if a student is assigned to more than one class per day, he/she may be placed in any other regular classes except those held at the same time as the class from which the student was removed. (Education Code 48910)

The teacher of any class from which a student is suspended pursuant to Section 48910 shall require the student to complete any assignments and tests missed during the suspension. The school will monitor and address the educational needs of the student that arise due to the loss of instructional time. (Education Code 48913)

When suspending a student in Grades TK-3 from class for committing an obscene act or engaging in habitual profanity or vulgarity, the teacher of the class may require any parent/guardian who lives with the student to attend a portion of the school day in the class from which the student is being suspended, to assist in resolving the classroom behavior problems. (Education Code 48900.1) The teacher of the class may also require any parent/guardian who lives with the student to attend a portion of the school day in the class to assist in resolving classroom behavior problems.

When suspending a student in Grades 4-12 from class for committing an obscene act or engaging in habitual profanity or vulgarity, disrupting school activities, or otherwise willfully defying valid staff authority, the teacher of the class may require any parent/guardian who lives with the student to attend a portion of the school day in the class from which the student is being suspended, to assist in resolving the classroom behavior problems. (Education Code 48900.1)

When suspending a student in any grade from class for committing an obscene act, engaging in habitual profanity or vulgarity, the teacher of the class may require any parent/guardian who lives with the student to attend a portion of the school day in the class from which the student is being suspended, to assist in resolving the classroom behavior problems. (Education Code 48900.1) The teacher of the class may also require any parent/guardian who lives with the student to attend a portion of the school day in the class to assist in resolving classroom behavior problems.

Teachers should reserve the option of required parental attendance for cases in which they have determined that it is the best strategy to promote positive interaction between the teacher and the student and his/her parents/guardians and to improve the student's behavior.

Any teacher requiring parental attendance pursuant to this policy shall apply the policy uniformly to all students within the classroom. (Education Code 48900.1)

When a teacher makes this request, the principal shall send the parent/guardian a written notice that the parent/guardian's attendance is requested pursuant to law. (Education Code 48900.1)

The notice shall specify that the attendance may be on either the date the student is scheduled to return to class or within one week thereafter.

This notice shall also:

- Inform the parent/guardian when his/her presence is expected and by what means he/she may arrange an alternate date
- Ask the parent/guardian to meet with the principal after the visit and before leaving school, as required by Education Code 48900.1

At the meeting with the student's parent/guardian, the principal or designee shall explain the district's and school's discipline policies, including the disciplinary strategies that may be used to achieve proper student conduct.

When a parent/guardian does not respond to the request to attend school, the principal or designee shall contact him/her by telephone, mail, or other method that maintains the confidentiality of the student's records.

District regulations shall include procedures for implementing parental attendance requirements. Parents/guardians shall be notified of this policy prior to its implementation. (Education Code 48900.1)

Suspensions by Superintendent, Principal, or Designee

The Board does not support a zero tolerance approach to discipline except where mandated by law. Schools may not adopt zero tolerance policies that conflict with District discipline policies. The Board desires that schools will adopt, engage, and implement positive approaches to addressing problem behavior prior to initiating the suspension of a student.

Suspension for a first time offense is limited to certain serious offenses (listed below in permissible and mandatory categories) or where it can be documented that the presence of a student causes a danger to persons.

Defiance

As provided in California Education Code section 48900(k), no student enrolled in grades T-Kindergarten through third grade may be suspended or expelled for disrupting school activities or willfully defying the authority of school personnel ("disruption and willful defiance") and no student regardless of grade may be expelled for willful defiance or disruption.

Effective July 1, 2019, no student enrolled in grades T-Kindergarten through twelve (TK-12) grades may be suspended or expelled for disrupting school activities or willfully defying the authority of school personnel. Suspension and expulsion shall not be imposed for a violation of Education Code section 48900(k), including disruption of school activities or willful defiance. The District expects schools to develop appropriate interventions, for example, behavioral plans, restorative circles, or SEL groups for students who engage in a pattern of defiant behavior.

Defiance is when a student continues to disobey a school official, teacher, or administrator after having been taught the rules and expectations of the school and the student displays behavior that directly interferes with the rights of others to learn.

The Board will review data regarding suspensions for defiance in Grades 4 through 12 in August and January. If, based on review of the data, it appears further steps should be undertaken to meet the goal of eliminating suspensions for defiance, the Board will direct the Superintendent to implement such additional measures to achieve the goal of no suspensions for defiance by July 1, 2020.

Discipline and Intervention Matrix for Administrators

Attached to this Administrative Regulation is the discipline and intervention matrix aligned to the District's Multi-Tiered System of Support framework that models a progressive and holistic approach to discipline. As provided in the Board Policy, each school is responsible for adopting strategies, programs, and interventions within this framework to facilitate a positive approach to behavior management. Even if suspension is appropriate, administrators must first consider whether other interventions should be used.

Except where suspension for a first offense is permitted or mandatory (as described above), in-school and out-of-school suspension and other sanctions that result in a student's loss of instruction shall only be imposed when the principal or designee has determined that other means of correction that are consistent with District policies and procedures have failed to bring about proper conduct. (Education Code 48900.5)

As described in AR 5144, interventions and other alternatives to suspension should be attempted and evaluated prior to referral from the classroom. In addition, the principal or designee shall document the other means of correction used and retain them in the student's record. (Education Code 48900.5)

The Principal or designee shall complete the suspension form and record the suspension in the District's database.

The Superintendent, principal, or designee may suspend a student from school for not more than five consecutive school days unless the suspension is extended pending expulsion. (Education Code 48911)

A student may be suspended from school for not more than 20 school days in any school year unless, for purposes of adjustment, the student enrolls in or is transferred to another regular school, an opportunity school, or continuation school or class, in which case suspension shall not exceed 30 days in any school year. However, this restriction on the number of days of suspension does not apply when the suspension is extended pending an expulsion. (Education Code 48903, 48911, 48912)

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)

Suspensions shall be initiated according to the following procedures:

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 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. 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)

Administrative Actions: All requests for student suspension are to be processed by the principal or designee. All suspensions shall be recorded in the District database. 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)

Notice to Parents/Guardians: At the time of the suspension, a school employee shall make a reasonable effort to contact the parent/guardian by telephone or in person. Whenever a student is suspended, the parent/guardian shall be notified in writing of the suspension. (Education Code 48911)

This notice shall state the specific offense committed by the student. (Education Code 48900.8)

In addition, the notice may state the date and time when the student may return to school. If school officials wish to ask the parent/guardian to confer regarding matters pertinent to the suspension, the notice may add that state law requires the parent/guardian to respond to such requests without delay.

Parent/Guardian Conference: Whenever a student is suspended, school officials may meet 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)

Although the parent/guardian is required to respond without delay to a request for a conference about his/her child's behavior, 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 readmission solely because the parent/guardian failed to attend the conference. (Education Code 48911)

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 Principal may, in writing, extend the suspension until such time as the Board has made a decision. (Education Code 48911)

Any extension of the original period of suspension shall be preceded by notice of such extension with an offer to hold a conference concerning the extension, giving the student an opportunity to be heard. This conference may be held in conjunction with a meeting requested by the student or parent/guardian to challenge the original suspension. Extension of the suspension may be made only if

the Superintendent or Principal determines, following a meeting in which the student and the student's parent/guardian were invited to participate, that the student's presence at the school or at an alternative school would endanger persons or property or threaten to disrupt the instructional process. (Education Code 48911)

If the student involved is a foster youth, the Superintendent or designee shall notify the district liaison for foster youth of the need to invite the student's attorney and a representative of the appropriate county child welfare agency to attend the meeting. (Education Code 48853.5, 48911, 48918.1)

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.

The student shall be responsible for contacting the school to receive assignments to be completed during the period of the suspension. The school shall make available all assignments and tests that the student will miss while suspended.

Suspension by the Board

The Board may suspend a student for any of the acts listed in "Grounds for Suspension and Expulsion" above and within the limits specified in "Suspensions by Superintendent, Principal, or Designee" above. (Education Code 48912)

The Board may suspend a student enrolled in a continuation school or class for a period not longer than the remainder of the semester if any of the acts listed in "Grounds for Suspension and Expulsion" occurred. The suspension shall meet the requirements of Education Code 48915. (Education Code 48912.5)

When the Board is considering a suspension, disciplinary action, or any other action (except expulsion) against any student, it shall hold a closed session if a public hearing would lead to disclosure of information violating a student's right to privacy under Education Code 49073-49079. (Education Code 35146, 48912)

The Board shall provide the student and his/her parent/guardian with written notice. Upon receiving this notice, the student or parent/guardian may request a public meeting, and this request shall be granted if made in writing within 48 hours after receipt of the Board's notice. However, any discussion that conflicts with any other student's right to privacy still shall be held in closed session. (Education Code 35146, 48912)

Supervised Suspension Classroom

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 a supervised suspension classroom in a separate classroom, building, or site for the entire period of suspension. The following conditions shall apply: (Education Code 48911.1)

The supervised suspension classroom shall be staffed in accordance with law and by certificated employees.

The student shall have access to appropriate counseling services.

The supervised suspension classroom shall promote completion of schoolwork and tests missed by the student during the suspension.

The student shall be responsible for contacting his/her teacher(s) to receive assignments to be completed in the supervised suspension classroom except where otherwise set out in the student's Individualized Education Program (IEP) or Section 504 plan. 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.

The Principal or designee shall complete the in-school suspension form and record the suspension in the District's database.

At the time a student is assigned to a supervised suspension classroom, the principal or designee shall notify the student's parent/guardian in person or by telephone. When the assignment is for longer than one class period, this notification shall be made in writing. (Education Code 48911.1)

Involuntary Transfer

The District may not involuntarily transfer a student in Grades TK- 3rd grade to another school based on a finding of disruption of school activities or willful defiance of the authority of school personnel (California Education Code section 48900(k)).

Effective July 1, 2019, the District may not involuntarily transfer a student to another school based on a finding of disruption of school activities or willful defiance of the authority of school personnel (California Education Code section 48900(k)).

Involuntary transfers may only occur following a recommendation for expulsion and after a hearing before the District's Disciplinary Hearing Panel (DHP) consistent with the requirements in Education Code section 48918 and the notice and hearing procedures set forth below for expulsions. In addition, an involuntary transfer to a continuation school must be made pursuant to Education Code section 48432.5.

Expulsions

The Board shall expel, as required by law, any student found to have committed any offense listed below under "Mandatory Recommendation and Mandatory Expulsion" (see page 13). (Education Code 48915)

For all other grounds listed under "Grounds for Suspension and Expulsion," the Board shall order a student expelled upon the recommendation of the Superintendent, principal, or designee only if the Board makes a finding of either or both of the following: (Education Code 48915(b) and (e))

- That other means of correction have repeatedly failed to bring about proper conduct
- 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

Authority to Expel

A student may be expelled only by the Board. (Education Code 48918(j))

The Board shall expel, as required by law, any student found to have committed any offense listed below under "Mandatory Recommendation and Mandatory Expulsion." (Education Code 48915)

For all other grounds listed above under "Grounds for Suspension and Expulsion," the Board shall order a student expelled upon the recommendation of the Superintendent, principal, or designee, only if the Board makes a finding of either or both of the following: (Education Code 48915(b) and (e))

- That other means of correction are not feasible or have repeatedly failed to bring about proper conduct
- 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

Recommendation for Expulsion Expected Unless It Is Not Appropriate or Alternative Means of Correction Would Address the Conduct

Unless the Superintendent, principal, or designee 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(a))

- Causing serious physical injury to another person, except in self-defense

- Possession of any knife as defined in Education Code 48915(g), explosive, or other dangerous object of no reasonable use to the student
- 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
- Robbery or extortion
- 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)

Mandatory Recommendation and Mandatory Expulsion

The Superintendent, principal, or designee shall recommend that the Board expel any student found at school or at a school activity to be: (Education Code 48915(c))

Possessing, as verified by a district employee, selling, or otherwise furnishing a firearm.

Possession of an imitation firearm, as defined in Education Code 48900(m), shall not be regarded as an offense requiring a mandatory recommendation for expulsion and mandatory expulsion. However, an administrator shall have discretion on a case-by-case basis to recommend expulsion for the possession of an imitation firearm.

Brandishing a knife as defined in Education Code 48915(g) at another person

Unlawfully selling a controlled substance listed in Health and Safety Code 11053-11058

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

Possessing an explosive as defined in 18 USC 921

Upon finding that the student committed any of the above acts, the Board shall expel the student. (Education Code 48915)

Student's Right to Expulsion Hearing

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 one of the acts listed above under "Grounds for Suspension and Expulsion." (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))

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)

Receive five days' notice of his/her scheduled testimony at the hearing

Have up to two adult support persons of his/her choosing present at the hearing at the time he/she testifies

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)

The rights of a complaining witness are further outlined in Administrative Regulation 5145.7 (Sexual Harassment).

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))

- The date and place of the hearing.
- A statement of the specific facts, charges, and offense upon which the proposed expulsion is based.
- A copy of district disciplinary rules which relate to the alleged violation.
- 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).
- 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 advisor.

Legal counsel means an attorney or lawyer who is admitted to the practice of law in California and is an active member of the State Bar of California.

Nonattorney advisor means an individual who is not an attorney or lawyer, but who is familiar with the facts of the case and has been selected by the student or student's parent/guardian to provide assistance at the hearing.

- The right to inspect and obtain copies of all documents to be used at the hearing.
- The opportunity to confront and question all witnesses who testify at the hearing.
- 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

At least 10 days prior to a hearing to determine if a student who is a foster youth as defined under Education Code 48853.5 should be expelled for an offense not requiring a mandatory recommendation for expulsion, the Superintendent or designee shall notify the student's attorney and a representative of an appropriate county child welfare agency. If the hearing is pursuant to an offense requiring a mandatory expulsion recommendation, the Superintendent or designee may provide the same notification. The notice shall be provided by the most cost-effective method possible, including by email or a telephone call. (Education Code 48918.1)

Conduct of Expulsion Hearing

Closed Session: Notwithstanding the provisions of Government Code 54953 and Education Code 35145, the Board shall conduct a hearing to consider the expulsion of the student in a session closed to the public unless the student requests in writing at least five days prior to the hearing that the hearing be a public meeting. If such a request is made, the meeting shall be public unless another student's privacy rights would be violated. (Education Code 48918(c))

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))

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))

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))

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" 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.

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)

- Any complaining witness shall be given five days' notice before being called to testify.
- Any complaining witness shall be entitled to have up to two adult support persons, including, but not limited to, a parent/guardian or legal counsel, present during his/her testimony.
- Before a complaining witness testifies, support persons shall be admonished that the hearing is confidential.
- The person presiding over the hearing may remove a support person whom he/she finds is disrupting the hearing.
- If one or both support persons are also witnesses, the hearing shall be conducted in accordance with Penal Code 868.5.

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.

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.

The district shall provide a room separate from the hearing room for the use of the complaining witness before and during breaks in testimony.

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.

The person conducting the hearing may:

- Arrange the seating within the hearing room so as to facilitate a less intimidating environment for the complaining witness
- 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
- Permit one of the support persons to accompany the complaining witness to the witness stand

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. Alternatively, the Board may appoint an impartial administrative panel composed of three or more certificated personnel, none of whom shall be members of the Board or on the staff of the school in which the student is enrolled. (Education Code 48918(d))

A hearing conducted by the hearing officer or administrative panel shall conform to the same procedures applicable to a hearing conducted by the Board as specified above in "Conduct of Expulsion Hearing," including the requirement to issue its 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 expulsion referral was made, unless the parent, guardian, or responsible adult of the pupil requests another school placement in writing. Before the placement decision is made by the parent, guardian, or responsible adult, the superintendent of schools or the superintendent's designee shall consult with school district personnel, including the pupil's teachers, and the parent, guardian, or responsible adult regarding any other school placement options for the pupil in addition to the option to return to his or her classroom instructional program from which the expulsion referral was made. If the hearing officer or administrative panel finds that the pupil committed any of the acts specified in subdivision (c) of Section 48915, but does not recommend expulsion, the pupil shall be immediately reinstated and may be referred to his or her prior school or another comprehensive school, or, pursuant to the procedures set forth in Section 48432.5, a continuation school of the school district. The decision not to 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 for a period of one year. (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, the final action to expel shall be taken by the Board at a public meeting. (Education Code 48918(j))

If the Board conducts the hearing and reaches a decision not to expel, this decision shall be final and the student shall be reinstated immediately.

Upon ordering an expulsion, the Board shall set a date when the student shall be reviewed for readmission to a school within the district. For a student expelled for 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)

- Periodic review, as well as assessment at the time of review, for readmission
- 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:

- The specific offense committed by the student for any of the causes for suspension or expulsion listed above under "Grounds for Suspension and Expulsion" (Education Code 48900.8)
- The fact that a description of readmission procedures will be made available to the student and his/her parent/guardian (Education Code 48916)
- Notice of the right to appeal the expulsion to the County Board of Education (Education Code 48918)
- Notice of the alternative educational placement to be provided to the student during the time of expulsion (Education Code 48918)
- Notice of the student's or parent/guardian's obligation to inform any new district in which the student seeks to enroll of the student's status with the expelling district, pursuant to Education Code 48915.1 (Education Code 48918)

Decision Not to Enforce Expulsion Order

In accordance with Board policy, when deciding whether to suspend the enforcement of an expulsion order, the Board shall take into account the following criteria:

- The student's pattern of behavior
- 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:

- 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)
- During the period when enforcement of the expulsion order is suspended, the student shall be on probationary status. (Education Code 48917)
- The suspension of the enforcement of an expulsion order may be revoked by the Board if the student commits any of the acts listed under "Grounds for Suspension and Expulsion" above or violates any of the district's rules and regulations governing student conduct. (Education Code 48917)
- 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)

- 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)

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))

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)

Right to 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)

The student shall submit 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 furnishment 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)

Post-Expulsion Placements

The Board shall refer expelled students to a program of study that is: (Education Code 48915, 48915.01)

- Appropriately prepared to accommodate students who exhibit discipline problems
- Not provided at a comprehensive middle, junior, or senior high school or at any elementary school, unless the program is offered at a community day school established at such a site
- Not housed at the school site attended by the student at the time of suspension

When the placement described above is not available and when the County Superintendent so certifies, students expelled for acts described in items #6-13 and #20-22 under "Grounds for Suspension and Expulsion" 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

Readmission procedures shall be as follows:

- On the date set by the Board when it ordered the expulsion, the district shall consider readmission of the student. (Education Code 48916)
- 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.
- The Superintendent or designee shall transmit to the Board his/her recommendation regarding readmission. The Board shall consider this recommendation in closed session if information would be disclosed in violation of Education Code 49073-49079. If a written request for open session is received from the parent/guardian or adult student, it shall be honored.
- 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.

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)

If the Board denies the readmission of a student, the Board shall determine either to continue the student's placement in the alternative educational program initially selected or to place the student in another program that serves expelled students, including placement in a county community school. (Education Code 48916)

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 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)

Outcome Data

The Superintendent or designee shall maintain the following data and report such data annually to the California Department of Education, using forms supplied by the California Department of Education: (Education Code 48900.8, 48916.1)

- The number of students recommended for expulsion
- The specific grounds for each recommended expulsion
- Whether the student was subsequently expelled
- Whether the expulsion order was suspended
- The type of referral made after the expulsion
- The disposition of the student after the end of the expulsion period

Public Reporting of Discipline Data

The Superintendent or designee shall ensure that the following data is publicly available on the District's public website twice annually, within 60 days after the completion of each semester:

- The aggregate number and rates of office referrals, teacher suspensions, supervised in-school and out-of-school suspensions, involuntary transfers, expulsion referrals, expulsions, on-campus citations, school-based arrests, and four-year graduation and drop-out rates, disaggregated by all subgroups, including race, gender, ethnicity, English Language Learner status, socio-economic status, foster youth, homeless youth, and disability and by offense for the district and by school-site.
- The number of instructional days and ADA funding lost to suspensions, transfers, and expulsions.
- The school sites to which students were transferred after the Disciplinary Review Hearing procedure or through any involuntary transfer process, whether they enrolled subsequently, and the outcomes for such students, including, but not limited to, graduation and drop-out rates.

In reporting such data, the privacy of individual students and teachers shall be protected. Data will not be disaggregated in any manner that could reveal student identity to the public or to knowledgeable members of the school community. The data shall be reported for the district as a whole and for each school-site.

The procedures shall also include requirements that appropriate district and school officials regularly review this data and take action to address disparities or disproportionate use of punitive discipline measures for particular subgroups.

Expungement of Student Disciplinary Records

As provided in Board Policy 5144.3, a student, parent, guardian, appointed advocate on behalf of the student, or Superintendent on behalf of a student may apply for expungement of student disciplines record which meet the criteria set forth in BP 5144.3.

(D) Procedures to Notify Teachers of Dangerous Pupils (EC 49079)

Notice Regarding Student Offenses

When a student commits certain offenses that may endanger staff or others, the following procedures shall be implemented to notify staff members as appropriate:

Acts That Are Grounds for Suspension or Expulsion

The Superintendent or designee shall inform the teacher(s) of each student who, during the previous three school years, has engaged in or is reasonably suspected to have engaged in any act, except the possession or use of tobacco products, that would constitute a ground for suspension or expulsion as specified in AR 5144.1 - Suspension and Expulsion/Due Process. This information shall be based upon district records maintained in the ordinary course of business or records received from a law enforcement agency. (Education Code 49079)

Upon receiving a transfer student's record regarding acts committed by the student that resulted in suspension or expulsion, the Superintendent or designee shall inform the student's teacher(s) that the student was suspended from school or expelled from the former district and of the act that resulted in the suspension or expulsion. (Education Code 48201)

Information received by teacher(s) shall be received in confidence for the limited purpose for which it was provided and shall not be further disseminated by the teacher. (Education Code 48201, 49079)

Offenses Reported to the District by a Court

When informed by a court that a minor student has been found by the court to have committed any felony or any misdemeanor involving curfew, gambling, alcohol, drugs, tobacco products, carrying of weapons, a sex offense listed in Penal Code 290, assault or battery, larceny, vandalism, or graffiti, the Superintendent or designee shall expeditiously notify the school principal. (Welfare and Institutions Code 827)

The principal shall expeditiously disseminate this information to any counselor who directly supervises or reports on the student's behavior or progress and to any teacher or administrator directly supervising or reporting on the student's behavior or progress whom the principal thinks may need the information in order to work with the student appropriately, avoid being needlessly vulnerable, or protect others from vulnerability. (Welfare and Institutions Code 827)

Any court-initiated information that a teacher, counselor, or administrator receives shall be kept confidential and used only to rehabilitate the student and protect other students and staff. The information shall be further disseminated only when communication with the student, parent/guardian, law enforcement staff, and probation officer is necessary to rehabilitate the student or to protect students and staff. (Welfare and Institutions Code 827)

When a student is removed from school as a result of an offense, the Superintendent shall hold the court's information in a separate confidential file until the student is returned to the district. If the student is returned to a different district, the Superintendent shall transmit the information provided by the student's parole or probation officer to the superintendent of the new district of attendance. (Welfare and Institutions Code 827)

Any confidential file of court-initiated information shall be kept until the student becomes 18, graduates from high school, or is released from juvenile court jurisdiction, whichever occurs first, and shall then be destroyed. (Welfare and Institutions Code 827)

In order to maintain confidentiality when providing information about student offenses to a counselor or teacher, the principal or designee shall send the staff member a written notification that a student has committed an offense that requires review of a student's file in the school office. This notice shall not name or otherwise identify the student. The staff member shall initial the notification and shall also initial the student's file when reviewing it in the school office.

(E) Sexual Harassment Policies (EC 212.6 [b])

Definitions

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, regardless of whether or not the conduct is motivated by sexual desire. Conduct is considered to be sexual harassment when made against another person of the same or opposite sex in the work or educational setting under any of the following conditions: (Education Code 212.5; Government Code 12940; 2 CCR 11034)

- Submission to the conduct is made explicitly or implicitly a term or condition of the individual's employment.
- Submission to or rejection of the conduct is used as the basis for an employment decision affecting the individual.
- The conduct has the purpose or effect of having a negative impact upon the individual's work performance or of creating an intimidating, hostile, or offensive work environment.
- 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. For purposes of applying the complaint procedures specified in Title IX of the Education Amendments of 1972, sexual harassment is defined as any of the following forms of conduct that occurs in an education program or activity in which a district school exercises substantial control over the context and respondent: (34 CFR 106.30, 106.44)
- A district employee conditioning the provision of a district aid, benefit, or service on the student's participation in unwelcome sexual conduct
- Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the district's education program or activity

Sexual assault, dating violence, domestic violence, or stalking as defined in 20 USC 1092 or 34 USC 12291

Examples of Sexual Harassment

Examples of actions that might constitute sexual harassment under state or federal law in accordance with the definitions above, in the work or educational setting, whether committed by a supervisor, a co-worker, or a non-employee, include, but are not limited to:

- 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
- Unwelcome visual conduct such as drawings, pictures, graffiti, or gestures; sexually explicit emails; displaying sexually suggestive objects
- 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

Title IX Coordinator/Compliance Officer

The district designates the following individual(s) as the responsible employee(s) to coordinate its efforts to comply with Title IX of the Education Amendments of 1972 in accordance with AR 4119.12/4219.12/4319.12 - Title IX Sexual Harassment Complaint Procedures, as well as to oversee, investigate, and resolve sexual harassment complaints processed under AR 4030 - Nondiscrimination in Employment.

The Title IX Coordinator(s) may be contacted at:

Asst. Superintendent of Educational Services
2060 Challenger Drive
Alameda, CA 94501
(510) 337-7095
kzazo@alamedaunified.org

Training

Every two years, the Superintendent or designee shall ensure that supervisory employees receive at least two hours, and nonsupervisory employees receive at least one hour, of classroom or other effective interactive training and education regarding sexual harassment. All newly hired employees and employees promoted to a supervisory position 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)

Such training may be completed by employees individually or as part of a group presentation, may be completed in shorter segments as long as the applicable hourly requirement is met, and may be provided in conjunction with other training provided to the employees. The training shall be presented by trainers or educators with knowledge and expertise in the prevention of harassment, discrimination, and retaliation. (Government Code 12950.1)

The district's sexual harassment training and education program shall include, but is not limited to, the following: (Government Code 12950.1; 2 CCR 11024)

- Information and practical guidance regarding federal and state laws concerning the prohibition, prevention, and correction of sexual harassment
- The types of conduct that constitute sexual harassment
- Remedies available for victims in civil actions, and potential employer/individual exposure/liability
- Strategies to prevent harassment in the workplace

- Supervisors' obligation to report sexual harassment, discrimination, and retaliation of which they become aware
- 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
- The limited confidentiality of the complaint process
- Resources for victims of unlawful harassment, such as to whom they should report any alleged harassment
- Steps necessary to take appropriate remedial measures to correct harassing behavior, which includes the district's obligation to conduct an effective workplace investigation of a harassment complaint
- What to do if the supervisor is personally accused of harassment
- The essential elements of the district's anti-harassment policy, and how to use the policy if a harassment complaint is filed

Employees shall receive a copy of the district's sexual harassment policy and administrative regulations, which they shall read and acknowledge that they have received. Information, including practical examples, of harassment based on gender identity, gender expression, and sexual orientation. Prevention of abusive conduct, including a review of the definition and elements of abusive conduct pursuant to Government Code 12950.1, the negative effects that abusive conduct has on the victim and other in the workplace, the detrimental consequences of this conduct on employee productivity and morale, and that a single act does not constitute abusive conduct unless the act is severe or egregious.

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

The Superintendent or designee shall notify employees that the district does not discriminate on the basis of sex as required by Title IX, that the Title IX nondiscrimination requirement extends to employment, and that inquiries about the application of Title IX to the district may be referred to the district's Title IX Coordinator and/or to the Assistant Secretary for Civil Rights, U.S. Department of Education. (34 CFR 106.8)

The district shall notify employees, bargaining units, and applicants for employment of the name or title, office address, email address, and telephone number of the district's Title IX Coordinator. (34 CFR 106.8)

A copy of the Board policy and this administrative regulation shall:

- 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 (Education Code 231.5)
- 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 (Education Code 231.5)
- Appear in any school or district publication that sets forth the school's or district's comprehensive rules, regulations, procedures, and standards of conduct (Education Code 231.5)
- Be posted, along with the name or title and contact information of the Title IX Coordinator, in a prominent location on the district's web site (34 CFR 106.8)

- Be included, along with the name or title and contact information of the Title IX Coordinator, in any handbook provided to employees or employee organizations (34 CFR 106.8)

All employees shall receive a copy of an information sheet prepared by the California Department of Fair Employment and Housing (DFEH) or the district that contains, at a minimum, components on: (Government Code 12950)

- The illegality of sexual harassment
- The definition of sexual harassment under applicable state and federal law
- A description of sexual harassment, with examples
- The district's complaint process available to the employee
- The legal remedies and complaint process available through DFEH and the Equal Employment Opportunity Commission (EEOC)
- Directions on how to contact DFEH and the EEOC

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, the DFEH poster on discrimination in employment and the illegality of sexual harassment and the DFEH poster regarding transgender rights. (Government Code 12950)

Complaint Procedures

All complaints and allegations of sexual harassment by and against employees shall be investigated and resolved in accordance with law and district procedures. The Title IX Coordinator shall review the allegations to determine the applicable procedure for responding to the complaint. All complaints that meet the definition of sexual harassment under Title IX shall be investigated and resolved in accordance with AR 4119.12/4219.12/4319.12 - Title IX Sexual Harassment Complaint Procedures. Other sexual harassment complaints shall be investigated and resolved pursuant to AR 4030 - Nondiscrimination in Employment.

If sexual harassment is found following an investigation, the Title IX Coordinator, or designee in consultation with the Coordinator, shall take prompt action to stop the sexual harassment, prevent recurrence, and address any continuing effects.

(F) School-wide Dress Code Relating to Gang-Related Apparel (EC 35183)

Basic Principles:

All students are encouraged to dress in a manner that is comfortable and conducive to an active school day.

Students should be able to wear clothing without fear of or actual unnecessary discipline or body shaming.

The student dress code should serve to support all students to develop a body-positive self-image.

All items listed in the "must wear" and "may wear" categories below must meet these basic principles.

Students MUST Wear:

- Top
- Bottom
- Shoes

Clothing that covers specific body parts (genitals, buttocks, and areolae/nipples) with opaque material. Courses or specific class activities that include attire as part of the curriculum may include assignment-specific dress, but should not focus on covering students' bodies or promoting culturally-specific attire. Activity specific shoe requirements are permitted (Examples include but are not limited to physical education and shop class).

Students MAY Choose to Wear:

- Sun-protective clothing, including but not limited to hats, for outdoor use during the school day. (Education Code 35183.5)
- Hats, including religious headwear
- Hooded shirts/jackets (over head is allowed)*

Teachers may direct students to remove/adjust the position of hats/hoods over the head in class during the administration of a test/exam, to address headphone/earbud use issues, or to enable visual identification of a student's face. This does NOT apply to any headwear worn for religious reasons.

Students CANNOT Wear:

- Clothing that includes violent language or images
- Clothing that includes images or language depicting drugs or alcohol (or any illegal item or activity) or the use of same
- Clothing that includes hate speech, profanity, pornography
- Clothing that includes images or language that create a hostile or intimidating environment based on any protected class
- Visible underwear or bathing suits of similar design - Visible waistbands or straps on undergarments worn under other clothing are not a violation
- Helmets, hoods, or other headgear that obscures a student's identity (except as a religious observance).

A student's face must be clearly visible when taking their school photo for identification purposes. This may require the removal of a hood and/or hat. No grade of a student participating in a physical education class shall be adversely affected if the student does not wear standardized physical education apparel because of circumstances beyond the student's control. (Education Code 49066)

Training and Enforcement:

- All staff should be trained to understand the purpose/spirit of the code, the actual code, and how to enforce with the least impact on student learning and self-confidence.
- All staff must enforce the district dress code consistently, once it is adopted. All staff should not have discretion to vary the requirements in ways that lead to discriminatory enforcement.
- All staff should be trained and able to use student/body-positive language to explain the code and to address code violations.
- Enforcement should be consistent with a school's overall discipline plan. Failure to comply with the student dress code should be enforced consistently with comparable behavior and conduct violations, including access to a student advocate or ombudsperson and appeals process.

- Enforcement for students should be limited to safety and non-violence/non-discrimination and will not include messages based on body maturity.
- Violations should be treated as minor on the continuum of school rule violations.
- Students should never be removed from a classroom for a dress code violation unless they are violating the 'Students Cannot Wear' and 'Students MUST Wear' sections of the dress code. Loss of class time should be avoided or kept to a minimum.
- Students should never be forced to wear extra school clothing (that isn't their own) when they are in violation of the code. Students should be presented with a variety of options to rectify the situation. This could include but is not limited to: personal on-site clothing, school-offered clothing, and delivery of alternate clothing.
- Parents/guardians should never be called during the school day to bring alternative clothing for the student to wear for the remainder of the day unless by student request.
- No student should be disproportionately affected by dress code enforcement because of gender, race, body size, or body maturity.
- Students should not be shamed or required to display their body in front of others (students, parents, or staff) in school. "Shaming" includes but is not limited to kneeling or bending over to check attire fit, measuring/commenting on straps, skirt length, or cleavage, asking students to account for their attire in the classroom, and directing students to correct a dress code violation during instructional time.

Evaluation:

The Superintendent or designee shall annually review the effectiveness of this policy and determine, as appropriate, if any further review or revision is required.

Gang-Related Apparel

At individual schools that have a dress code prohibiting gang-related apparel at school or school activities, the principal, staff, and parents/guardians participating in the development of the school safety plan shall define "gang-related apparel" and shall limit this definition to apparel that reasonably could be determined to threaten the health and safety of the school environment if it were worn or displayed on a school campus. (Education Code 32282)

Because gang-related symbols are constantly changing, definitions of gang-related apparel shall be reviewed at least once each semester and updated whenever related information is received. As necessary, the school shall collaborate with law enforcement agencies to update definitions of gang-related apparel.

Uniforms

In schools that require a schoolwide uniform, the principal, staff, and parents/guardians of the school shall jointly select the specific uniform to be worn. (Education Code 35183)

At least six months before a school uniform policy is implemented, the principal or designee shall notify parents/guardians of this policy. (Education Code 35183)

Parents/guardians shall also be informed of their right to have their child exempted.

The Superintendent or designee shall establish criteria for determining student eligibility for financial assistance when purchasing uniforms.

Students who participate in a nationally recognized youth organization shall be allowed to wear organization uniforms on days when the organization has a scheduled meeting. (Education Code 35183)

(G) Procedure for Safe Ingress and Egress of Pupils, Parents, and Staff to and from School (EC 35294.2)

EVACUATION PROCEDURES

EVACUATION ALARM SYSTEM

A crisis or emergency may warrant an evacuation of the school building(s). Once notified of an emergency situation, the Incident Commander, will carry out the initial response actions delineated in the Emergency Preparedness and Crisis Response Plan. In consultation with members of the Incident Command Team, the principal will determine whether an evacuation is warranted or is the safest action given the character of the emergency. Incident Command Team members will immediately assume their designated response duties as activated by the Incident Commander. The Disaster Response Officer will ensure, during the evacuation itself, that all evacuation assistance personnel are operative and performing their respective duties as assigned. When a decision is made to evacuate, the Assembly /Shelter and Care Team leader will immediately report to the assembly area and inspect the area for hazards. The Assembly /Shelter and Care Team leader will notify the Disaster Response Officer immediately if the area is safe. If not, the Assembly /Shelter and Care Team will advise that the evacuation be done to the alternate assembly location. This evacuation may be a partial evacuation of only portions of the building in a localized emergency [e.g., a small chemical spill] or it may be a general evacuation of all building. When an evacuation is ordered, students and staff will be notified according to the site's Preparedness and Crisis Response REMS packet. If deemed appropriate and safe, the school's fire alarm will sound in the event of a general building evacuation. If neither mechanical system is operable, the Incident Commander will utilize office, custodial or student personnel to notify classrooms of the need to evacuate.

COORDINATING THE EVACUATION

Upon receiving the order to evacuate, staff will assume their designated positions in the school. They will then monitor the evacuation procedures and assure that all persons have left the building. Staff are also responsible to ensure that all disabled persons in the building are assisted as necessary.

1. Take emergency backpack, and attendance information.
2. Teachers evacuate with current class. If evacuation occurs outside of a class period: Return to previous class
3. Upon exit lock door to indicate room is all clear and lock door. Keep unlocked if victim is inside.
4. Check with buddy teacher. Assist/evacuate both classes if needed.
5. If on prep or don't have a class: move to nearest evacuation area and assist
6. Check common areas while evacuating.
7. Evacuate to primary location via assigned route, adjust as needed.
8. At evacuation location, line up, and take attendance.
9. List missing students on Share 911
10. Stay with class unless you are released to assume other duties.
11. Release from drill will be PA announcement/bell
12. Communicate with your students and maintain control.

EVACUATION ASSEMBLY AREAS

When ordered to evacuate, students and staff will follow the evacuation route prescribed for their respective areas and exit the building in an orderly and controlled manner. Any volunteers or visitors to the classroom should be advised to go with the classroom to the assembly area. ALL students and staff must report to the assembly area and remain there until the Incident Command Team, via the Assembly/Shelter and Care Team, notifies them it is clear to return to the building. Under no circumstances are students to leave the area unless released by the teacher in strict accordance with the school's Student Release Procedures as outlined in the site's Preparedness and Crisis Response Cliff Notes. This will not be done unless it is authorized by the Incident Command Team. Teachers MUST take a head count of all persons under their care to ensure that all students, volunteers and visitors are present. This will be reported to the Assembly /Shelter and Care Team as outlined in the site's Preparedness and Crisis Response Cliff Notes.. If someone is deemed missing, the teacher is to immediately report this fact to the Assembly /Shelter and Care Team as outlined in the site's Preparedness and Crisis REMS packet.

ACCESS CONTROL PERSONNEL

Whenever an evacuation is called, the designated Security/Traffic response team (designated prior to an emergency) will automatically assume duties as traffic controllers to prevent unauthorized public vehicles or persons access to the school campus and building(s). They will function according to the duties delineation shown in the Emergency Preparedness and Crisis Response Plan.

STUDENT EARLY DISMISSAL AND EMERGENCY SCHOOL CLOSURE

During school hours, all students are considered under the care and supervision of school staff. In all circumstances, and especially in the event of emergency incidents or circumstances, the safety of the students and the school staff is of paramount importance. All actions taken shall bear in mind the safety and well-being of both students and school employees. Thus, in the event of a major emergency incident or disaster during school hours, school will not be dismissed without the expressed and clear authorization of the District Superintendent or a designee, and children will remain under the supervision of school authorities. Students will only be released from school and District responsibility in strict accordance with the procedures outlined in the District's Early Release Policy as described below. Parents/guardians or designated emergency contacts who come to the school to pick up students must properly identify themselves in order for their children to be released.

RELEASE OF STUDENTS FROM SCHOOL

AUSD and this school want to reunite parents with their children at the earliest time possible after an emergency situation or major disaster event. However, if it is not possible for parents to pick up their children or make arrangements for others to do so, students will be held at the school or other area until such time as they can be safely released. Each year the school will notify all parents of the procedure for reuniting parents with children in the event of an emergency at school. Parents are encouraged to print out and complete data confirmation each year and update their emergency contacts. In the event students are held at a school, they may be released only to the student's own parent(s) or a person authorized beforehand by the parent. As a part of annual registration, sites collect emergency contact information in AERIES. From AERIES, Emergency Cards shall be printed and used for this purpose. It is recommended sites print copies for teachers to have on hand in their emergency packs along with roll information. Office shall also print out the Emergency Student List or Emergency Cards and Parents or others must check with this school's Student Release team at the emergency Student Release Location prior to pick up of their children. Teachers will release students according to the procedure outlined under the Emergency Student Release Procedures described below.

EMERGENCY RELEASE PLAN PROCEDURES

Teachers will utilize the following procedures to properly release students from their care to a parent, legal guardian or person authorized in writing to pick up the student:

1. At time of emergency, students remain with their current classes. Teacher takes roll on an Accountability Form and await direction from Incident Commander via Student Release team.
2. Incident Command will communicate with district office for dismissal directive. Students will report to (first period or other) classes, upon Student Release team directive.
3. Students will be released only to authorized adults listed on the Emergency Card or Emergency Student List. Adults picking up students must sign Student Release Log and indicate destination. Unless otherwise directed by Incident Commander via Student Release officer, a runner takes message to teacher with name of student being released and name of adult picking up student. Teacher double-checks sign-out sheet, stamps/marks student and releases.
4. Students may go home with people listed on Emergency Card or Emergency Student List if parent can't be reached.
5. Periodically, as students are released, remaining students will be consolidated.
7. Teacher takes attendance after each consolidation, informs Assembly/Shelter and Care team as well as the Student Release team, and keeps all documentation.

(H) A Safe and Orderly School Environment Conducive to Learning (EC 35294.2)

Component:

Component I: The Social Climate, People, and Programs

Element:

Identify proposed changes to or the addition of curriculum, strategies and programs that ensure a safe and orderly environment.

Opportunity for Improvement:

Goal: By May 2024, 100% of classrooms will utilize a restorative practices framework and implement SEL practices to support students' social-emotional needs, student-to-student relationships and problem-solving, and student sense of care from adults.

Objectives	Action Steps	Resources	Lead Person	Evaluation
Effective collection and use of Maya Lin School student support, wellness, and disciplinary data, in order to inform Tier 1 supports for students.	<ul style="list-style-type: none"> All eligible teachers will ensure students complete Wellness Survey and CHKS, as well as complete Wolf Tags, Uh Ohs, and Office Referrals as needed. Monthly meeting time to discuss student supports and data. 	<ul style="list-style-type: none"> Schoolwide data results Monthly collaboration time to discuss student supports 	<ul style="list-style-type: none"> Principal PBIS Team 	<ul style="list-style-type: none"> California Healthy Kids Survey AUSD Wellness Survey Wolf Tag data Uh-Oh slips and Office Referral data Classroom observations and walkthroughs Chronic absenteeism data
Use The Restorative Practices Handbook for school schoolwide Restorative Practices framework.	<ul style="list-style-type: none"> (Re)train staff in restorative practices/framework. Staff facilitate 2-3 classroom circles each week. Staff develop a menu of options for logical and restorative ways to repair harm. 	<ul style="list-style-type: none"> Restorative practices trainings The Restorative Practices Handbook 	<ul style="list-style-type: none"> Principal PBIS Team 	<ul style="list-style-type: none"> California Healthy Kids Survey AUSD Wellness Survey Classroom observations and walkthroughs Chronic absenteeism data

Objectives	Action Steps	Resources	Lead Person	Evaluation
Strengthen implementation of Toolbox Project Socioemotional Learning Curriculum for staff, students, and families.	<ul style="list-style-type: none"> Principal highlight new Toolbox Tool every 2 weeks until all tools have been covered. Staff implement lessons and/or discussion during 2-week period of featured Toolbox Tools at Morning Opening. This may be incorporated into class circles. 	-Toolbox Project materials and year-long scope and sequence	<ul style="list-style-type: none"> Principal PBIS Team 	<ul style="list-style-type: none"> California Healthy Kids Survey AUSD Wellness Survey Classroom observations and walkthroughs Chronic absenteeism data

Component:

Component II: Physical Environment

Element:

Identify proposed changes to or the addition of strategies and programs that ensure a safe and orderly environment.

Opportunity for Improvement:

Goal: Ensure staff is trained on operation of quick-release exit along the gate near the corner of 8th and Taylor Ave.

Objectives	Action Steps	Resources	Lead Person	Evaluation
All staff will be able to exit on Taylor Avenue in case of emergency	<ul style="list-style-type: none"> Partner with MOF to understand how to operate gate on Taylor Avenue Train staff accordingly. 	AUSD Safety Review Team	Principal	Staff operation of gate

(I) School Discipline Rules and Consequences (EC 35291 and EC 35291.5)

Maya Lin Elementary School Student Conduct Code

ALAMEDA UNIFIED SCHOOL DISTRICT DISCIPLINE AND INTERVENTION PROTOCOL

Alameda Unified School District is committed to creating a safe and positive school culture in which all students feel included, supported, and respected. We want to help eliminate inequality in the use of punitive consequences and provide each child with excellent teachers who are equipped to promote academic and social emotional growth in all students. AUSD takes a positive approach to student behavior and the use of restorative practices to minimize the need for punitive consequences and maximize instructional time for every student. We recognize the importance of developing the social and emotional health of all youth and adults in our organization.

The following chart indicates the types of disciplinary action that may apply to each type of infraction. In each instance, an opportunity to teach appropriate behavior through the use of intervention, restorative practices and a corrective action is stated. Each situation or violation involving student conduct should be individualized and the least punitive action based on the violation should be taken. The administrator shall, however, determine whether a specific infraction warrants the corrective action described on the chart. Corrective action taken by the administrator shall take place after progressive discipline interventions by the school fail to bring about proper conduct. These corrective measures are intended to assist in teaching appropriateness and responsibility, while maintaining consistent student discipline on campus.

See Link to discipline matrix: <https://docs.google.com/document/d/1YyzYC48Eq5WsTycFdS35jhrGP4G3nALhYghgdznwzuQ/edit#>

Conduct Code Procedures

(K) Hate Crime Reporting Procedures and Policies

Hate-motivated behavior is any behavior intended to cause emotional suffering, physical injury, or property damage through intimidation, harassment, bigoted slurs or epithets, force or threat of force, or vandalism motivated in part or in whole by bias or hostility toward the victim's real or perceived race, color, ancestry, nationality, national origin, immigration status, ethnic group identification, ethnicity, age, religion, marital status, pregnancy, parental status, physical or mental disability, medical condition, sex, sexual orientation, gender, gender identity, gender expression, or genetic information, or any other characteristic identified in Education Code 200 or 220, Government Code 11135, or Penal Code 422.55.

The Superintendent or designee shall design strategies to promote harmonious relationships among students, prevent incidents of hate-motivated behavior to the extent possible, and address such incidents in a timely manner when they occur.

The Superintendent or designee shall collaborate with regional programs and community organizations to promote an environment where diversity is celebrated and hate-motivated behavior is not tolerated. Such collaborative efforts shall focus on the development of effective prevention strategies and response plans, provision of assistance to students affected by hate-motivated behavior, and/or education of students who have perpetrated hate-motivated acts.

The district shall provide students with age-appropriate instruction that:

1. Includes the development of social-emotional learning
2. Promotes an understanding, awareness, appreciation, and respect for human rights, human relations, diversity, and acceptance in a multicultural society
3. Explains the harm and dangers of explicit and implicit biases
4. Discourages discriminatory attitudes and practices
5. Provides strategies to manage conflicts constructively

As necessary, the district shall provide counseling, guidance, and support to students who are victims of hate motivated behavior and to students who exhibit such behavior.

When appropriate, students who engage in hate-motivated behavior shall be disciplined.

The Superintendent or designee shall provide staff with training that:

1. Promotes an understanding of diversity, equity, and inclusion
2. Discourages the development of discriminatory attitudes and practices
3. Includes social-emotional learning and nondiscriminatory instructional and counseling methods
4. Supports the prevention, recognition, and response to hate-motivated behavior
5. Raises the awareness and sensitivity of staff to potentially prejudicial and discriminatory behavior
6. Includes effective enforcement of rules for appropriate student conduct

Employees who engage in hate-motivated behavior shall be subject to disciplinary action, up to and including dismissal.

Rules prohibiting hate-motivated behavior and procedures for reporting a hate-motivated incident shall be provided to students, staff, and parents/guardians.

This policy shall be posted in a prominent location on the district's website in a manner that is readily and easily accessible to parents/guardians and students. (Education Code 234.6)

Complaints

Any staff member who is notified that hate-motivated behavior has occurred, observes such behavior, or otherwise becomes aware of an incident shall immediately contact the compliance officer responsible for coordinating the district's response to complaints and complying with state and federal civil rights laws. As appropriate, the staff member shall also contact law enforcement.

A student or parent/guardian who believes the student is a victim of hate-motivated behavior is encouraged to report the incident to a teacher, the principal, the district's compliance officer, or other staff member.

Any complaint of hate-motivated behavior shall be investigated and, if determined to be discriminatory, shall be resolved in accordance with law and the district's uniform complaint procedures specified in AR 1312.3 - Uniform Complaint Procedures or other applicable procedure. If, during the investigation, it is determined that a complaint is about nondiscriminatory behavior, the principal or designee shall inform the complainant and shall take all necessary actions to resolve the complaint.

(J) Procedures to Prepare for Active Shooters

When responding to a situation that requires our school to go into lockdown (this may include, but is not limited to, an active shooter in the building), the ALICE (Alert, Lockdown, Inform, Counter, Evacuate) protocol will be followed.

ALERT

Purpose: To use clear, concise language to indicate presence and location of active shooter or other harmful individual.

Indicate lockdown and the harmful presence and/or location of threat. For example, "LOCKDOWN, There is an active shooter in the Computer Lab," or "LOCKDOWN, an armed gunman is walking through the first floor long hallway."

Anyone can alert the school community to such a situation. Do not wait for or rely on Administration or the front office staff to make the announcement. If a staff or faculty member undoubtedly sees or is notified of a harmful individual inside the school building, he or she has the authority to alert the rest of the school community of a lockdown. Some ways to alert include: the PA system, Using the classroom phone to activate LOCKDOWN, yelling, using share 911. Faculty and staff must use any means available to them to alert the school community and to spread the word. This may be a team effort where a group of individuals work together to inform everyone. If the opportunity to escape presents itself, you should do so and report to the predetermined Rally Point.

LOCKDOWN

Purpose: To allow for an aggressive use of current technology and procedures.

A traditional lockdown procedure is the first best option when in a high-risk area (or near the harmful individual). If you do not know if you are in a high-risk area, assume you are high risk and proceed to lockdown. If remaining in lockdown remains the best option, all members of the school community should work together to protect themselves.

First, close and lock classroom doors. Use belt or backpack strap to secure door handle if possible.

Create a barricade between you and students in the classroom and the intruder on the outside; use desks, chairs, shelves, cabinets and other pieces of furniture to block entry and to provide more time for survival (have smaller items near at hand in event intruder enters the room)

Gather in the area furthest from the entry point to the room; greater distance means greater safety.

Taking attendance and maintaining order are not the priority.

INFORM

Purpose: To continually communicate the shooter's whereabouts using direct and clear language. (Use Share 911 and the PA system)

By communicating with the school community, all members can make well-informed judgment calls and can be aggressive in protecting themselves. Students, faculty and staff should use every opportunity to alert others and to communicate the whereabouts of the harmful individual.

The use of share 911, phones (school or cell), yelling, and PA system are encouraged to communicate the whereabouts and will keep the intruder off balance. Working together to make informed decisions will put the intruder at a disadvantage.

COUNTER

Purpose: To apply skills to distract, confuse and gain control.

Counter is an absolute last resort. If one finds himself in close proximity to the intruder (no chance to flee or safely get away), he should apply the following counter movements to increase chances of survival:

- Throw objects at the intruder
- Distract the intruder by noise and/or movement
- Run away in a zig zag pattern
- Swarm the intruder
- Flight or fight but do not freeze
- Turn chaos into an advantage
- Use body weight and gravity to gain control

EVACUATE

Purpose: To remove as many people as possible from the danger zone to minimize targets of opportunity.

If you know the intruder's whereabouts and you are not in a high-risk area, you should Evacuate to the school's Rally Point. Only people on the first floor should exit through the windows if necessary. People on the 2nd and 3rd floors should not evacuate through windows as this may cause harm and use the safest stairwell then exit the school to the Rally Point.

REUNIFICATION

Purpose: To reunify students with their parent/guardians in a safe location

Procedures for Preventing Acts of Bullying and Cyber-bullying

Definitions:

Bullying is an unwanted, aggressive behavior that involves a real or perceived imbalance of power between individuals with the intent to cause emotional or physical harm. Bullying can be physical, verbal, or social/relational and involves repetition or potential repetition of a deliberate act.

Cyberbullying includes the electronic creation or transmission of harassing communications, direct threats, or other harmful texts, sounds, or images. Cyberbullying also includes breaking into another person's electronic account or assuming that person's online identity in order to damage that person's reputation.

Examples of the types of conduct that may constitute bullying and are prohibited by the district include, but are not limited to:

- Physical bullying that inflicts harm upon a person's body or possessions, such as hitting, kicking, pinching, spitting, tripping, pushing, taking or breaking someone's possessions, or making cruel or rude hand gestures
- Verbal bullying that includes saying or writing hurtful things, such as teasing, name-calling, inappropriate sexual comments, taunting, or threats to cause harm
- Social/relational bullying that harms a person's reputation or relationships, such as leaving a person out of an activity on purpose, influencing others not to be friends with someone, spreading rumors, or embarrassing someone in public
- Cyberbullying, such as sending demeaning or hateful text messages or emails, sending rumors by email or by posting on social networking sites, or posting embarrassing photos, videos, web site, or fake profiles

Measures to Prevent Bullying:

The Superintendent or designee shall implement measures to prevent bullying in district schools, including, but not limited to, the following:

- Ensuring that each school establishes clear rules for student conduct and implements strategies to promote a positive, collaborative school climate
- Providing to students, through student handbooks and other age-appropriate means, information about district and school rules related to bullying, mechanisms available for reporting incidents or threats, and the consequences for engaging in bullying
- Encouraging students to notify school staff when they are being bullied or when they suspect that another student is being bullied, and providing means by which students may report threats or incidents confidentially and anonymously

- Conducting an assessment of bullying incidents at each school and, if necessary, increasing supervision and security in areas where bullying most often occurs, such as classrooms, playgrounds, hallways, restrooms, and cafeterias
- Annually notifying district employees that, pursuant to Education Code 234.1, any school staff who witnesses an act of bullying against a student has a responsibility to immediately intervene to stop the incident when it is safe to do so

Staff Development:

The Superintendent or designee shall make the California Department of Education's online training module on the dynamics of bullying and cyberbullying, which includes the identification of bullying and cyberbullying and the implementation of strategies to address bullying, available annually to all certificated staff and to other employees who have regular interaction with students. (Education Code 32283.5)

The Superintendent or designee shall provide training to teachers and other school staff to raise their awareness about the legal obligation of the district and its employees to prevent discrimination, harassment, intimidation, and bullying of district students. Such training shall be designed to provide staff with the skills to:

- Discuss the diversity of the student body and school community, including their varying immigration experiences
- Discuss bullying prevention strategies with students, and teach students to recognize the behavior and characteristics of bullying perpetrators and victims
- Identify the signs of bullying or harassing behavior
- Take immediate corrective action when bullying is observed
- Report incidents to the appropriate authorities, including law enforcement in instances of criminal behavior

Student Instruction:

As appropriate, the district shall provide students with instruction, in the classroom or other educational settings, that promotes social-emotional learning, effective communication and conflict resolution skills, character/values education, respect for cultural and individual differences, self-esteem development, assertiveness skills, and appropriate online behavior.

The district shall also educate students about the negative impact of bullying, discrimination, intimidation, and harassment based on actual or perceived immigration status, religious beliefs and customs, or any other individual bias or prejudice.

Students should be taught the difference between appropriate and inappropriate behaviors, how to advocate for themselves, how to help another student who is being bullied, and when to seek assistance from a trusted adult. As role models for students, staff shall be expected to demonstrate effective problem-solving and anger management skills.

To discourage cyberbullying, teachers may advise students to be cautious about sharing passwords, personal data, or private photos online and to consider the consequences of making negative comments about others online.

Reporting and Filing of Complaints:

Any student, parent/guardian, or other individual who believes that a student has been subjected to bullying or who has witnessed bullying may report the incident to a teacher, the principal, a compliance officer, or any other available school employee.

When a report of bullying is submitted, the principal or a district compliance officer shall inform the student or parent/guardian of the right to file a formal written complaint in accordance with AR 1312.3 - Uniform Complaint Procedures. The student who is the alleged victim of the bullying shall be given an opportunity to describe the incident, identify witnesses who may have relevant information, and provide other evidence of bullying.

Within one business day of receiving such a report, a staff member shall notify the principal of the report, whether or not a uniform complaint is filed. In addition, any school employee who observes an incident of bullying involving a student shall, within one business day, report such observation to the principal or a district compliance officer, whether or not the alleged victim files a complaint.

Within two business days of receiving a report of bullying, the principal shall notify the district compliance officer identified in AR 1312.3.

When the circumstances involve cyberbullying, individuals with information about the activity shall be encouraged to save and print any electronic or digital messages that they feel constitute cyberbullying and to notify a teacher, the principal, or other employee so that the matter may be investigated. When a student uses a social networking site or service to bully or harass another student, the Superintendent or designee may file a request with the networking site or service to suspend the privileges of the student and to have the material removed.

Discipline/Corrective Actions:

Corrective actions for a student who commits an act of bullying of any type may include counseling, behavioral intervention and education, and, if the behavior is severe or pervasive as defined in Education Code 48900, may include suspension or expulsion in accordance with district policies and regulations.

When appropriate based on the severity or pervasiveness of the bullying, the Superintendent or designee shall notify the parents/guardians of victims and perpetrators and may contact law enforcement.

The Superintendent, principal, or principal's designee may refer a victim, witness, perpetrator, or other student affected by an act of bullying to a school counselor, school psychologist, social worker, child welfare attendance personnel, school nurse, or other school support service personnel for case management, counseling, and/or participation in a restorative justice program as appropriate.

(Education Code 48900.9)

If any student involved in bullying exhibits warning signs of suicidal thought or intention or of intent to harm another person, the Superintendent or designee shall, as appropriate, implement district intervention protocols which may include, but are not limited to, referral to district or community mental health services, other health professionals, and/or law enforcement.

Emergency Contact Numbers

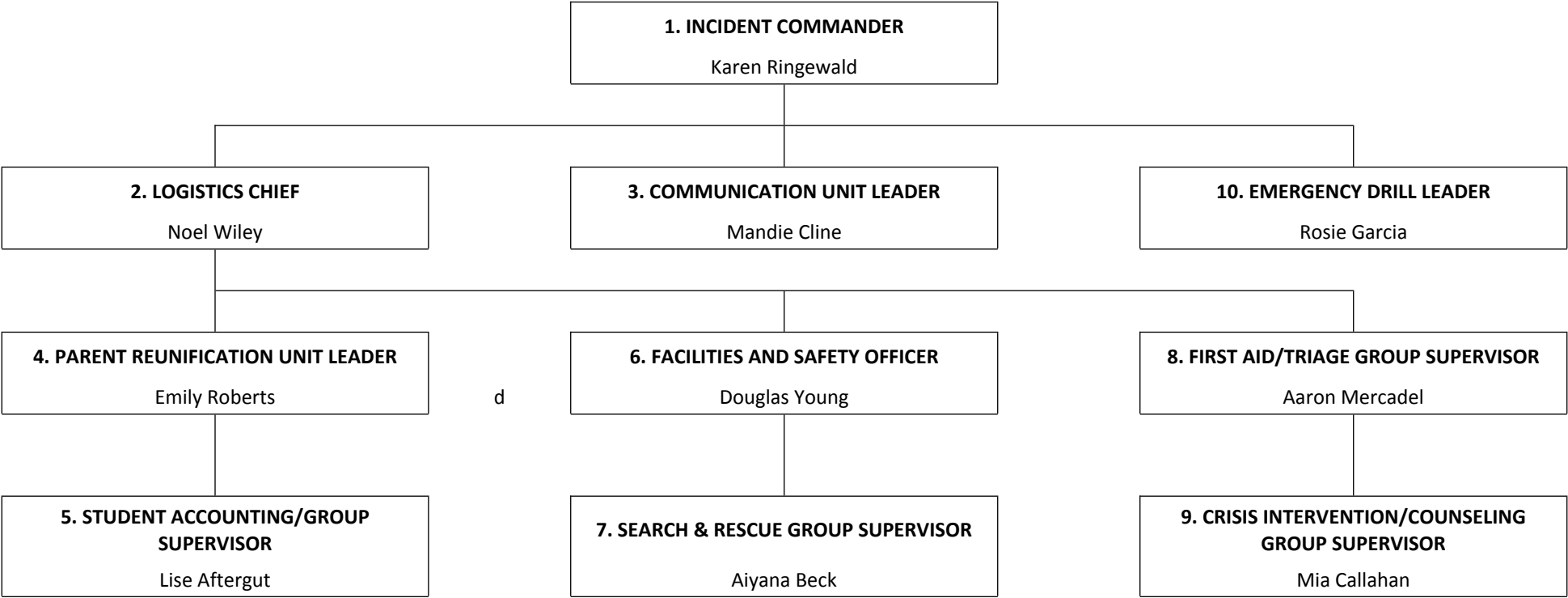
Utilities, Responders and Communication Resources

Type	Vendor	Number	Comments
City Services	City of Alameda	510-747-7400	
Other	County of Alameda	510-208-9770	
Law Enforcement/Fire/Paramedic	APD Non-Emergency	510-337-8340	
Law Enforcement/Fire/Paramedic	POLICE DEPARTMENT 911	911	
Other	Hazardous Materials Unit	510-567-6702	
Other	HEALTH DEPARTMENT - Alameda County	510-267-8000	
Local Hospitals	Alameda Hospital (Emergency Room)	510-522-3700	
American National Red Cross	RED CROSS	510-595-4400	

Safety Plan Review, Evaluation and Amendment Procedures

Activity Description (i.e. review steps, meetings conducted, approvals, etc)	Date and Time	Attached Document (description and location)
Faculty Meeting	9/11/23	Emergency response training with all staff
Safety Committee Meeting	9/4/23	Review of Safety Plan adn procedures, roles and responsibilities, maps and evacuation routes
Faculty Meeting	9/25/23	Saftey Committee share out
Safety Committee Meeting	9/4/23	Table top drill and training planning
Faculty Meeting	12/4/23	Review of REMS roles and respnsibilities
Safety Committee Meeting	9/27/23	Update Safety plan with revisions
Public Hearing	10/5/23	Saftey plan review with community
School Community Meeting	3/23/2024	SSC approval of plan

Maya Lin Elementary School Incident Command System



Incident Command Team Responsibilities

Standardized Emergency Response Management System Overview

The California Standardized Emergency Management System (SEMS) is designed to centralize and coordinate emergency response through the use of standardized terminology and processes. This greatly facilitates the flow of information and resources among the agencies participating in response to an emergency. SEMS consists of five functions:

SITE ORGANIZATION DURING A DECLARED EMERGENCY COMMAND POST PERSONNEL AND DUTIES

If notified of a Declared Emergency from the Superintendent's Office, OR if the site suffers a severe disaster, the Site Manager shall immediately implement the plans and procedures in the Site Emergency Plan.

The Site Manager or Incident Commander shall:

- A. Activate alarm/Broadcast Alert on Share911 and PA to notify staff
- B. Activate Command Post and 2-way radio
- C. Activate Emergency Teams
- D. Assess total school situation
- E. Make initial site assessment report on Share911 to District Emergency Operations Center.
- F. Check to see that Site Emergency Teams are operating
- G. Assign messengers to needed areas
- H. Request help from 911 or Emergency Operations Center as required
- I. Secure information from Emergency Teams Update Site Status Reports - Report to the Emergency Operations Center
- J. Reassign team members to other duties as required when they finish initial assignment duties
- K. Personally address these items:
 - 1. Is campus secure?
 - 3. Are utilities off or secure?
 - 4. Are signs directing adults to release area up?
 - 5. Are traffic controllers needed?
 - 6. Is First Aid Center functioning?
 - 7. Have buildings been searched for victims?
 - 8. Is the student release program set up and operational?

Logistics Chief: The Site Office Manager shall:

- A. Report immediately to the Command Post with:

1. Master keys
2. Current roster of students and staff
3. Emergency forms and documents
4. Office supplies to assist unit leads

B. Assume responsibilities as directed by Site Manager

The Site Clerical Staff shall:

A. Team up with other personnel as a member of a Site Emergency Team, otherwise:

B. Report to the Site Command Post and assume responsibilities as directed by the Site Manager

The Attendance Clerk shall:

A. Keep a current file of all students release information from forms parents are required to fill out authorizing listed persons to pick up their children in case of a severe emergency. The Attendance Clerk will take these records to the Student Release Area in the Cafeteria and give them to the Student Release Team to use.

The Site Custodians shall:

A. Check the condition of the utilities and connecting pipes and lines and if necessary, turn them off.

B. Check the site completely for:

1. Fire and electrical hazards
2. Chemical hazards (Chlorine storage)
3. Other hazards

C. Notify Site Manager of hazards and services needed

D. Barricade hazardous areas using whatever materials handy

E. When site is secure, report to the Command Post for direction

F. Open emergency container and provide emergency sanitation areas if toilets are unavailable

Directions for the Instructional Staff During a Declared Emergency

Teachers and Para Professionals shall:

A. Respond immediately to emergency signals requiring specific actions and check in on Share911

B. If signal is one to Leave Building, know if signal is for:

1. Fire evacuation

2. Earthquake evacuation
3. Chemical spill evacuation

Evacuate Accordingly!

A. When leaving building:

1. Take emergency backpack
2. Require students to be silent in order to hear instructions
3. Close doors to classroom
4. Go directly to pre-assigned location

B. Check with nearby classrooms when evacuating. If there are seriously injured persons who cannot be moved, assign one teacher to remain and the other to evacuate the rest of the students. Report on Share911

C. Teachers shall provide First Aid to the best of their ability to students under their supervision until the emergency First Aid station is activated. Students with major injuries are to remain in the classroom supervised by a teacher or aide. Students with minor injuries are to be cared for after evacuation.

D. Upon reaching evacuation destination, teachers shall:

1. Take roll
2. List missing students on Share 911 and on paper
3. Give list to Assembly Area Team members
4. Calm students. Remind them of District policies about remaining at school
5. Monitor warmth and protection of students. Move if necessary

E. If assigned to a Site Emergency Team, transfer your students to paired teacher to supervise, report immediately to the Command Post for supplies and begin implementation of Team responsibilities.

USE REMS TO ESTABLISH YOUR EMERGENCY SITE TEAM

Note: Contact listing is intended to be shared with team members to enhance communication in the event of a critical incident. It is recommended that the Principal and Designee establish an intranet list server to further enhance communications. The personal information listed is intended for team members. Please type name and number under each assignment.

REMS Team Members Primary Contact/Cell number Secondary Contact/Cell number

Incident Commander: Carrie Berg (520.400.0774)

Establishes an Incident Command Center, lists incident objectives and designates the following positions to perform the following duties.

Logistics Chief: Carrie Berg (520.400.0774) and Rosie Garcia (510-853-2434)

Supports each unit leader with where to find the necessary tools to support the team fulfilling their duties.

Report immediately to the Command Post with:

- Master keys
- Current roster of students and staff
- Emergency forms and documents
- Office supplies to assist unit leads
- Computers and walkie talkies
- Assume responsibilities as directed by Site Manager

Communication Unit Leader: Constance Moore (510.292.7315) and Anne Levy (510-851-5245)

Works with the incident commander to communicate out important information to all supervisors and the public.

Report immediately to the Command Post with:

- Computer
- Office supplies

Parent Reunification Unit Leader: Noel Wiley (510.207.8711), Lynn Kinsey (925.324.4822), Marianne Dilworth (510.910.3569)

Reunification refers to getting students reunited with their parents or guardians in an efficient and orderly manner. Reunification can be an enormous challenge and takes a lot of planning.

The Student Release Team is responsible for:

- Setting up secure reunion area
- Checking student emergency cards for authorized releases
- Completing release logs
- Coordinating with the Public Information Office on external messages

Student Accounting/Group Supervisor: K: Terry Eichel (510-851-1961), 1: Emily Roberts (510-734-9048), 2: Assia Day (510-909-0778), 3: Tara Yudenfreund (510-333-4254), 4: Janet McNamee (510-435-5593), 5: Andrea Beck (510-323-6275)

Evacuation, shelter, and student care in an emergency is one of the most important tasks faced by schools. It includes student accounting, protection from weather, providing for sanitation needs, and providing for food and water and releasing of students to their guardians.

The Evacuation/Shelter/Care Team is responsible for:

- Accounting for the whereabouts of all students, staff, and volunteers
- Setting up secure assembly area
- Managing sheltering and sanitation operations
- Managing student feeding and hydration
- Coordinating with the Student Release Team
- Coordinating with the Logistics Section to secure the needed space and supplies

Search & Rescue Group Supervisor: Heather Demarest (510-390-1540), Kevin Slauson (510-590-0283), Ray Delatorre (510-421-9200)

Search & Rescue Teams search the entire school facility, entering only after they have checked the outside for signs of structural damage and determined that it is safe to enter. Search & Rescue Teams are responsible for ensuring that all students and staff evacuate the building (or, if it is unsafe to move the persons, that their locations are documented so that professional responders can locate them easily and extricate them).

Search & Rescue Teams are also responsible for:

- Using Share 911 to identify where injuries may exist
- Obtaining injury and missing student reports from teachers
- Moving injured members from building if emergency responders are unable to do so
- Identifying and marking unsafe areas
- Conducting initial damage assessment

First Aid/Triage Group Supervisor: Rosie Garcia (510-853-2434) and Cathy Garrett (510-693-8316)

First Aid Teams provide triage and treatment for students and other disaster victims. First Aid Teams are responsible for setting up first aid area for students, assessing and treating injuries, and completing master injury report.

First Aid Teams are responsible for:

- Setting up a first aid area for students
- Assessing and treating injuries
- Completing master injury report

Note: The Logistics Section Medical Unit provides care to responders. The Operations Section First Aid Team is dedicated to students or other disaster victims.

Crisis Intervention/ Counseling Group Supervisor: Anne Levy (510-851-5245) and Lise Aftergut (805-455-2466)

The Crisis Intervention Team is responsible for assisting students and school personnel who are unable to cope with the fears and psychological trauma associated with emergencies and disasters.

This includes:

- Assessing need for onsite mental health support
- Determining need for outside agency assistance
- Providing onsite intervention/counseling
- Monitoring well-being of school emergency team, staff, and students, and reporting all findings to the Operations Section Chief

Facilities and Safety Officer: Doug Young (510-820-4875)

The Facilities & Security Response Team is responsible for:

- Locating all utilities and turning them off, if necessary
- Securing and isolating fire/HazMat
- Opening Emergency Trailer
- Assessing and notifying officials of fire/HazMat
- Conducting perimeter control

Emergency Drill Leader: Carrie Berg (520.400.0774)

The Emergency Drill Leader is responsible for:

- Training staff
- Coordinating and running all required drills
- Monitoring participations
- Reviewing after action reports
- Reporting to the incident commander

LIST SEARCH TEAM DUTY DESCRIPTIONS

EXAMPLE: If assignment is SEARCH TEAM:

Take heavy gloves, flashlight, hard hat and masking tape (no entry) from Emergency Backpack.

Leave Emergency Backpack and students with designated teacher (see previous page).

Report to INCIDENT COMMAND CENTER near gate in lower yard meet with search team partner(s).

Receive directions for search instructions from Search team supervisor.

LIST WHO WILL BE:

SEARCH TEAM #1 Search team will be delegated by

LIST FIRST AID FUNCTION

EXAMPLE: Minimize injuries and loss of life: provide temporary care of injured students.

Set up desk at picnic tables behind multipurpose room (or if unsafe here, on blacktop near multipurpose room).

Organize supplies and treatment area.

Help with wounded.

Keep Check Out Station informed.

Request additional help (ambulances, etc.) through Check Out Station.

Look up emergency information if necessary.

LIST WHO WILL BE:

TREATMENT

TRIAGE

RECORDER

List the things you will have to accomplish and assign to operations section or logistics section.

Examples:

Set up table, chairs and sign "Incident Command Center"

Set up operations table, logistics table.

Set up a first aid station

Put traffic cones in the street, blocking off access to the parking lot entry drive

Set up people to handle the check out of students. Display signs A-L, M-Z. Have emergency card information forms out.

Record finding of search teams

List any unaccounted for students and those in First Aid or in need of first aid.

Keep track of the walkie-talkies

Listen to radio

Use runners as necessary to retrieve information and students

Organize parent line-up and announce using bullhorn to parents that students have been evacuated

Assist in calming and organizing parents

Provide pen and paper for non-English speaking students to write their name

Communicate to District Personnel

INCIDENT COMMAND POST – Located

The Site Manager or designee is the final authority at each school. He/she must be available for all decisions, information and authority during the time the schools are isolated.

Therefore, the Site Manager and the Command Post should be housed in a central area, i.e., the front of the school, where the manager is available to radio, telephone, emergency equipment or personnel and parents.

The Command Post will begin to operate immediately after a disaster.

This is where the record keeping, communication, and major decision making will take place. The Site Manager or Incident commander will be here.

In addition, a separate Student Release Area will be established to coordinate the release of students to authorized adults. Student release area will be in the bike cage (if inaccessible at the end of the parking lot behind the second gate.

Emergency Release Information Forms are needed at the Release Area to document the release of all students.

While the Command Post is functioning, The First Aid and Search/Assessment Teams will carry out their functions and provide information to the Incident commander about the:

1. Condition of students
2. Condition of staff
3. Condition of facilities

Management

During an emergency, the Incident Commander directs response actions from a designated Command Post. To effectively do this, the Incident Commander must constantly assess the situation, and develop and implement appropriate strategies. The Incident Commander must be familiar with the available resources, accurately document all response actions, and effectively communicate response strategies to others participating in the response. This function is typically filled by the school principal. The principal is assisted in carrying out this function by a Public Information & Liaison Officer and Safety Officer.

Planning & Intelligence

Planning and Intelligence involves the use of various methods to efficiently gather information, weigh and document the information for significance, and actively assess the status of the emergency. This understanding and knowledge about the situation at hand is vital to the effective management of a response. These activities are performed by a single person who reports directly to the Incident Commander.

Operations

All response actions are implemented under by Operations. This includes staff performing first aid, crisis intervention, search and rescue, site security, damage assessment, evacuations, and the release of students.

Logistics

Logistics supports the response by coordinating personnel; assembling and deploying volunteers; providing supplies, equipment, and services; and facilitating communications among emergency responders.

Finance & Administration

Finance & Administration involves the purchasing of all necessary materials, tracking financial records, timekeeping for emergency responders, and recovering school records following an emergency. These activities are performed by a single person who reports directly to the Incident Commander.

Types of Emergencies & Specific Procedures

Aircraft Crash

FALLEN AIRCRAFT

DEFINITION/DESCRIPTION

If an aircraft falls near the school, the principal will determine which emergency action, if any, will be taken. Local fire and police departments will be responding also. All students and staff should be kept at a safe distance to protect them from possible explosions and/or fire.

IMMEDIATE ACTION

Principal

- Determine which Action, if any, should be implemented.
- Where necessary, tell teachers they may need to take immediate action for the safety of students without waiting for directions from the principal.
- Determine, if possible, whether the aircraft is military, commercial or private. Contact the local police to determine appropriate action and refer all members of the press to the Emergency Operations Center.

Principal's Secretary

- Respond to calls.
- Assist principal as needed.
- Refer all members of the press to the Emergency Operations Center.

Teachers

- Follow principal's direction as to appropriate Action.
- Depending on the nature of the accident you may need to take Action DROP or Action TAKE COVER to protect students from a possible explosion and/or fire.

FOLLOW UP ACTION

Principal

- Provide up-to-date information to staff and students as it becomes available and arrange school site meetings to make assignments and determine plans.
- Coordinate activities of the school site team.
- Maintain contact with Emergency Operations Center and Superintendent's office.
- Arrange after-school staff meetings to debrief and clarify events.

Teachers

- Read bulletins/announcements as provided by the principal.
- Refer all media to the principal's office.
- Cooperate with the school site team to provide follow-up as appropriate.
- Refer for counseling students who may be at risk.
- Return to normal instructional activities as soon as possible.

Animal Disturbance

If a rabid or vicious animal is at or in the vicinity of the school, the Animal Control Center should be notified immediately. Teachers shall be notified Shelter In Place. Students outside of the building will be quietly and cautiously sent into the nearest building and secured in a room behind closed doors. Notify the Superintendent's Office.

Armed Assault on Campus

Follow A.L.I.C.E Procedures

Biological or Chemical Release

CHEMICAL SPILL

1. An announcement will be made to either Shelter in Place or evacuate the building and gather in the Assembly Area, depending on the situation.
2. The announcement will be made by the P.A. system, or if this fails to operate, messenger will alert classes.
3. If the Assembly Area is not safe, students will be evacuated to Lincoln Park, depending on the area of the spill and direction of the wind.

CHEMICAL ACCIDENT

1. DEFINITION/DESCRIPTION

Chemical accidents of disaster magnitude would include tank truck accidents involving large quantities of toxic gases or toxic liquids. This type of accident will likely be reported by an outside source unless the accident has occurred immediately adjacent to the school site.

2. IMMEDIATE ACTION

Principal

- a) Receive information about/review situation to determine if evacuation routes are safe (move crosswind to avoid fumes).
- b) Determine which action should be implemented.
- c) Sound alarm for appropriate action.
- d) Notify/maintain contact with Superintendent/Emergency Operations Center.
- e) Determine what further action to take.

Teachers

- a) Implement appropriate action, using alternate evacuation route if required.
- b) Maintain control of students.
- c) Take roll. Report students who are absent.
- d) Notify principal of any problems in/around area
- e) Notify principal of need for first aid, as appropriate.

Custodian

- a) Review situation to assess extent of spill, wind direction and proximity to building.
- b) Report findings to principal.
- c) Be prepared to direct fire/police department to spill site.
- d) Assist in spill clean-up or containment, as appropriate.

3. FOLLOW UP ACTION

Principal

- a) Determine, in coordination with M.O.F./Fire Department, whether buildings are habitable.
- b) Notify staff/students of any modification in schedule.
- c) Work with Emergency Operations Center to publicize information regarding accident.
- d) Arrange school site meeting to provide information to staff.

Principal's Secretary

- a) Screen all calls. Refer public to Emergency Operations Center.
- b) Refer media to Emergency Operations Center.
- c) Prepare necessary bulletins.

Teachers

- a) Read bulletins/announcements as provided by principal.
- b) Refer all media to principal's office.
- c) Cooperate with school site team to provide follow-up, as appropriate.
- d) Refer for counseling students who may be at risk.
- e) Return to normal instructional activities as soon as possible.

Bomb Threat/ Threat Of violence

1. DEFINITION/DESCRIPTION

A bomb threat will typically be received in writing or by telephone call. Responses will generally be the same with the initial exception of a person receiving a telephone threat. A copy of the Bomb Threat Checklist should be readily available for every administrative phone responder.

2. IMMEDIATE ACTION – Telephone Threat

Person Receiving Call

- a) Keep the caller on the line. Delay the caller with such statements as: “I’m sorry, I did not understand you. What did you say?”
- b) Use Bomb Threat Checklist (see form at the end of this “Bomb Threat” section). Get as much information as possible from the caller.
- c) Immediately after caller hangs up, report all information to principal.

All Office Personnel

Immediately search your work area for foreign or suspicious objects or packages. If one is found, DO NOT TOUCH OR MOVE IT!!

IMMEDIATE ACTION – Written Threat

Person Receiving Written Message

Give the message to the principal immediately upon identification.

Principal

- a) Receive/review all information about bomb threat.
- b) Determine which action should be taken.
- c) Initiate non-electronic evacuation procedure; i.e. runner or bullhorn, since electronic warnings could activate any device, being sure all evacuation routes are clear.
- d) Notify Superintendent/Police/Fire Department.
- e) Direct search of office complex, evacuation site and classrooms.
- f) Determine what further action should be taken.

Teachers

- a) Implement appropriate action, using alternate evacuation route if required.
- b) Maintain control of students.
- c) Take roll. Report students who are absent.
- d) Notify principal of any problems in or around area.
- e) Hold students until designated evacuation area has been searched and declared safe, and then conduct students to the cleared area.

Teachers assigned to the designated evacuation area will remain with the pupils; personnel who are assigned to search teams will report to the principal for briefing.

If notification of a threat is received and immediate evacuation is not ordered, teachers will search their classrooms for any unidentifiable objects. If nothing is found, resume instruction until the evacuation order is received.

Custodians

- a) Under the direction of the principal, immediately proceed with a thorough search of designated evacuation area (or other area large enough to contain the students) to provide a safe place for students evacuated from the buildings.
- b) Search, as required, to determine that no explosive is hidden in a book, clothes locker or restroom.

3. FOLLOW UP ACTION

Principal

- a) Determine, in coordination with M.O.F. and Fire Department, whether buildings are habitable.
- b) Notify staff/students of any modification in schedule, via special bulletin or telephone tree.
- c) Work with Emergency Operations Center to put messages on TV, radio and telephone system regarding any modifications in schedule.
- d) Arrange school site meeting to discuss plan.

Principal’s Secretary

- a) Screen all calls. Refer calls to Emergency Operations Center.
- b) Prepare necessary bulletins.

Teachers

- a) Read bulletins/announcements as provided by principal.
- b) Refer all media to principal's office.
- c) Cooperate with school site team to provide follow-up as appropriate.
- d) Refer for counseling students who may be at risk.
- e) Return to normal instructional activities as soon as possible.

EXPLOSION OR THREAT OF EXPLOSION

1. DEFINITION/DESCRIPTION

An explosion at the school, or the threat of an explosion, may be caused by leaking gas or a faulty boiler within a school building.

2. IMMEDIATE ACTION – EXPLOSION

Principal

Sound the school alarm.

Notify the Superintendent or Assistant Superintendent.

Notify utility companies of a break or suspected break.

Notify fire and police departments and direct further action as required.

Notify teachers of proper action (DROP or LEAVE BUILDING).

Teachers

Command DROP is given. Instruct students to react in the same manner on their own to this type of catastrophe in case it occurs when the teacher is temporarily not present.

If the explosion occurred within the building, or threatened the building, immediately implement Action LEAVE BUILDING.

Move to an area of safety and maintain control of students.

Notify principal of students needing first aid as necessary.

Fight incipient fires without endangering life.

Take roll. Report absent students to principal.

Students and staff should not return to the school until Fire Department officials declare the area safe.

IMMEDIATE ACTION - THREAT OF EXPLOSION:

Principal

Sound the school fire alarm, or silent evacuation if electronic means could set off explosion. This will automatically implement Action LEAVE BUILDING.

Follow procedures for principal -- 'c' and 'd' above.

Teacher

Follow procedures for teachers -- 'c' through 'g' above.

Disorderly Conduct

CIVIL DISOBEDIENCE/MENACING INDIVIDUALS

1. DEFINITION/DESCRIPTION

Civil disobedience is defined as any assemblage on the school premises by unauthorized persons whose purpose and conduct is inimical to the orderly conduct of the school and the laws relating to the conduct of schools and the welfare of students.

WARNING: The presence of unauthorized individuals or an alert of an impending visitation. When this condition has been reported to the principal or authority in charge, he shall transmit the warning to all classes by the public address system. If the PA system is inoperable, a messenger will be sent to each classroom.

2. IMMEDIATE ACTION

The major plan of action will be to protect all personnel from undue exposure to danger. Every effort must be made to keep classes within their rooms. The following specific steps will be taken to implement the plan of action:

Principal or Designee

- a) Transmit a Shelter in Place alert to all staff members.

- b) Call the local law enforcement agencies to provide protection and to handle arrests.
- c) Make certain that a specific crime is committed before requesting arrests.
- d) School civil disobedience crimes involving arrest are listed in the Criminal Code Procedure and include the following:
 - 1. Disturbing the Peace
 - 2. Trespassing
 - 3. Loitering Around the School Grounds
- e) The principal should make an announcement to the demonstrators similar to the following:
 "I am the principal of this school. You are interfering with the orderly process of education in this school. I request that you leave. If you do not leave, I shall ask for your arrest. You are causing a disturbance."

Teachers

- a) Keep students within their locked classrooms until further notice, regardless of the bells and schedules.
- b) Lock classroom doors.
- c) Remain in charge of your class, utilizing the best judgment in occupying the students within the classroom.
- d) Precaution should be taken to protect personnel from flying glass in case of broken windows. Drapes, venetian blinds, or jalousies should be closed.
- e) Where there is evidence of a potential problem, all P.E. classes will immediately return to the locker rooms.

Custodians

Lock and secure all exterior doors.

3. FOLLOW UP ACTION

Principal

- a) Determine, in coordination with M.O.F., whether building(s) is/are habitable.
- b) Notify staff/students of any modification in schedule, via special bulletin or telephone tree.
- c) Work with Communications director to put messages regarding any modifications in schedule.
- d) Arrange school site meeting to discuss plan.

Principal's Secretary

- a) Screen all calls. Refer public to Director of Communications
- b) Refer media to Director of Communications
- c) Prepare necessary communication to community.

Teachers

- a) Read announcements as provided by principal.
- b) Refer all media to principal's office.
- c) Cooperate with school site team to provide follow-up, as appropriate.
- d) Refer for counseling students who may be at risk.
- e) Return to normal instructional activities as soon as possible.

Earthquake

Although the probability of an earthquake occurring is lower than most other emergency types, the potential for injuries and damage from one is high. It is essential that students and staff remain aware of the following basic actions:

This section removed from posted plan for security purposes. If you wish to see the full plan, contact the school principal for an appointment.

If an earthquake or other situation warrants, drop to the floor, take protective position under desks or furniture with backs to windows and hands covering head and face. Stay in position until directed to evacuate or take other protective action. If outside, move away from buildings and trees and take protective position. When situation permits, proceed to the designated assembly point. Standby: Alert students in your area to stand by for further information. Make whatever assessment of the situation is possible. Render emergency first aid as required. If inside, stay inside during ground shaking. In classrooms or offices, move away from windows, shelves and heavy objects or furniture that may fall. Take cover under a safe table, desk or counter. At the teacher's command, students should take the DROP position.

If a "shelter" (table, desk, etc.) is not available, move to an inside wall or corner, turn away from windows, kneel alongside wall, and bend head close to knees, with elbows firmly behind neck protecting face. If notebooks or jackets are handy, hold these overhead for added protection from flying glass and ceilings debris. Remain in sheltered position for at least 60 seconds or until directed to move by an adult. If in halls, on stairways, or other areas where no cover is available, students must follow the directions of the nearest teacher or school employee.

If in the library, immediately move away from windows and bookshelves and take appropriate cover. In the science lab or shops, all burners should be extinguished (if possible) before taking cover. Stay clear of hazardous chemicals that may spill. The duration of ground shaking depends on a number of factors, including the severity of the earthquake. Advise students to anticipate shorter or longer episodes of ground shaking during actual earthquakes and their aftershocks.

EARTHQUAKE HAZARDS COMMONLY FOUND IN SCHOOL BUILDINGS:

- Glass that shatters or flies around
- Objects stored above head-level on shelves, walls, and ceilings (such as unused projectors, books, science equipment, boxes)
- Objects that block movement to safe places (books on floors, tipped desks and bookcases)
- Cabinets without latches
- Objects stored on wheels
- Open shelving without a lip or restraining wire
- Free standing cabinets
- Blocked exits
- Objects in hallways that block movement (glass, tables, locker contents)

SETTLING DOWN AFTER THE FIRST SHOCK:

- After the first shock, teachers will evacuate the classrooms, being alert to the possibility of aftershocks.
- When leaving the classroom, teachers should make every effort to take with them the roll book and emergency supplies.
- Announce that no student is to return to the room unless directed to do so.
- Teachers will take classes to pre-arranged places on the campus.
- Teachers and students will remain in designated areas until re-entry to the building has been approved or they are directed to move elsewhere.
- School will remain open indefinitely until every student has been released to parents or to an authorized person.
- Do not light any fires after the earthquake because of possible gas leaks.
- If possible, notify utility companies of any break or suspected breaks in service.

THE GREAT SHAKEOUT EARTHQUAKE DRILLS

All AUSD schools are encouraged to participate in the annual Great ShakeOut Earthquake Drills. See <https://www.shakeout.org/index.html> for more information.

Explosion or Risk Of Explosion

EXPLOSION OR THREAT OF EXPLOSION

DEFINITION/DESCRIPTION

An explosion at the school, or the threat of an explosion, may be caused by leaking gas or a faulty boiler within a school building.

IMMEDIATE ACTION – EXPLOSION

Principal

- a) Sound the school alarm and report on Share911.
- b) Notify teachers of proper action (DROP or LEAVE BUILDING).

Teachers

- a) Command DROP is given. Instruct students to react in the same manner on their own to this type of catastrophe in case it occurs when the teacher is temporarily not present.
- b) If the explosion occurred within the building, or threatened the building, immediately implement Action LEAVE BUILDING.
- c) Move to an area of safety, and maintain control of students.
- d) Use Share911 to report students absent, found or needing first aid as necessary.
- e) Fight incipient fires without endangering life.
- g) Students and staff should not return to the school until Fire Department officials declare the area safe.

IMMEDIATE ACTION - THREAT OF EXPLOSION:

Principal

Sound the school fire alarm, or silent evacuation if electronic means could set off explosion. This will automatically implement Action LEAVE BUILDING.

Follow procedures for principal -- 'c' and 'd' above.

Teacher

Follow procedures for teachers -- 'c' through 'g' above.

Fire in Surrounding Area

Follow shelter in place procedures

Fire on School Grounds

DEFINITION/DESCRIPTION: A fire detected in or adjacent to any building at the school site.

IMMEDIATE ACTION

Principal or Site Safety Coordinator

- View fire or take report to determine that evacuation routes are safe.
- Notify teachers of alternate route if necessary.
- Sound school fire alarm and report on Share911.
- Determine what further action to take (i.e. send students/staff home).

Teachers

- Implement Action LEAVE BUILDING, using alternate route in necessary.
- Maintain control of students at a safe distance from the fire and fire fighting equipment.
- Take roll upon arrival at designated area. students.
- Remain with students in designated area until notified of next action.
- Notify principal of any hazards observed in/around area through Share911.
- Notify principal of need for first aid as appropriate through Share911.

Custodians

- View fire to identify location and extent.
- Report findings to principal.
- Fight incipient fire without endangering life.
- Be prepared to direct fire department to fire site.
- Shut off gas/water as appropriate.
- Shut off electricity after all necessary use of P.A. system is complete.

FOLLOW-UP ACTION

Principal

- Determine, in coordination with M.O.F. and Fire Department whether buildings) is/are habitable.
- Notify staff/students of any modification in schedule, via Share911 and special bulletin or telephone tree.
- Work with Director of Communications to put messages on TV, radio and communication system regarding any modifications in schedule
- Arrange school site meeting to discuss plan.

Principal's Secretary

- Screen all calls.
- Refer media to Director of Communication.
- Prepare necessary communications to community.

Teachers

- Read announcements as provided by principal.
- Refer all media to principal's office.
- Cooperate with school site team to provide follow-up as appropriate.
- Refer for counseling students who may be at risk.
- Return to normal instructional activities as soon as possible.

Flooding

DESCRIPTION/DEFINITION

There should be some thought and preparation for this eventuality should any sources around the school create flooding. Flooding may be the secondary effect of another disaster, such as an earthquake.

IMMEDIATE ACTION

Principal

- View flood or take report to determine that evacuation routes are safe.
- Broadcast Alert on Share911 and PA as appropriate.
- Determine what further action to take.

Teachers

- Implement appropriate Action in response to principal direction.
- Take roll upon arrival at evacuation area. Report absent students, needs for first aid and any hazards observed in/around area to principal through Share911.
- Maintain control of students at evacuation area.

Custodians

- View flood to identify location and extent.
- Report findings to principal.
- Be prepared to direct M.O.F./City to flood site/source.
- If flooding is result of school site damage, turn off water.

Follow up Plan

Principal

- Determine, in coordination with M.O.F. and Fire Department whether buildings) is/are habitable.
- Notify staff/students of any modification in schedule, via Share911 and special bulletin or telephone tree.
- Work with Director of Communications to put messages on TV, radio and communication system regarding any modifications in schedule
- Arrange school site meeting to discuss plan.

Principal's Secretary

- Screen all calls.
- Refer media to the Director of Communication.
- Prepare necessary communications to the community.

Teachers

- Read announcements as provided by the principal.
- Refer all media to the principal's office.
- Cooperate with the school site team to provide follow-up as appropriate.
- Refer for counseling students who may be at risk.
- Return to normal instructional activities as soon as possible.

Loss or Failure Of Utilities

UTILITIES LOSS OR FAILURE

CALL MOF - They will call the appropriate public works system based on the loss or failure.

LOSS OF ELECTRICAL POWER:

Consult Alameda Power

LOSS of GAS

PG&E

WATER EMERGENCY:

East Bay Municipal Utility District, colloquially referred to as "East Bay Mud

PHONE ISSUES:

Contact Technology Information Services to report phone issues.

ADDITIONAL INFORMATION:

Contact Maintenance, Operations & Facilities at extension if any utility will be off for an extended period of time.

Notify the superintendent of the situation.

If necessary, make appropriate arrangements with Maintenance and Operations for temporary communications, water delivery and portable rest rooms.

In the event of an extended outage, consult with the cafeteria manager. The cafeteria manager will consult with Food and Nutritional Services.

If an extended outage is likely, provide an update to keep parents/guardians informed.

Motor Vehicle Crash

Step1: Respond to the injured party and determine if first aid or CPR should be provided

Step 2: If 911 needs to be called have another person call while you deliver first aid or CPR

Step 3: Send another person to notify others and get any emergency equipment or information that would be helpful to the emergency

Step 4: When safe to do so, activate share 911 to communicate to staff if an ambulance is on its way

Step 5: Designate staff to the appropriate gate/entrance to help emergency services get in close proximity to injured party

Step 6: Staff are required to complete and turn in an Accident Report to administration for any injuries to any one on campus

Step 7: Accident forms need to be sent to the business office

Psychological Trauma

The sudden death, serious injury to a student or staff member either through natural causes, accidents or as the result of an act of violence, such as school shooting, missing students (known or suspected abduction), physical assault, sexual assault, non-natural or non-accidental causes or other unexpected events are, without question, a crisis. Responding to these kinds of crisis situations in a timely and effective manner is as critical as dealing with an earthquake or a fire.

1. Contact Student Services to request the District Crisis Intervention Team immediately following a serious injury, accident or death of a student or staff member.

2. Work with your school psychologist and or counselors to determine identification of short- and long-term interventions for students or staff traumatized by the event.
3. Work with the Superintendent's office to formulate a public statement.
4. Discuss the crisis in a factual manner in follow up meetings and/or communications.
5. Be sensitive to latent behavior problems that are trauma-related.

A general message will be prepared and whenever possible parents will be contacted first in order to be the first adults to provide the information and support their children. All staff will be debriefed and supported. Activities to best meet the needs of the community will be provided aimed at providing counseling, a way for all to process (writing, drawing, and sharing). Activities such as games, music and reading may be planned over a short period of time to reduce anxiety and work demands. Follow and close monitoring for students and staff to insure latent reactions and responses.

Opioid Overdose

Step (1) Call 911 An overdose is a medical emergency. It is important to have trained medical professionals assess the condition of the overdose victim. Even though Naloxone can reverse the overdose, there may be other health problems of which the responder may not be aware. In addition, people who survive any type of overdose are at risk of experiencing other health complications because of the overdose. Getting someone examined by a medical professional is an important part of reducing the harms associated with overdosing.

It is important for trained staff to remember that Naloxone only works if there are opioids involved with the overdose. It cannot reverse an overdose from benzodiazepines, meth, cocaine, or alcohol.

Step (2) Administer Naloxone (Narcan)

Open the Naloxone blister pack; do not push the plunger.

With the victim's head tilted slightly back, place two (2) fingers over the top of the medication with your thumb securing it from the bottom.

Insert the atomizer fully and gently into their nostril

Push the plunger forward with the thumb and deliver spray of medication. (There is no need to plug the opposing nostril).

Place the person to their side (recovery position).

If the individual is still not responding within two (2) minutes, give a second dose in the opposite nostril.

Follow Up

If the victim is a student, contact parent/guardian per school policy.

Complete an Accident/Injury Report

Facilitate a debriefing with responding staff

Consider a plan of care for the students' safe return to school

Emergency Evacuation Map

See attachments

Comprehensive School Safety Plan

**2023-24
School Year**

School: Otis Elementary School
CDS Code: 01 61119 6090021
District: Alameda Unified School District
Address: 3010 Fillmore Ave
Alameda, CA 94501
Date of Adoption:
Date of Update: 4/3/2024
Date of Review:
- with Staff
- with Law Enforcement
- with Fire Authority

Table of Contents

Comprehensive School Safety Plan Purpose.....	4
Safety Plan Vision.....	4
Components of the Comprehensive School Safety Plan (EC 32281).....	5
(A) Child Abuse Reporting Procedures (EC 35294.2 [a] [2]; PC 11166).....	5
(B) Disaster Procedures (EC 35295-35297; GC 8607 and 3100).....	7
(C) School Suspension, Expulsion and Mandatory Expulsion Guidelines	11
(D) Procedures to Notify Teachers of Dangerous Pupils (EC 49079).....	31
(E) Sexual Harassment Policies (EC 212.6 [b]).....	32
(F) School-wide Dress Code Relating to Gang-Related Apparel (EC 35183).....	35
(G) Procedure for Safe Ingress and Egress of Pupils, Parents, and Staff to and from School (EC 35294.2)	38
(H) A Safe and Orderly School Environment Conducive to Learning (EC 35294.2)	40
(I) School Discipline Rules and Consequences (EC 35291 and EC 35291.5)	42
(K) Hate Crime Reporting Procedures and Policies	42
(J) Procedures to Prepare for Active Shooters.....	44
Procedures for Preventing Acts of Bullying and Cyber-bullying.....	45
Emergency Contact Numbers	49
Safety Plan Review, Evaluation and Amendment Procedures	50
Otis Elementary School Incident Command System	51
Incident Command Team Responsibilities.....	52
Types of Emergencies & Specific Procedures.....	59
Aircraft Crash	59
Animal Disturbance.....	59
Armed Assault on Campus	60
Biological or Chemical Release.....	61
Bomb Threat/ Threat Of violence	62
Disorderly Conduct	63
Earthquake	65
Explosion or Risk Of Explosion	65

Fire in Surrounding Area66

Fire on School Grounds66

Flooding68

Loss or Failure Of Utilities69

Motor Vehicle Crash69

Psychological Trauma.....69

Opioid Overdose70

Emergency Evacuation Map.....71

Comprehensive School Safety Plan Purpose

Effective January 1, 2019, Assembly Bill 1747 (Rodriguez), School Safety Plans, became law. This bill requires that during the writing and development of the comprehensive school safety plan (CSSP), the school site council or safety committee consult with a fire department and other first responder entities in addition to currently required entities. It requires the CSSP and any updates made to the plan to be shared with the law enforcement agency, the fire department, and the other first responder entities.

The California Education Code (sections 32280-32288) outlines the requirements of all schools operating any kindergarten and any grades 1 to 12, inclusive, to write and develop a school safety plan relevant to the needs and resources of that particular school.

In 2004, the Legislature and Governor recast and renumbered the Comprehensive School Safety Plan provisions in SB 719 and AB 115. It is the intent of the Legislature in enacting the provisions to support California public schools as they develop their mandated comprehensive safety plans that are the result of a systematic planning process, that include strategies aimed at the prevention of, and education about, potential incidents involving crime and violence on school campuses.

The historical requirement of the Comprehensive School Safety Plan was presented in Senate Bill 187, which was approved by the Governor and chaptered in 1997. This legislation contained a sunset clause that stated that this legislation would remain in effect only until January 1, 2000. Senate Bill 334 was approved and chaptered in 1999 and perpetuated this legislation under the requirement of the initial legislation.

Comprehensive School Safety Plans are required under SB 719 & AB 115 and contains the following elements:

Assessment of school crime committed on school campuses and at school-related functions

- Child abuse reporting procedures
- Disaster procedures
- Suspension and expulsion policies
- Procedures to notify teachers of dangerous pupils
- Discrimination and harassment policies
- School wide dress code policies
- Procedures for safe ingress and egress
- Policies enacted to maintain a safe and orderly environment
- Rules and procedures on school discipline
- Hate crime reporting procedures

The Comprehensive School Safety Plan will be reviewed and updated by March 1st every year. In July of every year, the school will report on the status of its school safety plan including a description of its key elements in the annual school accountability report card.

A copy of the Comprehensive School Safety Plan is available for review at .

Safety Plan Vision

The Alameda Unified School District is committed to providing a quality educational environment that is safe, secure, and peaceful. The primary goal of the District is to help each student develop to the maximum of his/her capacity and function as a responsible member of a democratic society. When parents, students and staff are aware of our mutual responsibilities to keep our community safe, we can effectively promote positive student participation in all of our schools.

The School Site Emergency Plan is designed for use as a school resource for prevention/mitigation, preparedness, response, and recovery planning and training as well as functioning as a template for meeting the requirements for the annual Safety Plan Process under Senate Bill 187, Education Code Section 35294, Statutes of 1998, and the National Incident Management System. It is designed to be a living document that is updated as necessary to meet site, District, and community needs, forms, and/or requirements—therefore, it should be maintained in hard copy and electronic form.

This document is NOT intended to be a “grab and go” guide in an actual emergency.

Components of the Comprehensive School Safety Plan (EC 32281)

Otis Elementary School Safety Committee

Brian Dodson-Principal
Many Morris- Office Manager
LaShonda Knox- Attendance Clerk
Kristen Galvez- Teacher
Omar Badr- Teacher
Adrian De La Fuente Ramirez- Teacher
Maureen Nacy- Parent

Assessment of School Safety

Current Status of School Crime. Each school is required to assess the current status of school crime committed on the school campus and at school related functions. You may accomplish this by reviewing the following type of information: Local law enforcement crime data; suspension/expulsion data; behavior referrals; counseling referrals; attendance rates; SART/SARB data; CHK Survey data; SPSA data; property damage/vandalism data; or any other data pertinent to your assessment.

Strategies and Programs to Provide and Maintain a High Level of Safety (EC 32281(a)1, items A-J)

The school uses PBIS (Positive Behavior Interventions & Supports) in order to support all students in maintaining a safe environment on campus. PBIS provides the Tier I framework to ensure that all students are taught the appropriate behavior expected at school and then works to positively reinforce those taught behaviors. The Culture & Climate team reviews our school-wide TFI (Tiered Fidelity Inventory) annually in order to determine what action steps need to be taken in order to create a more safe and nurturing environment to learn.

(A) Child Abuse Reporting Procedures (EC 35294.2 [a] [2]; PC 11166)

Child Abuse Reporting Procedures

With concern for the total well-being of each student, employees of the district shall report known or suspected incidences of child abuse in accordance with state law and district regulations. Our employees cooperate with the child protective agencies responsible for reporting, investigating and prosecuting cases of child abuse.

A. Definition of Child Abuse

"Child Abuse," as defined by law, pursuant to Penal Code 273 and 11165, includes:

1. Physical abuse resulting in a non-accidental physical injury.
2. Physical neglect, including both severe and general neglect, resulting in negligent treatment or maltreatment of a child.
3. Sexual abuse including both sexual assault and sexual exploitation.
4. Emotional abuse and emotional deprivation including willful cruelty or unjustifiable punishment.
5. Severe corporal punishment.

B. Legal Duty to Report

Mandated child abuse reporting is governed by the Child Abuse and Neglect Reporting Act, P.C. 11164. The intent and purpose of the law is to protect children from abuse. The definition of a child is any person under 18 years of age.

Within the scope of his or her employment, any childcare custodian who has knowledge of, observes, or reasonably suspects a child is a victim of child abuse, shall report the known or suspected abuse to a child protective agency by telephone and written report. Additionally, any suspicion of mental suffering inflicted on a child where his or her well-being is endangered in any way, will also be reported.

"Mandated Reporters" are those people defined by law as "childcare custodians," "medical practitioners" and "non-medical practitioners" and include virtually all school employees.

(Penal Code 11165.7 and 11165.8) The following school personnel are required to report: teachers, administrators, supervisors of child welfare and attendance, certificated student personnel employees, employees of a child care programs, preschool teachers, school psychologists, licensed nurses, counselors, para-educators instructional aides or other classified employees trained in child abuse reporting. Employees do not need to have their employer's permission to make a child abuse report.

"Child Protective Agencies" are those law enforcement and child protective services responsible for investigating child abuse reports, including the local police or sheriff's department, county welfare or juvenile probation department and child protective services (CPS).

"Reasonable Suspicion" means that it is objectively reasonable for a person to entertain such a suspicion, based upon facts that could cause a reasonable person in a like position, drawing when appropriate on his/her training and experience, to suspect child abuse. (Penal Code 11166)

3. Employees will report known or suspected child abuse to a child protective agency by telephone immediately or as soon as practically possible and in writing within 36 hours. The reporting duties are individual and cannot be delegated to another individual.

4. When two or more persons who are required to report and both have knowledge of suspected child abuse, and when there is agreement among them, the telephone report may be made by any one of them who is selected by mutual agreement, and a single report may be made and signed by the person selected. However, if any person who knows or should know that the person designated to report failed to do so, that person then has a duty to make the report.

5. The duty to report child abuse is an individual duty and no supervisor or administrator may impede or inhibit such reporting duties. Furthermore, no person making such a report shall be subject to any sanction. Any supervisor or administrator in violation (Section 11166) is guilty of an infraction punishable by a fine not to exceed five thousand dollars (\$5000).

C. Legal Responsibility and Liability

1. Mandated reporters have absolute immunity. School employees required to report are not civilly or criminally liable for filing a required or authorized report of known or suspected child abuse.

2. Any mandated reporter who fails to report an incident of known reasonably suspected child abuse or neglect as required by this section is guilty of a misdemeanor punishable by up to six months confinement in a county jail or by fine of one thousand dollars (\$1000) or by both that fine and punishment. The mandated reporter may also be held civilly liable for damages of any injury to the child after a failure to report.

D. Reporting Procedures

The person who first observes or learns about the abuse is to complete the "Suspected Child Abuse Report" form (BCIA 8572) and call the Child Abuse Reporting phone number Call our hotline now at 510-259-1800, available 24 hours a day, 7 days a week or if it is an emergency call:

OR Immediately telephone the appropriate law enforcement agency (based upon where the abuse is suspected to have occurred). Jurisdiction, as to whether the county or the city responds, is determined by where the abuse took place.

a. City: Call the Alameda Police Department (510) 337-8340

3. Employees are not required to identify themselves to their employer when they make a child abuse report. If an employee wishes to waive his/her confidentiality rights he/she may wish to make photocopies of the "Suspected Child Abuse Report" form (SS8572) and forward a copy to the principal and to the Executive Director of Student and Family Support Services.

E. Victim Interviews

Upon request, a child protective agency representative may interview a suspected victim of child abuse, during school hours and on school premises, concerning a report of suspected child abuse that occurred within the child's home. The child shall be given the choice of being interviewed in private or in the presence of any adult school employee or volunteer aide selected by the child. A staff member or volunteer aide selected by a child may decline to present at the interview. If the selected person accepts, the principal or designee shall inform him/her, before the interview takes place, of the following legal requirements:

1. The purpose of the selected person's presence at the interview is to lend support to the child and enable him/her to be as comfortable as possible.
2. The selected person shall not participate in the interview.
3. The selected person shall not discuss the facts or circumstances of the case with the child.
4. The selected person is subject to the confidentiality requirements of Article 2.5 (Penal Code 11165 et seq.), a violation of which is punishable as specified by 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)

F. Release of Child to Peace Officer or to a Child Protective Services Worker

When a child is released to a peace officer and taken into custody as a victim of suspected child abuse, the principal or other school staff shall not notify the parent/guardian as required in other instances of removal of a child from school, but rather shall provide the peace officer with the address and telephone number of the child's parent/guardian. It is the responsibility of the peace officer to notify the parent/guardian of the situation

G. Staff Training

The Principal or designee shall provide training in child abuse identification and reporting for all certificated personnel, instructional and teacher aides, teacher assistants, para-educators and other classified employees. (Penal Code 11165.7) All employees trained in child abuse identification and reporting shall be given, as a part of that training, written notice of the child abuse reporting requirements and the employees' confidentiality rights. (Penal Code 11165.7). The absence of training does not excuse a mandated reporter from the duties imposed by the penal code.

(B) Disaster Procedures (EC 35295-35297; GC 8607 and 3100)

Disaster Plan (See Appendix C-F)

Purpose of the Plan

This response plan is designed to assist school staff, students, parents and local agencies organize resources of the school and community to respond to a crisis situation while school is in session. Regulatory Authority State laws and regulations require school districts develop emergency plans and train staff in emergency response procedures. These include laws applicable to school staff and students as well as Cal/OSHA regulations specifically addressing the safety of district employees. The Katz Act [California Education Code, §35295-35297] requires schools plan for earthquakes and other emergencies. It also requires training in earthquake preparedness procedures for both certificated and classified staff. The Petris Bill [Government Code, §8607] requires school districts be prepared to utilize the Standardized Emergency Management System (SEMS) when responding to emergencies. This requires that principles of SEMS are incorporated in District plans; that the Incident Command System (ICS) are used at school sites; that all school personnel are trained in how the respective systems work and correlate; and that schools have drills and exercises in order to practice using the systems. This plan is designed and structured to ensure compliance with the mandates of state law as well as with Cal/OSHA's Emergency Action Plan Standard Title 8, California Code of Regulations §3220. This regulation requires each employer facility have an Emergency Action Plan which focuses on specific emergency contingencies, response personnel roles, and evacuation plans of each employer's site where employees work. Schools and school districts are included in this mandate. School Site Emergency Preparedness and Response Coordination Each principal shall supervise the planning, operating and testing of their respective school's Emergency Preparedness and Crisis Response Plan. Each principal will also ensure that all school staff and students are familiar with the basic elements of the District's Emergency Operations Plan, which will be utilized at the district office in the event of a major emergency or district-wide disaster. The principal must ensure that the Incident Command System are utilized by all staff personnel in the event of an emergency incident and shall serve as the Incident Commander at all school crises or emergencies.

Campus and Facility Site Preparedness Duties

This school and the District have designated specific persons to assume emergency position responsibilities in the event of a site emergency or District-wide disaster. The following information provides a breakdown of these responsibilities:

All School Staff:

- Become familiar with the school's emergency and evacuation procedures.
- Participate in First Aid and CPR training, as appropriate.

Annually each principal shall:

- Designate Staff Incident Command Structure Assignments.
- Update this site Emergency Preparedness and Crisis Response Plan.
- Ensure personnel are properly trained in their respective assignments.
- Conduct survey of personnel to determine CPR/First Aid/Disaster Preparedness/Medical Training.
- Survey parents to determine who may wish to volunteer during an extended emergency or disaster.
- Ensure needs of students and staff with disabilities are provided for in the event of an emergency.
- Designate primary and alternate locations for command post, evacuation, first aid, student release, and morgue.
- See that parents are informed of the plan and its effect upon students.
- Compile/maintain list of local emergency agencies including telephone numbers and addresses.
- Practice building evacuation plans including testing of warning systems, alarm signals, and communications methods.
- With Maintenance and Operations, complete a site and building hazard survey.
- Ensure all emergency equipment and supplies are in usable condition at all times.

Teachers:

- Teachers are responsible for the supervision of students in their charge.
- Understand emergency response procedures.
- Have planned activities for use during disasters to lessen possible tension.

School Office Managers or Designee:

- Organize and maintain the emergency first aid supplies and distribute back-up supplies.
- Assist principal in developing procedures to protect essential records.
- Ensure battery-operated AM/FM radio is available in working condition; know the call number and frequency of disaster information station.
- Maintain an up-to-date list of students and staff who require life sustaining medication.

School Custodians or designee:

- Assist principal in planning control procedures for different types of building damage.
 - Routinely check that battery-operated equipment is in working condition.
- Directions for the Instructional Staff During a Declared Emergency

Crisis Response

The primary goals of crisis response are to:

- Prevent a potentially chaotic situation from escalating into a catastrophic event.
- Help those affected to return, as quickly as possible, to a normal level of functioning.
- Decrease the potential long-term effects of the crisis.

Incident Command System (ICS)

The Incident Command System is an emergency response system used to manage an emergency incident at a specific facility or site. The ICS, as designated by the AUSD, will be used by this school as the formal emergency response structure. This is in contrast to the Standardized Emergency Management System (SEMS) which is used to manage resources at a district-wide level.

Foundations of Crisis Response

The primary foundation for any emergency or crisis response system is to ensure, as much as is humanly possible, the application of the three C's at all times.

These three C's are:

- Control – Control is the cornerstone of every crisis/emergency response. In emergency response this is initiated and maintained through the effective use of the Incident Command System.
- Communication - Communication is essential to maintaining effective coordination of all response actions. Ongoing communication must be maintained between response persons, school staff, and the command team.
- Coordination - Coordination is essential to ensure that the most effective and appropriate response actions are used throughout a response operation. Proper utilization of the Incident Command System will ensure that all response operations are coordinated from a central point and that no response action is taken at cross purposes to any other.

REMS Packet:

https://docs.google.com/document/d/1Is5ZeiLH-hv2_mhfl13ZKMM3Un-u2_DSazBO7pu86mQ/edit?usp=sharing

Public Agency Use of School Buildings for Emergency Shelters

If the Superintendent declares a District emergency during the school day, the District has a clear statement of policy governing its actions.

Alameda Unified School District Policy is as follows:

IN CASE OF A DECLARED EMERGENCY BY THE SUPERINTENDENT DURING SCHOOL HOURS, ALL STUDENTS WILL BE REQUIRED TO REMAIN AT SCHOOL OR AN ALTERNATE, SAFE SITE UNDER THE SUPERVISION OF DISTRICT PERSONNEL:

1. Until regular dismissal time and then released only if it is considered safe, OR
2. Until released to an adult authorized by the parent or legal guardian whose name appears on District records.
 - a) If students are on their way to school they should proceed to school.
 - b) If students are on their way home from school they are to continue home.
3. To provide this supervision and care, Alameda Unified School District personnel will be utilized under Title 1, Division 4, Chapter 8 Government Code and other legal statutes. The statute states that all public employees are designated disaster service workers when an emergency is declared. The District Superintendent, or designee, has the legal authority to declare an emergency in this District. The authority also extends to Alameda County to declare an emergency and impress public employees into service as disaster service workers.
4. Alameda Unified School District encourages the utilization of a buddy system at District sites wherein staff responsibilities for specific emergency functions are assigned to pairs of employees who could, with approval of the Site Manager, carry on legally required supervision and care requirements while allowing emergency home visits to assure welfare of their own families.

(C) School Suspension, Expulsion and Mandatory Expulsion Guidelines

Definitions

Suspension from school means removal of a student from ongoing instruction for adjustment purposes.

The teacher of any class from which a student is suspended pursuant to Section 48910 shall require the student to complete any assignments and tests missed during the suspension. The school will monitor and address the educational needs of the student that arise due to the loss of instructional time. (Education Code 48913). However, suspension does not mean any of the following: (Education Code 48925)

- Reassignment to another education program or class at the same school where the student will receive continuing instruction for the length of day prescribed by the Governing Board for students of the same grade level.
- Referral to a certificated employee designated by the principal to advise students.
- Removal from the class, but without reassignment to another class or program, for the remainder of the class period without sending the student to the principal or designee as provided in Education Code 48910. Removal from a particular class shall not occur more than once every five school days.

Referral means removal from classroom instruction for discipline reasons.

Expulsion means removal of a student from the immediate supervision and control, or the general supervision, of school personnel. (Education Code 48925)

Day means a calendar day unless otherwise specifically provided. (Education Code 48925)

School day means a day upon which the schools of the district are in session or weekdays during the summer recess. (Education Code 48925)

Student includes a student's parent/guardian or legal counsel. (Education Code 48925)

Principal's designee means one or more administrators or, if there is not a second administrator at one school site, a certificated person specifically designated by the principal, in writing, to assist with disciplinary procedures. Only one such person may be designated at any time as the principal's primary designee, and only one such person may be designated as secondary designee for the school year. The names of such persons shall be on file in the principal's office. (Education Code 48911)

School property, for the purposes described in Education Code 48900, includes, but is not limited to, electronic files and databases. (Education Code 48900(u))

The District database is the Aeries Student Information System.

Restorative Practices (RP) is a continuum of practices by which schools build community through circles and other activities, where students learn to use affective statements and the process where all stakeholders affected by an injustice have an opportunity to discuss how they have been affected by the injustice and to decide what should be done to repair the harm.

Positive Behavioral Interventions and Supports (PBIS) is a framework for providing a range of systemic and individualized strategies for achieving important academic and behavioral outcomes while preventing problem behaviors.

Social and Emotional Learning (SEL) is a process through which children and adults develop the fundamental skills for life effectiveness. The five SEL competencies are: self-awareness, self-management, social awareness, relationship skills, and responsible decision-making.

Multi Tiered System of Support (MTSS) is a way of organizing instruction and intervention to help all students. The goal of the multi-tiered framework is to provide high-quality instruction and supports based on student need. This framework helps educators by providing information (data) to identify students needing additional support (academic and behavioral) and also identify students who may need special education services. MTSS includes three levels (or tiers) of instruction. Each tier has a set of evidence-based practices to meet the instructional goals.

Tier 1

For MTSS, a school must first establish its Tier 1 or universal supports. Universal supports are the instructional practices that help all students in a school. Once the universal supports are in place, staff can use assessment data to determine which students need additional supports.

Tiers 2 and 3

The intensity and duration of supports increase for Tiers 2 and 3. The appropriate level of support for each student is determined by assessment data.

Grounds for Suspension and Expulsion

The following is a list of grounds for which suspension and expulsion may be permitted or shall be imposed subject to the

restrictions and requirements herein:

- Caused, attempted to cause, or threatened to cause physical injury to another person or willfully used force or violence upon another person, except in self-defense (Education Code 48900(a))
- A student who aids or abets the infliction or attempted infliction of physical injury on another person, as defined in Penal Code 31, may be suspended, but not expelled. However, such a student may be suspended or expelled pursuant to Education Code 48900(a) when he/she has been adjudged by a juvenile court to have committed, as an aider or abettor, a crime of physical violence in which the victim suffered great or serious bodily injury. (Education Code 48900(t))
- 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))
- 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))
- 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))
- Committed or attempted to commit robbery or extortion (Education Code 48900(e))
- Caused or attempted to cause damage to school property or private property (Education Code 48900(f))
- Stole or attempted to steal school property or private property (Education Code 48900(g))
- 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))
- Committed an obscene act or engaged in habitual profanity or vulgarity (Education Code 48900(i))
- Unlawfully possessed, offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Health and Safety Code 11014.5 (Education Code 48900(j))

As provided in California Education Code section 48900(k), no student enrolled in grades T-Kindergarten through third grade may be suspended or expelled for disrupting school activities or willfully defying the authority of school personnel ("disruption and willful defiance") and no student in TK-12 may be expelled for willful disruption or defiance.

Effective July 1, 2019, no student enrolled in grades T-Kindergarten through twelve (TK-12) grades may be suspended or expelled for disrupting school activities or willfully defying the authority of school personnel. The Board will review data regarding suspensions for defiance in Grades 4 through 12 in August 2019 and January 2020. If, based on review of the data, it appears further steps should be undertaken to meet the goal of eliminating suspensions for defiance by July 1, 2019, the Board will direct the Superintendent to implement such additional measures to achieve the goal of no suspensions for defiance by July 1, 2020.

- Knowingly received stolen school property or private property (Education Code 48900(l))
- 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))

- 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))
- 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))
- Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma (Education Code 48900(p))
- 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.

- 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.

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 (items #20-22 below), that has any of the effects described above on a reasonable student.

Electronic act means the transmission of a communication, 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.

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))

- 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)

A student in grades 4-12 is also subject to suspension or recommendation for expulsion when it is determined that he/she:

- 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)

- 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)

- 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)

A student may be suspended or expelled for any of the acts listed above if the act is related to school activity or school attendance occurring at any district school or within any other school district, at any time, including, but not limited to, the following: (Education Code 48900(s))

- While on school grounds
- While going to or coming from school
- During the lunch period, whether on or off the school campus
- During, going to, or coming from a school-sponsored activity

Teacher-Initiated Suspensions Pursuant to Section 48910

The Board desires the adoption of a Multi-Tiered System of Support which includes Positive Behavior Intervention Supports to facilitate a consistent approach for positive, pro-social behavior management (BP 5144). The District expects teachers to attempt interventions prior to initiating a suspension pursuant to Section 48910 except where suspension for a first offense is permitted or mandated by law, as described on pp. 8-9 below.

When removing a student from his/her class pursuant to Section 48910, 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 removed. (Education Code 48910)

The site administrator or designee shall ensure that site staff completed the following:

- The teacher completed the Teacher-Initiated Pupil Suspension Report and, starting in the 2019-20 school year, the office referral form.
- The teacher contacted the parent/guardian to request their participation in a parent-teacher conference regarding the suspension within 24 hours. 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)
- The site administrator or designee reviewed the office referral form and completed the in-school suspension form if warranted.
- The site administrator or designee contacted parent/guardian regarding the suspension.
- The site administrator or designee recorded the classroom interventions and referral in the District database.

A student suspended from class pursuant to Section 48910 shall not be returned to class during the period of suspension without the approval of the teacher of the class and the principal. (Education Code 48910)

A student suspended from class pursuant to Section 48910 shall not be placed in another regular class during the period of suspension. However, if a student is assigned to more than one class per day, he/she may be placed in any other regular classes except those held at the same time as the class from which the student was removed. (Education Code 48910)

The teacher of any class from which a student is suspended pursuant to Section 48910 shall require the student to complete any assignments and tests missed during the suspension. The school will monitor and address the educational needs of the student that arise due to the loss of instructional time. (Education Code 48913)

When suspending a student in Grades TK-3 from class for committing an obscene act or engaging in habitual profanity or vulgarity, the teacher of the class may require any parent/guardian who lives with the student to attend a portion of the school day in the class from which the student is being suspended, to assist in resolving the classroom behavior problems. (Education Code 48900.1) The teacher of the class may also require any parent/guardian who lives with the student to attend a portion of the school day in the class to assist in resolving classroom behavior problems.

When suspending a student in Grades 4-12 from class for committing an obscene act or engaging in habitual profanity or vulgarity, disrupting school activities, or otherwise willfully defying valid staff authority, the teacher of the class may require any parent/guardian who lives with the student to attend a portion of the school day in the class from which the student is being suspended, to assist in resolving the classroom behavior problems. (Education Code 48900.1)

When suspending a student in any grade from class for committing an obscene act, engaging in habitual profanity or vulgarity, the teacher of the class may require any parent/guardian who lives with the student to attend a portion of the school day in the class from which the student is being suspended, to assist in resolving the classroom behavior problems. (Education Code 48900.1) The teacher of the class may also require any parent/guardian who lives with the student to attend a portion of the school day in the class to assist in resolving classroom behavior problems.

Teachers should reserve the option of required parental attendance for cases in which they have determined that it is the best strategy to promote positive interaction between the teacher and the student and his/her parents/guardians and to improve the student's behavior.

Any teacher requiring parental attendance pursuant to this policy shall apply the policy uniformly to all students within the classroom. (Education Code 48900.1)

When a teacher makes this request, the principal shall send the parent/guardian a written notice that the parent/guardian's attendance is requested pursuant to law. (Education Code 48900.1)

The notice shall specify that the attendance may be on either the date the student is scheduled to return to class or within one week thereafter.

This notice shall also:

- Inform the parent/guardian when his/her presence is expected and by what means he/she may arrange an alternate date
- Ask the parent/guardian to meet with the principal after the visit and before leaving school, as required by Education Code 48900.1

At the meeting with the student's parent/guardian, the principal or designee shall explain the district's and school's discipline policies, including the disciplinary strategies that may be used to achieve proper student conduct.

When a parent/guardian does not respond to the request to attend school, the principal or designee shall contact him/her by telephone, mail, or other method that maintains the confidentiality of the student's records.

District regulations shall include procedures for implementing parental attendance requirements. Parents/guardians shall be notified of this policy prior to its implementation. (Education Code 48900.1)

Suspensions by Superintendent, Principal, or Designee

The Board does not support a zero tolerance approach to discipline except where mandated by law. Schools may not adopt zero tolerance policies that conflict with District discipline policies. The Board desires that schools will adopt, engage, and implement positive approaches to addressing problem behavior prior to initiating the suspension of a student.

Suspension for a first time offense is limited to certain serious offenses (listed below in permissible and mandatory categories) or where it can be documented that the presence of a student causes a danger to persons.

Defiance

As provided in California Education Code section 48900(k), no student enrolled in grades T-Kindergarten through third grade may be suspended or expelled for disrupting school activities or willfully defying the authority of school personnel ("disruption and willful defiance") and no student regardless of grade may be expelled for willful defiance or disruption.

Effective July 1, 2019, no student enrolled in grades T-Kindergarten through twelve (TK-12) grades may be suspended or expelled for disrupting school activities or willfully defying the authority of school personnel. Suspension and expulsion shall not be imposed for a violation of Education Code section 48900(k), including disruption of school activities or willful defiance. The District expects schools to develop appropriate interventions, for example, behavioral plans, restorative circles, or SEL groups for students who engage in a pattern of defiant behavior.

Defiance is when a student continues to disobey a school official, teacher, or administrator after having been taught the rules and expectations of the school and the student displays behavior that directly interferes with the rights of others to learn.

The Board will review data regarding suspensions for defiance in Grades 4 through 12 in August and January. If, based on review of the data, it appears further steps should be undertaken to meet the goal of eliminating suspensions for defiance, the Board will direct the Superintendent to implement such additional measures to achieve the goal of no suspensions for defiance by July 1, 2020.

Discipline and Intervention Matrix for Administrators

Attached to this Administrative Regulation is the discipline and intervention matrix aligned to the District's Multi-Tiered System of Support framework that models a progressive and holistic approach to discipline. As provided in the Board Policy, each school is responsible for adopting strategies, programs, and interventions within this framework to facilitate a positive approach to behavior management. Even if suspension is appropriate, administrators must first consider whether other interventions should be used.

Except where suspension for a first offense is permitted or mandatory (as described above), in-school and out-of-school suspension and other sanctions that result in a student's loss of instruction shall only be imposed when the principal or designee has determined that other means of correction that are consistent with District policies and procedures have failed to bring about proper conduct. (Education Code 48900.5)

As described in AR 5144, interventions and other alternatives to suspension should be attempted and evaluated prior to referral from the classroom. In addition, the principal or designee shall document the other means of correction used and retain them in the student's record. (Education Code 48900.5)

The Principal or designee shall complete the suspension form and record the suspension in the District's database.

The Superintendent, principal, or designee may suspend a student from school for not more than five consecutive school days unless the suspension is extended pending expulsion. (Education Code 48911)

A student may be suspended from school for not more than 20 school days in any school year unless, for purposes of adjustment, the student enrolls in or is transferred to another regular school, an opportunity school, or continuation school or class, in which case suspension shall not exceed 30 days in any school year. However, this restriction on the number of days of suspension does not apply when the suspension is extended pending an expulsion. (Education Code 48903, 48911, 48912)

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)

Suspensions shall be initiated according to the following procedures:

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 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. 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)

Administrative Actions: All requests for student suspension are to be processed by the principal or designee. All suspensions shall be recorded in the District database. 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)

Notice to Parents/Guardians: At the time of the suspension, a school employee shall make a reasonable effort to contact the parent/guardian by telephone or in person. Whenever a student is suspended, the parent/guardian shall be notified in writing of the suspension. (Education Code 48911)

This notice shall state the specific offense committed by the student. (Education Code 48900.8)

In addition, the notice may state the date and time when the student may return to school. If school officials wish to ask the parent/guardian to confer regarding matters pertinent to the suspension, the notice may add that state law requires the parent/guardian to respond to such requests without delay.

Parent/Guardian Conference: Whenever a student is suspended, school officials may meet 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)

Although the parent/guardian is required to respond without delay to a request for a conference about his/her child's behavior, 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 readmission solely because the parent/guardian failed to attend the conference. (Education Code 48911)

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 Principal may, in writing, extend the suspension until such time as the Board has made a decision. (Education Code 48911)

Any extension of the original period of suspension shall be preceded by notice of such extension with an offer to hold a conference concerning the extension, giving the student an opportunity to be heard. This conference may be held in conjunction with a meeting requested by the student or parent/guardian to challenge the original suspension. Extension of the suspension may be made only if

the Superintendent or Principal determines, following a meeting in which the student and the student's parent/guardian were invited to participate, that the student's presence at the school or at an alternative school would endanger persons or property or threaten to disrupt the instructional process. (Education Code 48911)

If the student involved is a foster youth, the Superintendent or designee shall notify the district liaison for foster youth of the need to invite the student's attorney and a representative of the appropriate county child welfare agency to attend the meeting. (Education Code 48853.5, 48911, 48918.1)

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.

The student shall be responsible for contacting the school to receive assignments to be completed during the period of the suspension. The school shall make available all assignments and tests that the student will miss while suspended.

Suspension by the Board

The Board may suspend a student for any of the acts listed in "Grounds for Suspension and Expulsion" above and within the limits specified in "Suspensions by Superintendent, Principal, or Designee" above. (Education Code 48912)

The Board may suspend a student enrolled in a continuation school or class for a period not longer than the remainder of the semester if any of the acts listed in "Grounds for Suspension and Expulsion" occurred. The suspension shall meet the requirements of Education Code 48915. (Education Code 48912.5)

When the Board is considering a suspension, disciplinary action, or any other action (except expulsion) against any student, it shall hold a closed session if a public hearing would lead to disclosure of information violating a student's right to privacy under Education Code 49073-49079. (Education Code 35146, 48912)

The Board shall provide the student and his/her parent/guardian with written notice. Upon receiving this notice, the student or parent/guardian may request a public meeting, and this request shall be granted if made in writing within 48 hours after receipt of the Board's notice. However, any discussion that conflicts with any other student's right to privacy still shall be held in closed session. (Education Code 35146, 48912)

Supervised Suspension Classroom

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 a supervised suspension classroom in a separate classroom, building, or site for the entire period of suspension. The following conditions shall apply: (Education Code 48911.1)

The supervised suspension classroom shall be staffed in accordance with law and by certificated employees.

The student shall have access to appropriate counseling services.

The supervised suspension classroom shall promote completion of schoolwork and tests missed by the student during the suspension.

The student shall be responsible for contacting his/her teacher(s) to receive assignments to be completed in the supervised suspension classroom except where otherwise set out in the student's Individualized Education Program (IEP) or Section 504 plan. 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.

The Principal or designee shall complete the in-school suspension form and record the suspension in the District's database.

At the time a student is assigned to a supervised suspension classroom, the principal or designee shall notify the student's parent/guardian in person or by telephone. When the assignment is for longer than one class period, this notification shall be made in writing. (Education Code 48911.1)

Involuntary Transfer

The District may not involuntarily transfer a student in Grades TK- 3rd grade to another school based on a finding of disruption of school activities or willful defiance of the authority of school personnel (California Education Code section 48900(k)).

Effective July 1, 2019, the District may not involuntarily transfer a student to another school based on a finding of disruption of school activities or willful defiance of the authority of school personnel (California Education Code section 48900(k)).

Involuntary transfers may only occur following a recommendation for expulsion and after a hearing before the District's Disciplinary Hearing Panel (DHP) consistent with the requirements in Education Code section 48918 and the notice and hearing procedures set forth below for expulsions. In addition, an involuntary transfer to a continuation school must be made pursuant to Education Code section 48432.5.

Expulsions

The Board shall expel, as required by law, any student found to have committed any offense listed below under "Mandatory Recommendation and Mandatory Expulsion" (see page 13). (Education Code 48915)

For all other grounds listed under "Grounds for Suspension and Expulsion," the Board shall order a student expelled upon the recommendation of the Superintendent, principal, or designee only if the Board makes a finding of either or both of the following: (Education Code 48915(b) and (e))

- That other means of correction have repeatedly failed to bring about proper conduct
- 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

Authority to Expel

A student may be expelled only by the Board. (Education Code 48918(j))

The Board shall expel, as required by law, any student found to have committed any offense listed below under "Mandatory Recommendation and Mandatory Expulsion." (Education Code 48915)

For all other grounds listed above under "Grounds for Suspension and Expulsion," the Board shall order a student expelled upon the recommendation of the Superintendent, principal, or designee, only if the Board makes a finding of either or both of the following: (Education Code 48915(b) and (e))

- That other means of correction are not feasible or have repeatedly failed to bring about proper conduct
- 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

Recommendation for Expulsion Expected Unless It Is Not Appropriate or Alternative Means of Correction Would Address the Conduct

Unless the Superintendent, principal, or designee 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(a))

- Causing serious physical injury to another person, except in self-defense

- Possession of any knife as defined in Education Code 48915(g), explosive, or other dangerous object of no reasonable use to the student
- 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
- Robbery or extortion
- 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)

Mandatory Recommendation and Mandatory Expulsion

The Superintendent, principal, or designee shall recommend that the Board expel any student found at school or at a school activity to be: (Education Code 48915(c))

Possessing, as verified by a district employee, selling, or otherwise furnishing a firearm.

Possession of an imitation firearm, as defined in Education Code 48900(m), shall not be regarded as an offense requiring a mandatory recommendation for expulsion and mandatory expulsion. However, an administrator shall have discretion on a case-by-case basis to recommend expulsion for the possession of an imitation firearm.

Brandishing a knife as defined in Education Code 48915(g) at another person

Unlawfully selling a controlled substance listed in Health and Safety Code 11053-11058

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

Possessing an explosive as defined in 18 USC 921

Upon finding that the student committed any of the above acts, the Board shall expel the student. (Education Code 48915)

Student's Right to Expulsion Hearing

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 one of the acts listed above under "Grounds for Suspension and Expulsion." (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))

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)

Receive five days' notice of his/her scheduled testimony at the hearing

Have up to two adult support persons of his/her choosing present at the hearing at the time he/she testifies

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)

The rights of a complaining witness are further outlined in Administrative Regulation 5145.7 (Sexual Harassment).

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))

- The date and place of the hearing.
- A statement of the specific facts, charges, and offense upon which the proposed expulsion is based.
- A copy of district disciplinary rules which relate to the alleged violation.
- 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).
- 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 advisor.

Legal counsel means an attorney or lawyer who is admitted to the practice of law in California and is an active member of the State Bar of California.

Nonattorney advisor means an individual who is not an attorney or lawyer, but who is familiar with the facts of the case and has been selected by the student or student's parent/guardian to provide assistance at the hearing.

- The right to inspect and obtain copies of all documents to be used at the hearing.
- The opportunity to confront and question all witnesses who testify at the hearing.
- 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

At least 10 days prior to a hearing to determine if a student who is a foster youth as defined under Education Code 48853.5 should be expelled for an offense not requiring a mandatory recommendation for expulsion, the Superintendent or designee shall notify the student's attorney and a representative of an appropriate county child welfare agency. If the hearing is pursuant to an offense requiring a mandatory expulsion recommendation, the Superintendent or designee may provide the same notification. The notice shall be provided by the most cost-effective method possible, including by email or a telephone call. (Education Code 48918.1)

Conduct of Expulsion Hearing

Closed Session: Notwithstanding the provisions of Government Code 54953 and Education Code 35145, the Board shall conduct a hearing to consider the expulsion of the student in a session closed to the public unless the student requests in writing at least five days prior to the hearing that the hearing be a public meeting. If such a request is made, the meeting shall be public unless another student's privacy rights would be violated. (Education Code 48918(c))

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))

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))

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))

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" 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.

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)

- Any complaining witness shall be given five days' notice before being called to testify.
- Any complaining witness shall be entitled to have up to two adult support persons, including, but not limited to, a parent/guardian or legal counsel, present during his/her testimony.
- Before a complaining witness testifies, support persons shall be admonished that the hearing is confidential.
- The person presiding over the hearing may remove a support person whom he/she finds is disrupting the hearing.
- If one or both support persons are also witnesses, the hearing shall be conducted in accordance with Penal Code 868.5.

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.

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.

The district shall provide a room separate from the hearing room for the use of the complaining witness before and during breaks in testimony.

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.

The person conducting the hearing may:

- Arrange the seating within the hearing room so as to facilitate a less intimidating environment for the complaining witness
- 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
- Permit one of the support persons to accompany the complaining witness to the witness stand

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. Alternatively, the Board may appoint an impartial administrative panel composed of three or more certificated personnel, none of whom shall be members of the Board or on the staff of the school in which the student is enrolled. (Education Code 48918(d))

A hearing conducted by the hearing officer or administrative panel shall conform to the same procedures applicable to a hearing conducted by the Board as specified above in "Conduct of Expulsion Hearing," including the requirement to issue its 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 expulsion referral was made, unless the parent, guardian, or responsible adult of the pupil requests another school placement in writing. Before the placement decision is made by the parent, guardian, or responsible adult, the superintendent of schools or the superintendent's designee shall consult with school district personnel, including the pupil's teachers, and the parent, guardian, or responsible adult regarding any other school placement options for the pupil in addition to the option to return to his or her classroom instructional program from which the expulsion referral was made. If the hearing officer or administrative panel finds that the pupil committed any of the acts specified in subdivision (c) of Section 48915, but does not recommend expulsion, the pupil shall be immediately reinstated and may be referred to his or her prior school or another comprehensive school, or, pursuant to the procedures set forth in Section 48432.5, a continuation school of the school district. The decision not to 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 for a period of one year. (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, the final action to expel shall be taken by the Board at a public meeting. (Education Code 48918(j))

If the Board conducts the hearing and reaches a decision not to expel, this decision shall be final and the student shall be reinstated immediately.

Upon ordering an expulsion, the Board shall set a date when the student shall be reviewed for readmission to a school within the district. For a student expelled for 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)

- Periodic review, as well as assessment at the time of review, for readmission
- 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:

- The specific offense committed by the student for any of the causes for suspension or expulsion listed above under "Grounds for Suspension and Expulsion" (Education Code 48900.8)
- The fact that a description of readmission procedures will be made available to the student and his/her parent/guardian (Education Code 48916)
- Notice of the right to appeal the expulsion to the County Board of Education (Education Code 48918)
- Notice of the alternative educational placement to be provided to the student during the time of expulsion (Education Code 48918)
- Notice of the student's or parent/guardian's obligation to inform any new district in which the student seeks to enroll of the student's status with the expelling district, pursuant to Education Code 48915.1 (Education Code 48918)

Decision Not to Enforce Expulsion Order

In accordance with Board policy, when deciding whether to suspend the enforcement of an expulsion order, the Board shall take into account the following criteria:

- The student's pattern of behavior
- 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:

- 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)
- During the period when enforcement of the expulsion order is suspended, the student shall be on probationary status. (Education Code 48917)
- The suspension of the enforcement of an expulsion order may be revoked by the Board if the student commits any of the acts listed under "Grounds for Suspension and Expulsion" above or violates any of the district's rules and regulations governing student conduct. (Education Code 48917)
- 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)

- 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)

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))

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)

Right to 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)

The student shall submit 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 furnishment 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)

Post-Expulsion Placements

The Board shall refer expelled students to a program of study that is: (Education Code 48915, 48915.01)

- Appropriately prepared to accommodate students who exhibit discipline problems
- Not provided at a comprehensive middle, junior, or senior high school or at any elementary school, unless the program is offered at a community day school established at such a site
- Not housed at the school site attended by the student at the time of suspension

When the placement described above is not available and when the County Superintendent so certifies, students expelled for acts described in items #6-13 and #20-22 under "Grounds for Suspension and Expulsion" 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

Readmission procedures shall be as follows:

- On the date set by the Board when it ordered the expulsion, the district shall consider readmission of the student. (Education Code 48916)
- 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.
- The Superintendent or designee shall transmit to the Board his/her recommendation regarding readmission. The Board shall consider this recommendation in closed session if information would be disclosed in violation of Education Code 49073-49079. If a written request for open session is received from the parent/guardian or adult student, it shall be honored.
- 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.

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)

If the Board denies the readmission of a student, the Board shall determine either to continue the student's placement in the alternative educational program initially selected or to place the student in another program that serves expelled students, including placement in a county community school. (Education Code 48916)

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 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)

Outcome Data

The Superintendent or designee shall maintain the following data and report such data annually to the California Department of Education, using forms supplied by the California Department of Education: (Education Code 48900.8, 48916.1)

- The number of students recommended for expulsion
- The specific grounds for each recommended expulsion
- Whether the student was subsequently expelled
- Whether the expulsion order was suspended
- The type of referral made after the expulsion
- The disposition of the student after the end of the expulsion period

Public Reporting of Discipline Data

The Superintendent or designee shall ensure that the following data is publicly available on the District's public website twice annually, within 60 days after the completion of each semester:

- The aggregate number and rates of office referrals, teacher suspensions, supervised in-school and out-of-school suspensions, involuntary transfers, expulsion referrals, expulsions, on-campus citations, school-based arrests, and four-year graduation and drop-out rates, disaggregated by all subgroups, including race, gender, ethnicity, English Language Learner status, socio-economic status, foster youth, homeless youth, and disability and by offense for the district and by school-site.
- The number of instructional days and ADA funding lost to suspensions, transfers, and expulsions.
- The school sites to which students were transferred after the Disciplinary Review Hearing procedure or through any involuntary transfer process, whether they enrolled subsequently, and the outcomes for such students, including, but not limited to, graduation and drop-out rates.

In reporting such data, the privacy of individual students and teachers shall be protected. Data will not be disaggregated in any manner that could reveal student identity to the public or to knowledgeable members of the school community. The data shall be reported for the district as a whole and for each school-site.

The procedures shall also include requirements that appropriate district and school officials regularly review this data and take action to address disparities or disproportionate use of punitive discipline measures for particular subgroups.

Expungement of Student Disciplinary Records

As provided in Board Policy 5144.3, a student, parent, guardian, appointed advocate on behalf of the student, or Superintendent on behalf of a student may apply for expungement of student disciplines record which meet the criteria set forth in BP 5144.3.

(D) Procedures to Notify Teachers of Dangerous Pupils (EC 49079)

Notice Regarding Student Offenses

When a student commits certain offenses that may endanger staff or others, the following procedures shall be implemented to notify staff members as appropriate:

Acts That Are Grounds for Suspension or Expulsion

The Superintendent or designee shall inform the teacher(s) of each student who, during the previous three school years, has engaged in or is reasonably suspected to have engaged in any act, except the possession or use of tobacco products, that would constitute a ground for suspension or expulsion as specified in AR 5144.1 - Suspension and Expulsion/Due Process. This information shall be based upon district records maintained in the ordinary course of business or records received from a law enforcement agency. (Education Code 49079)

Upon receiving a transfer student's record regarding acts committed by the student that resulted in suspension or expulsion, the Superintendent or designee shall inform the student's teacher(s) that the student was suspended from school or expelled from the former district and of the act that resulted in the suspension or expulsion. (Education Code 48201)

Information received by teacher(s) shall be received in confidence for the limited purpose for which it was provided and shall not be further disseminated by the teacher. (Education Code 48201, 49079)

Offenses Reported to the District by a Court

When informed by a court that a minor student has been found by the court to have committed any felony or any misdemeanor involving curfew, gambling, alcohol, drugs, tobacco products, carrying of weapons, a sex offense listed in Penal Code 290, assault or battery, larceny, vandalism, or graffiti, the Superintendent or designee shall expeditiously notify the school principal. (Welfare and Institutions Code 827)

The principal shall expeditiously disseminate this information to any counselor who directly supervises or reports on the student's behavior or progress and to any teacher or administrator directly supervising or reporting on the student's behavior or progress whom the principal thinks may need the information in order to work with the student appropriately, avoid being needlessly vulnerable, or protect others from vulnerability. (Welfare and Institutions Code 827)

Any court-initiated information that a teacher, counselor, or administrator receives shall be kept confidential and used only to rehabilitate the student and protect other students and staff. The information shall be further disseminated only when communication with the student, parent/guardian, law enforcement staff, and probation officer is necessary to rehabilitate the student or to protect students and staff. (Welfare and Institutions Code 827)

When a student is removed from school as a result of an offense, the Superintendent shall hold the court's information in a separate confidential file until the student is returned to the district. If the student is returned to a different district, the Superintendent shall transmit the information provided by the student's parole or probation officer to the superintendent of the new district of attendance. (Welfare and Institutions Code 827)

Any confidential file of court-initiated information shall be kept until the student becomes 18, graduates from high school, or is released from juvenile court jurisdiction, whichever occurs first, and shall then be destroyed. (Welfare and Institutions Code 827)

In order to maintain confidentiality when providing information about student offenses to a counselor or teacher, the principal or designee shall send the staff member a written notification that a student has committed an offense that requires review of a student's file in the school office. This notice shall not name or otherwise identify the student. The staff member shall initial the notification and shall also initial the student's file when reviewing it in the school office.

(E) Sexual Harassment Policies (EC 212.6 [b])

Definitions

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, regardless of whether or not the conduct is motivated by sexual desire. Conduct is considered to be sexual harassment when made against another person of the same or opposite sex in the work or educational setting under any of the following conditions: (Education Code 212.5; Government Code 12940; 2 CCR 11034)

- Submission to the conduct is made explicitly or implicitly a term or condition of the individual's employment.
- Submission to or rejection of the conduct is used as the basis for an employment decision affecting the individual.
- The conduct has the purpose or effect of having a negative impact upon the individual's work performance or of creating an intimidating, hostile, or offensive work environment.
- 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. For purposes of applying the complaint procedures specified in Title IX of the Education Amendments of 1972, sexual harassment is defined as any of the following forms of conduct that occurs in an education program or activity in which a district school exercises substantial control over the context and respondent: (34 CFR 106.30, 106.44)
- A district employee conditioning the provision of a district aid, benefit, or service on the student's participation in unwelcome sexual conduct
- Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the district's education program or activity

Sexual assault, dating violence, domestic violence, or stalking as defined in 20 USC 1092 or 34 USC 12291

Examples of Sexual Harassment

Examples of actions that might constitute sexual harassment under state or federal law in accordance with the definitions above, in the work or educational setting, whether committed by a supervisor, a co-worker, or a non-employee, include, but are not limited to:

- 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
- Unwelcome visual conduct such as drawings, pictures, graffiti, or gestures; sexually explicit emails; displaying sexually suggestive objects
- 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

Title IX Coordinator/Compliance Officer

The district designates the following individual(s) as the responsible employee(s) to coordinate its efforts to comply with Title IX of the Education Amendments of 1972 in accordance with AR 4119.12/4219.12/4319.12 - Title IX Sexual Harassment Complaint Procedures, as well as to oversee, investigate, and resolve sexual harassment complaints processed under AR 4030 - Nondiscrimination in Employment.

The Title IX Coordinator(s) may be contacted at:

Asst. Superintendent of Educational Services
2060 Challenger Drive
Alameda, CA 94501
(510) 337-7095
kzazo@alamedaunified.org

Training

Every two years, the Superintendent or designee shall ensure that supervisory employees receive at least two hours, and nonsupervisory employees receive at least one hour, of classroom or other effective interactive training and education regarding sexual harassment. All newly hired employees and employees promoted to a supervisory position 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)

Such training may be completed by employees individually or as part of a group presentation, may be completed in shorter segments as long as the applicable hourly requirement is met, and may be provided in conjunction with other training provided to the employees. The training shall be presented by trainers or educators with knowledge and expertise in the prevention of harassment, discrimination, and retaliation. (Government Code 12950.1)

The district's sexual harassment training and education program shall include, but is not limited to, the following: (Government Code 12950.1; 2 CCR 11024)

- Information and practical guidance regarding federal and state laws concerning the prohibition, prevention, and correction of sexual harassment
- The types of conduct that constitute sexual harassment
- Remedies available for victims in civil actions, and potential employer/individual exposure/liability
- Strategies to prevent harassment in the workplace

- Supervisors' obligation to report sexual harassment, discrimination, and retaliation of which they become aware
- 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
- The limited confidentiality of the complaint process
- Resources for victims of unlawful harassment, such as to whom they should report any alleged harassment
- Steps necessary to take appropriate remedial measures to correct harassing behavior, which includes the district's obligation to conduct an effective workplace investigation of a harassment complaint
- What to do if the supervisor is personally accused of harassment
- The essential elements of the district's anti-harassment policy, and how to use the policy if a harassment complaint is filed

Employees shall receive a copy of the district's sexual harassment policy and administrative regulations, which they shall read and acknowledge that they have received. Information, including practical examples, of harassment based on gender identity, gender expression, and sexual orientation. Prevention of abusive conduct, including a review of the definition and elements of abusive conduct pursuant to Government Code 12950.1, the negative effects that abusive conduct has on the victim and other in the workplace, the detrimental consequences of this conduct on employee productivity and morale, and that a single act does not constitute abusive conduct unless the act is severe or egregious.

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

The Superintendent or designee shall notify employees that the district does not discriminate on the basis of sex as required by Title IX, that the Title IX nondiscrimination requirement extends to employment, and that inquiries about the application of Title IX to the district may be referred to the district's Title IX Coordinator and/or to the Assistant Secretary for Civil Rights, U.S. Department of Education. (34 CFR 106.8)

The district shall notify employees, bargaining units, and applicants for employment of the name or title, office address, email address, and telephone number of the district's Title IX Coordinator. (34 CFR 106.8)

A copy of the Board policy and this administrative regulation shall:

- 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 (Education Code 231.5)
- 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 (Education Code 231.5)
- Appear in any school or district publication that sets forth the school's or district's comprehensive rules, regulations, procedures, and standards of conduct (Education Code 231.5)
- Be posted, along with the name or title and contact information of the Title IX Coordinator, in a prominent location on the district's web site (34 CFR 106.8)

- Be included, along with the name or title and contact information of the Title IX Coordinator, in any handbook provided to employees or employee organizations (34 CFR 106.8)

All employees shall receive a copy of an information sheet prepared by the California Department of Fair Employment and Housing (DFEH) or the district that contains, at a minimum, components on: (Government Code 12950)

- The illegality of sexual harassment
- The definition of sexual harassment under applicable state and federal law
- A description of sexual harassment, with examples
- The district's complaint process available to the employee
- The legal remedies and complaint process available through DFEH and the Equal Employment Opportunity Commission (EEOC)
- Directions on how to contact DFEH and the EEOC

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, the DFEH poster on discrimination in employment and the illegality of sexual harassment and the DFEH poster regarding transgender rights. (Government Code 12950)

Complaint Procedures

All complaints and allegations of sexual harassment by and against employees shall be investigated and resolved in accordance with law and district procedures. The Title IX Coordinator shall review the allegations to determine the applicable procedure for responding to the complaint. All complaints that meet the definition of sexual harassment under Title IX shall be investigated and resolved in accordance with AR 4119.12/4219.12/4319.12 - Title IX Sexual Harassment Complaint Procedures. Other sexual harassment complaints shall be investigated and resolved pursuant to AR 4030 - Nondiscrimination in Employment.

If sexual harassment is found following an investigation, the Title IX Coordinator, or designee in consultation with the Coordinator, shall take prompt action to stop the sexual harassment, prevent recurrence, and address any continuing effects.

(F) School-wide Dress Code Relating to Gang-Related Apparel (EC 35183)

Basic Principles:

- All students are encouraged to dress in a manner that is comfortable and conducive to an active school day.
- Students should be able to wear clothing without fear of or actual unnecessary discipline or body shaming.
- The student dress code should serve to support all students to develop a body-positive self-image.
- All items listed in the "must wear" and "may wear" categories below must meet these basic principles.

Students MUST Wear:

- Top
- Bottom
- Shoes

Clothing that covers specific body parts (genitals, buttocks, and areolae/nipples) with opaque material. Courses or specific class activities that include attire as part of the curriculum may include assignment-specific dress, but should not focus on covering students' bodies or promoting culturally-specific attire. Activity specific shoe requirements are permitted (Examples include but are not limited to physical education and shop class).

Students MAY Choose to Wear:

- Sun-protective clothing, including but not limited to hats, for outdoor use during the school day. (Education Code 35183.5)
- Hats, including religious headwear
- Hooded shirts/jackets (over head is allowed)*

Teachers may direct students to remove/adjust the position of hats/hoods over the head in class during the administration of a test/exam, to address headphone/earbud use issues, or to enable visual identification of a student's face. This does NOT apply to any headwear worn for religious reasons.

Students CANNOT Wear:

- Clothing that includes violent language or images
- Clothing that includes images or language depicting drugs or alcohol (or any illegal item or activity) or the use of same
- Clothing that includes hate speech, profanity, pornography
- Clothing that includes images or language that create a hostile or intimidating environment based on any protected class
- Visible underwear or bathing suits of similar design - Visible waistbands or straps on undergarments worn under other clothing are not a violation
- Helmets, hoods, or other headgear that obscures a student's identity (except as a religious observance).

A student's face must be clearly visible when taking their school photo for identification purposes. This may require the removal of a hood and/or hat. No grade of a student participating in a physical education class shall be adversely affected if the student does not wear standardized physical education apparel because of circumstances beyond the student's control. (Education Code 49066)

Training and Enforcement:

- All staff should be trained to understand the purpose/spirit of the code, the actual code, and how to enforce with the least impact on student learning and self-confidence.
- All staff must enforce the district dress code consistently, once it is adopted. All staff should not have discretion to vary the requirements in ways that lead to discriminatory enforcement.
- All staff should be trained and able to use student/body-positive language to explain the code and to address code violations.
- Enforcement should be consistent with a school's overall discipline plan. Failure to comply with the student dress code should be enforced consistently with comparable behavior and conduct violations, including access to a student advocate or ombudsperson and appeals process.

- Enforcement for students should be limited to safety and non-violence/non-discrimination and will not include messages based on body maturity.
- Violations should be treated as minor on the continuum of school rule violations.
- Students should never be removed from a classroom for a dress code violation unless they are violating the 'Students Cannot Wear' and 'Students MUST Wear' sections of the dress code. Loss of class time should be avoided or kept to a minimum.
- Students should never be forced to wear extra school clothing (that isn't their own) when they are in violation of the code. Students should be presented with a variety of options to rectify the situation. This could include but is not limited to: personal on-site clothing, school-offered clothing, and delivery of alternate clothing.
- Parents/guardians should never be called during the school day to bring alternative clothing for the student to wear for the remainder of the day unless by student request.
- No student should be disproportionately affected by dress code enforcement because of gender, race, body size, or body maturity.
- Students should not be shamed or required to display their body in front of others (students, parents, or staff) in school. "Shaming" includes but is not limited to kneeling or bending over to check attire fit, measuring/commenting on straps, skirt length, or cleavage, asking students to account for their attire in the classroom, and directing students to correct a dress code violation during instructional time.

Evaluation:

The Superintendent or designee shall annually review the effectiveness of this policy and determine, as appropriate, if any further review or revision is required.

Gang-Related Apparel

At individual schools that have a dress code prohibiting gang-related apparel at school or school activities, the principal, staff, and parents/guardians participating in the development of the school safety plan shall define "gang-related apparel" and shall limit this definition to apparel that reasonably could be determined to threaten the health and safety of the school environment if it were worn or displayed on a school campus. (Education Code 32282)

Because gang-related symbols are constantly changing, definitions of gang-related apparel shall be reviewed at least once each semester and updated whenever related information is received. As necessary, the school shall collaborate with law enforcement agencies to update definitions of gang-related apparel.

Uniforms

In schools that require a schoolwide uniform, the principal, staff, and parents/guardians of the school shall jointly select the specific uniform to be worn. (Education Code 35183)

At least six months before a school uniform policy is implemented, the principal or designee shall notify parents/guardians of this policy. (Education Code 35183)

Parents/guardians shall also be informed of their right to have their child exempted.

The Superintendent or designee shall establish criteria for determining student eligibility for financial assistance when purchasing uniforms.

Students who participate in a nationally recognized youth organization shall be allowed to wear organization uniforms on days when the organization has a scheduled meeting. (Education Code 35183)

(G) Procedure for Safe Ingress and Egress of Pupils, Parents, and Staff to and from School (EC 35294.2)

EVACUATION PROCEDURES

EVACUATION ALARM SYSTEM

A crisis or emergency may warrant an evacuation of the school building(s). Once notified of an emergency situation, the Incident Commander, will carry out the initial response actions delineated in the Emergency Preparedness and Crisis Response Plan. In consultation with members of the Incident Command Team, the principal will determine whether an evacuation is warranted or is the safest action given the character of the emergency. Incident Command Team members will immediately assume their designated response duties as activated by the Incident Commander. The Disaster Response Officer will ensure, during the evacuation itself, that all evacuation assistance personnel are operative and performing their respective duties as assigned. When a decision is made to evacuate, the Assembly /Shelter and Care Team leader will immediately report to the assembly area and inspect the area for hazards. The Assembly /Shelter and Care Team leader will notify the Disaster Response Officer immediately if the area is safe. If not, the Assembly /Shelter and Care Team will advise that the evacuation be done to the alternate assembly location. This evacuation may be a partial evacuation of only portions of the building in a localized emergency [e.g., a small chemical spill] or it may be a general evacuation of all building. When an evacuation is ordered, students and staff will be notified according to the site's Preparedness and Crisis Response REMS packet. If deemed appropriate and safe, the school's fire alarm will sound in the event of a general building evacuation. If neither mechanical system is operable, the Incident Commander will utilize office, custodial or student personnel to notify classrooms of the need to evacuate.

COORDINATING THE EVACUATION

Upon receiving the order to evacuate, staff will assume their designated positions in the school. They will then monitor the evacuation procedures and assure that all persons have left the building. Staff are also responsible to ensure that all disabled persons in the building are assisted as necessary.

1. Take emergency backpack, and attendance information.
2. Teachers evacuate with current class. If evacuation occurs outside of a class period: Return to previous class
3. Upon exit lock door to indicate room is all clear and lock door. Keep unlocked if victim is inside.
4. Check with buddy teacher. Assist/evacuate both classes if needed.
5. If on prep or don't have a class: move to nearest evacuation area and assist
6. Check common areas while evacuating.
7. Evacuate to primary location via assigned route, adjust as needed.
8. At evacuation location, line up, and take attendance.
9. List missing students on Share 911
10. Stay with class unless you are released to assume other duties.
11. Release from drill will be PA announcement/bell
12. Communicate with your students and maintain control.

EVACUATION ASSEMBLY AREAS

When ordered to evacuate, students and staff will follow the evacuation route prescribed for their respective areas and exit the building in an orderly and controlled manner. Any volunteers or visitors to the classroom should be advised to go with the classroom to the assembly area. ALL students and staff must report to the assembly area and remain there until the Incident Command Team, via the Assembly/Shelter and Care Team, notifies them it is clear to return to the building. Under no circumstances are students to leave the area unless released by the teacher in strict accordance with the school's Student Release Procedures as outlined in the site's Preparedness and Crisis Response Cliff Notes. This will not be done unless it is authorized by the Incident Command Team. Teachers MUST take a head count of all persons under their care to ensure that all students, volunteers and visitors are present. This will be reported to the Assembly /Shelter and Care Team as outlined in the site's Preparedness and Crisis Response Cliff Notes.. If someone is deemed missing, the teacher is to immediately report this fact to the Assembly /Shelter and Care Team as outlined in the site's Preparedness and Crisis REMS packet.

ACCESS CONTROL PERSONNEL

Whenever an evacuation is called, the designated Security/Traffic response team (designated prior to an emergency) will automatically assume duties as traffic controllers to prevent unauthorized public vehicles or persons access to the school campus and building(s). They will function according to the duties delineation shown in the Emergency Preparedness and Crisis Response Plan.

STUDENT EARLY DISMISSAL AND EMERGENCY SCHOOL CLOSURE

During school hours, all students are considered under the care and supervision of school staff. In all circumstances, and especially in the event of emergency incidents or circumstances, the safety of the students and the school staff is of paramount importance. All actions taken shall bear in mind the safety and well-being of both students and school employees. Thus, in the event of a major emergency incident or disaster during school hours, school will not be dismissed without the expressed and clear authorization of the District Superintendent or a designee, and children will remain under the supervision of school authorities. Students will only be released from school and District responsibility in strict accordance with the procedures outlined in the District's Early Release Policy as described below. Parents/guardians or designated emergency contacts who come to the school to pick up students must properly identify themselves in order for their children to be released.

RELEASE OF STUDENTS FROM SCHOOL

AUSD and this school want to reunite parents with their children at the earliest time possible after an emergency situation or major disaster event. However, if it is not possible for parents to pick up their children or make arrangements for others to do so, students will be held at the school or other area until such time as they can be safely released. Each year the school will notify all parents of the procedure for reuniting parents with children in the event of an emergency at school. Parents are encouraged to print out and complete data confirmation each year and update their emergency contacts. In the event students are held at a school, they may be released only to the student's own parent(s) or a person authorized beforehand by the parent. As a part of annual registration, sites collect emergency contact information in AERIES. From AERIES, Emergency Cards shall be printed and used for this purpose. It is recommended sites print copies for teachers to have on hand in their emergency packs along with roll information. Office shall also print out the Emergency Student List or Emergency Cards and Parents or others must check with this school's Student Release team at the emergency Student Release Location prior to pick up of their children. Teachers will release students according to the procedure outlined under the Emergency Student Release Procedures described below.

EMERGENCY RELEASE PLAN PROCEDURES

Teachers will utilize the following procedures to properly release students from their care to a parent, legal guardian or person authorized in writing to pick up the student:

1. At time of emergency, students remain with their current classes. Teacher takes roll on an Accountability Form and await direction from Incident Commander via Student Release team.
2. Incident Command will communicate with district office for dismissal directive. Students will report to (first period or other) classes, upon Student Release team directive.
3. Students will be released only to authorized adults listed on the Emergency Card or Emergency Student List. Adults picking up students must sign Student Release Log and indicate destination. Unless otherwise directed by Incident Commander via Student Release officer, a runner takes message to teacher with name of student being released and name of adult picking up student. Teacher double-checks sign-out sheet, stamps/marks student and releases.
4. Students may go home with people listed on Emergency Card or Emergency Student List if parent can't be reached.
5. Periodically, as students are released, remaining students will be consolidated.
7. Teacher takes attendance after each consolidation, informs Assembly/Shelter and Care team as well as the Student Release team, and keeps all documentation.

(H) A Safe and Orderly School Environment Conducive to Learning (EC 35294.2)

Component:

Component I: The Social Climate, People, and Programs

Element:

Identify proposed changes to or the addition of curriculum, strategies and programs that ensure a safe and orderly environment.

Opportunity for Improvement:

Goal: Otis Elementary staff will be trained in and will implement the Toolbox SEL curriculum to provide students with the tools to make safe and responsible choices and foster their independence.

Objectives	Action Steps	Resources	Lead Person	Evaluation
Students learn internal tools to help independently solve problems at school and will generalize to other environments as well	<p>Staff will participate in two 2.5 hour trainings provided by Toolbox on initial implementation.</p> <p>Monday morning gatherings will focus around a single toolbox tool to build shared understanding and sustain a school wide focus for a given week.</p>	Toolbox Teacher Manual, trade books, lanyards, and posters purchased for all classroom teachers	Brian Dodson- Principal	Toolbox Teacher reflection survey to be given in June of 2023

Component:

Component II: Physical Environment

Element:

Identify proposed changes to or the addition of strategies and programs that ensure a safe and orderly environment.

Opportunity for Improvement:

Goal: Routines and procedures will be established to ensure that the Otis campus takes mitigating factors to ensure that the campus is as secure as possible.

Objectives	Action Steps	Resources	Lead Person	Evaluation
<p>The School Safety team will review safety procedures 3x annually</p> <p>Determine action steps to ensure increased campus safety</p>	<p>Reach out to stakeholders to develop a school safety team</p> <p>Schedule meetings for School Safety Team</p>		Brian Dodson	School Safety Team

(I) School Discipline Rules and Consequences (EC 35291 and EC 35291.5)

Otis Elementary School Student Conduct Code

ALAMEDA UNIFIED SCHOOL DISTRICT DISCIPLINE AND INTERVENTION PROTOCOL

Alameda Unified School District is committed to creating a safe and positive school culture in which all students feel included, supported, and respected. We want to help eliminate inequality in the use of punitive consequences and provide each child with excellent teachers who are equipped to promote academic and social emotional growth in all students. AUSD takes a positive approach to student behavior and the use of restorative practices to minimize the need for punitive consequences and maximize instructional time for every student. We recognize the importance of developing the social and emotional health of all youth and adults in our organization.

The following chart indicates the types of disciplinary action that may apply to each type of infraction. In each instance, an opportunity to teach appropriate behavior through the use of intervention, restorative practices and a corrective action is stated. Each situation or violation involving student conduct should be individualized and the least punitive action based on the violation should be taken. The administrator shall, however, determine whether a specific infraction warrants the corrective action described on the chart. Corrective action taken by the administrator shall take place after progressive discipline interventions by the school fail to bring about proper conduct. These corrective measures are intended to assist in teaching appropriateness and responsibility, while maintaining consistent student discipline on campus.

See Link to discipline matrix: <https://docs.google.com/document/d/1YyzYC48Eq5WsTycFdS35jhrGP4G3nALhYghgdznwzuQ/edit#>

Conduct Code Procedures

(K) Hate Crime Reporting Procedures and Policies

Hate-motivated behavior is any behavior intended to cause emotional suffering, physical injury, or property damage through intimidation, harassment, bigoted slurs or epithets, force or threat of force, or vandalism motivated in part or in whole by bias or hostility toward the victim's real or perceived race, color, ancestry, nationality, national origin, immigration status, ethnic group identification, ethnicity, age, religion, marital status, pregnancy, parental status, physical or mental disability, medical condition, sex, sexual orientation, gender, gender identity, gender expression, or genetic information, or any other characteristic identified in Education Code 200 or 220, Government Code 11135, or Penal Code 422.55.

The Superintendent or designee shall design strategies to promote harmonious relationships among students, prevent incidents of hate-motivated behavior to the extent possible, and address such incidents in a timely manner when they occur.

The Superintendent or designee shall collaborate with regional programs and community organizations to promote an environment where diversity is celebrated and hate-motivated behavior is not tolerated. Such collaborative efforts shall focus on the development of effective prevention strategies and response plans, provision of assistance to students affected by hate-motivated behavior, and/or education of students who have perpetrated hate-motivated acts.

The district shall provide students with age-appropriate instruction that:

1. Includes the development of social-emotional learning
2. Promotes an understanding, awareness, appreciation, and respect for human rights, human relations, diversity, and acceptance in a multicultural society
3. Explains the harm and dangers of explicit and implicit biases
4. Discourages discriminatory attitudes and practices
5. Provides strategies to manage conflicts constructively

As necessary, the district shall provide counseling, guidance, and support to students who are victims of hate motivated behavior and to students who exhibit such behavior.

When appropriate, students who engage in hate-motivated behavior shall be disciplined.

The Superintendent or designee shall provide staff with training that:

1. Promotes an understanding of diversity, equity, and inclusion
2. Discourages the development of discriminatory attitudes and practices
3. Includes social-emotional learning and nondiscriminatory instructional and counseling methods
4. Supports the prevention, recognition, and response to hate-motivated behavior
5. Raises the awareness and sensitivity of staff to potentially prejudicial and discriminatory behavior
6. Includes effective enforcement of rules for appropriate student conduct

Employees who engage in hate-motivated behavior shall be subject to disciplinary action, up to and including dismissal.

Rules prohibiting hate-motivated behavior and procedures for reporting a hate-motivated incident shall be provided to students, staff, and parents/guardians.

This policy shall be posted in a prominent location on the district's website in a manner that is readily and easily accessible to parents/guardians and students. (Education Code 234.6)

Complaints

Any staff member who is notified that hate-motivated behavior has occurred, observes such behavior, or otherwise becomes aware of an incident shall immediately contact the compliance officer responsible for coordinating the district's response to complaints and complying with state and federal civil rights laws. As appropriate, the staff member shall also contact law enforcement.

A student or parent/guardian who believes the student is a victim of hate-motivated behavior is encouraged to report the incident to a teacher, the principal, the district's compliance officer, or other staff member.

Any complaint of hate-motivated behavior shall be investigated and, if determined to be discriminatory, shall be resolved in accordance with law and the district's uniform complaint procedures specified in AR 1312.3 - Uniform Complaint Procedures or other applicable procedure. If, during the investigation, it is determined that a complaint is about nondiscriminatory behavior, the principal or designee shall inform the complainant and shall take all necessary actions to resolve the complaint.

(J) Procedures to Prepare for Active Shooters

When responding to a situation that requires our school to go into lockdown (this may include, but is not limited to, an active shooter in the building), the ALICE (Alert, Lockdown, Inform, Counter, Evacuate) protocol will be followed.

ALERT

Purpose: To use clear, concise language to indicate presence and location of active shooter or other harmful individual.

Indicate lockdown and the harmful presence and/or location of threat. For example, "LOCKDOWN, There is an active shooter in the Computer Lab," or "LOCKDOWN, an armed gunman is walking through the first floor long hallway."

Anyone can alert the school community to such a situation. Do not wait for or rely on Administration or the front office staff to make the announcement. If a staff or faculty member undoubtedly sees or is notified of a harmful individual inside the school building, he or she has the authority to alert the rest of the school community of a lockdown. Some ways to alert include: the PA system, Using the classroom phone to activate LOCKDOWN, yelling, using share 911. Faculty and staff must use any means available to them to alert the school community and to spread the word. This may be a team effort where a group of individuals work together to inform everyone. If the opportunity to escape presents itself, you should do so and report to the predetermined Rally Point.

LOCKDOWN

Purpose: To allow for an aggressive use of current technology and procedures.

A traditional lockdown procedure is the first best option when in a high-risk area (or near the harmful individual). If you do not know if you are in a high-risk area, assume you are high risk and proceed to lockdown. If remaining in lockdown remains the best option, all members of the school community should work together to protect themselves.

First, close and lock classroom doors. Use belt or backpack strap to secure door handle if possible.

Create a barricade between you and students in the classroom and the intruder on the outside; use desks, chairs, shelves, cabinets and other pieces of furniture to block entry and to provide more time for survival (have smaller items near at hand in event intruder enters the room)

Gather in the area furthest from the entry point to the room; greater distance means greater safety.

Taking attendance and maintaining order are not the priority.

INFORM

Purpose: To continually communicate the shooter's whereabouts using direct and clear language. (Use Share 911 and the PA system)

By communicating with the school community, all members can make well-informed judgment calls and can be aggressive in protecting themselves. Students, faculty and staff should use every opportunity to alert others and to communicate the whereabouts of the harmful individual.

The use of share 911, phones (school or cell), yelling, and PA system are encouraged to communicate the whereabouts and will keep the intruder off balance. Working together to make informed decisions will put the intruder at a disadvantage.

COUNTER

Purpose: To apply skills to distract, confuse and gain control.

Counter is an absolute last resort. If one finds himself in close proximity to the intruder (no chance to flee or safely get away), he should apply the following counter movements to increase chances of survival:

- Throw objects at the intruder
- Distract the intruder by noise and/or movement
- Run away in a zig zag pattern
- Swarm the intruder
- Flight or fight but do not freeze
- Turn chaos into an advantage
- Use body weight and gravity to gain control

EVACUATE

Purpose: To remove as many people as possible from the danger zone to minimize targets of opportunity.

If you know the intruder's whereabouts and you are not in a high-risk area, you should Evacuate to the school's Rally Point. Only people on the first floor should exit through the windows if necessary. People on the 2nd and 3rd floors should not evacuate through windows as this may cause harm and use the safest stairwell then exit the school to the Rally Point.

REUNIFICATION

Purpose: To reunify students with their parent/guardians in a safe location

Procedures for Preventing Acts of Bullying and Cyber-bullying

Definitions:

Bullying is an unwanted, aggressive behavior that involves a real or perceived imbalance of power between individuals with the intent to cause emotional or physical harm. Bullying can be physical, verbal, or social/relational and involves repetition or potential repetition of a deliberate act.

Cyberbullying includes the electronic creation or transmission of harassing communications, direct threats, or other harmful texts, sounds, or images. Cyberbullying also includes breaking into another person's electronic account or assuming that person's online identity in order to damage that person's reputation.

Examples of the types of conduct that may constitute bullying and are prohibited by the district include, but are not limited to:

- Physical bullying that inflicts harm upon a person's body or possessions, such as hitting, kicking, pinching, spitting, tripping, pushing, taking or breaking someone's possessions, or making cruel or rude hand gestures
- Verbal bullying that includes saying or writing hurtful things, such as teasing, name-calling, inappropriate sexual comments, taunting, or threats to cause harm
- Social/relational bullying that harms a person's reputation or relationships, such as leaving a person out of an activity on purpose, influencing others not to be friends with someone, spreading rumors, or embarrassing someone in public
- Cyberbullying, such as sending demeaning or hateful text messages or emails, sending rumors by email or by posting on social networking sites, or posting embarrassing photos, videos, web site, or fake profiles

Measures to Prevent Bullying:

The Superintendent or designee shall implement measures to prevent bullying in district schools, including, but not limited to, the following:

- Ensuring that each school establishes clear rules for student conduct and implements strategies to promote a positive, collaborative school climate
- Providing to students, through student handbooks and other age-appropriate means, information about district and school rules related to bullying, mechanisms available for reporting incidents or threats, and the consequences for engaging in bullying
- Encouraging students to notify school staff when they are being bullied or when they suspect that another student is being bullied, and providing means by which students may report threats or incidents confidentially and anonymously

- Conducting an assessment of bullying incidents at each school and, if necessary, increasing supervision and security in areas where bullying most often occurs, such as classrooms, playgrounds, hallways, restrooms, and cafeterias
- Annually notifying district employees that, pursuant to Education Code 234.1, any school staff who witnesses an act of bullying against a student has a responsibility to immediately intervene to stop the incident when it is safe to do so

Staff Development:

The Superintendent or designee shall make the California Department of Education's online training module on the dynamics of bullying and cyberbullying, which includes the identification of bullying and cyberbullying and the implementation of strategies to address bullying, available annually to all certificated staff and to other employees who have regular interaction with students. (Education Code 32283.5)

The Superintendent or designee shall provide training to teachers and other school staff to raise their awareness about the legal obligation of the district and its employees to prevent discrimination, harassment, intimidation, and bullying of district students. Such training shall be designed to provide staff with the skills to:

- Discuss the diversity of the student body and school community, including their varying immigration experiences
- Discuss bullying prevention strategies with students, and teach students to recognize the behavior and characteristics of bullying perpetrators and victims
- Identify the signs of bullying or harassing behavior
- Take immediate corrective action when bullying is observed
- Report incidents to the appropriate authorities, including law enforcement in instances of criminal behavior

Student Instruction:

As appropriate, the district shall provide students with instruction, in the classroom or other educational settings, that promotes social-emotional learning, effective communication and conflict resolution skills, character/values education, respect for cultural and individual differences, self-esteem development, assertiveness skills, and appropriate online behavior.

The district shall also educate students about the negative impact of bullying, discrimination, intimidation, and harassment based on actual or perceived immigration status, religious beliefs and customs, or any other individual bias or prejudice.

Students should be taught the difference between appropriate and inappropriate behaviors, how to advocate for themselves, how to help another student who is being bullied, and when to seek assistance from a trusted adult. As role models for students, staff shall be expected to demonstrate effective problem-solving and anger management skills.

To discourage cyberbullying, teachers may advise students to be cautious about sharing passwords, personal data, or private photos online and to consider the consequences of making negative comments about others online.

Reporting and Filing of Complaints:

Any student, parent/guardian, or other individual who believes that a student has been subjected to bullying or who has witnessed bullying may report the incident to a teacher, the principal, a compliance officer, or any other available school employee.

When a report of bullying is submitted, the principal or a district compliance officer shall inform the student or parent/guardian of the right to file a formal written complaint in accordance with AR 1312.3 - Uniform Complaint Procedures. The student who is the alleged victim of the bullying shall be given an opportunity to describe the incident, identify witnesses who may have relevant information, and provide other evidence of bullying.

Within one business day of receiving such a report, a staff member shall notify the principal of the report, whether or not a uniform complaint is filed. In addition, any school employee who observes an incident of bullying involving a student shall, within one business day, report such observation to the principal or a district compliance officer, whether or not the alleged victim files a complaint.

Within two business days of receiving a report of bullying, the principal shall notify the district compliance officer identified in AR 1312.3.

When the circumstances involve cyberbullying, individuals with information about the activity shall be encouraged to save and print any electronic or digital messages that they feel constitute cyberbullying and to notify a teacher, the principal, or other employee so that the matter may be investigated. When a student uses a social networking site or service to bully or harass another student, the Superintendent or designee may file a request with the networking site or service to suspend the privileges of the student and to have the material removed.

Discipline/Corrective Actions:

Corrective actions for a student who commits an act of bullying of any type may include counseling, behavioral intervention and education, and, if the behavior is severe or pervasive as defined in Education Code 48900, may include suspension or expulsion in accordance with district policies and regulations.

When appropriate based on the severity or pervasiveness of the bullying, the Superintendent or designee shall notify the parents/guardians of victims and perpetrators and may contact law enforcement.

The Superintendent, principal, or principal's designee may refer a victim, witness, perpetrator, or other student affected by an act of bullying to a school counselor, school psychologist, social worker, child welfare attendance personnel, school nurse, or other school support service personnel for case management, counseling, and/or participation in a restorative justice program as appropriate.

(Education Code 48900.9)

If any student involved in bullying exhibits warning signs of suicidal thought or intention or of intent to harm another person, the Superintendent or designee shall, as appropriate, implement district intervention protocols which may include, but are not limited to, referral to district or community mental health services, other health professionals, and/or law enforcement.

Emergency Contact Numbers

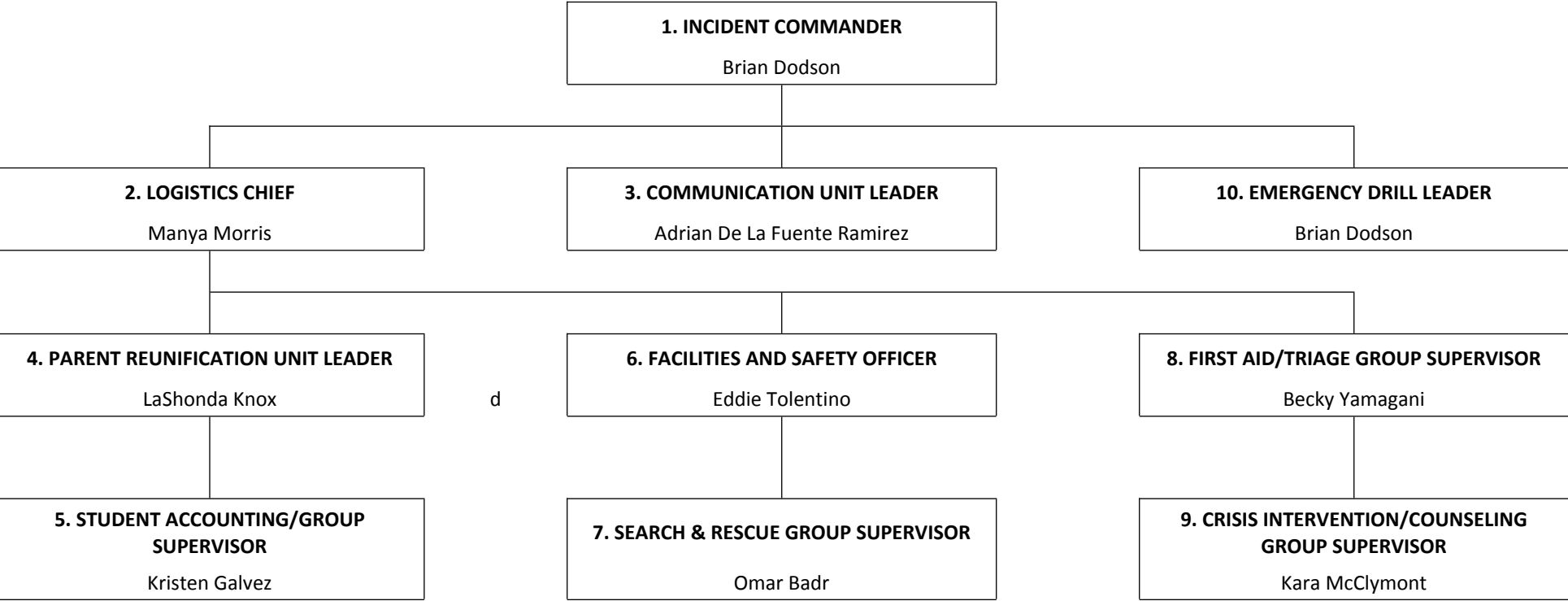
Utilities, Responders and Communication Resources

Type	Vendor	Number	Comments
City Services	City of Alameda	510-747-7400	Pasquale Scuderi, Superintendent
Other	County of Alameda	510-208-9770	Kirstin Zazo
Law Enforcement/Fire/Paramedic	APD Non-Emergency	510-337-8340	
Law Enforcement/Fire/Paramedic	POLICE DEPARTMENT 911	911	
Other	Hazardous Materials Unit	510-567-6702	
Other	HEALTH DEPARTMENT - Alameda County	510-267-8000	
Local Hospitals	Alameda Hospital (Emergency Room)	510-522-3700	
American National Red Cross	RED CROSS	510-595-4400	
City Services	County of Alameda	925-803-7800	
Law Enforcement/Fire/Paramedic	Bomb Squad, Hazardous Materials Unit, Non-Emergency	748-4601	

Safety Plan Review, Evaluation and Amendment Procedures

Activity Description (i.e. review steps, meetings conducted, approvals, etc)	Date and Time	Attached Document (description and location)
Faculty Meeting		Emergency response training with all staff
Safety Committee Meeting	8.24.22	Review of Safety Plan and procedures, roles and responsibilities, maps and evacuation routes
Faculty Meeting	9.26.22	Safety Committee share out
Safety Committee Meeting	11.2.2022	Table top drill and training planning
Faculty Meeting		Review of REMS roles and responsibilities
Safety Committee Meeting	2.8.2023	Update Safety plan with revisions
Public Hearing		Safety plan review with community
School Community Meeting	3.1.2023	SSC approval of plan

Otis Elementary School Incident Command System



Incident Command Team Responsibilities

Standardized Emergency Response Management System Overview

The California Standardized Emergency Management System (SEMS) is designed to centralize and coordinate emergency response through the use of standardized terminology and processes. This greatly facilitates the flow of information and resources among the agencies participating in response to an emergency. SEMS consists of five functions:

SITE ORGANIZATION DURING A DECLARED EMERGENCY COMMAND POST PERSONNEL AND DUTIES

If notified of a Declared Emergency from the Superintendent's Office, OR if the site suffers a severe disaster, the Site Manager shall immediately implement the plans and procedures in the Site Emergency Plan.

The Site Manager or Incident Commander shall:

- A. Activate alarm/Broadcast Alert on Share911 and PA to notify staff
- B. Activate Command Post and 2-way radio
- C. Activate Emergency Teams
- D. Assess total school situation
- E. Make initial site assessment report on Share911 to District Emergency Operations Center.
- F. Check to see that Site Emergency Teams are operating
- G. Assign messengers to needed areas
- H. Request help from 911 or Emergency Operations Center as required
- I. Secure information from Emergency Teams Update Site Status Reports - Report to the Emergency Operations Center
- J. Reassign team members to other duties as required when they finish initial assignment duties
- K. Personally address these items:
 - 1. Is campus secure?
 - 3. Are utilities off or secure?
 - 4. Are signs directing adults to release area up?
 - 5. Are traffic controllers needed?
 - 6. Is First Aid Center functioning?
 - 7. Have buildings been searched for victims?
 - 8. Is the student release program set up and operational?

Logistics Chief: The Site Office Manager shall:

- A. Report immediately to the Command Post with:

1. Master keys
2. Current roster of students and staff
3. Emergency forms and documents
4. Office supplies to assist unit leads

B. Assume responsibilities as directed by Site Manager

The Site Clerical Staff shall:

A. Team up with other personnel as a member of a Site Emergency Team, otherwise:

B. Report to the Site Command Post and assume responsibilities as directed by the Site Manager

The Attendance Clerk shall:

A. Keep a current file of all students release information from forms parents are required to fill out authorizing listed persons to pick up their children in case of a severe emergency. The Attendance Clerk will take these records to the Student Release Area in the Cafeteria and give them to the Student Release Team to use.

The Site Custodians shall:

A. Check the condition of the utilities and connecting pipes and lines and if necessary, turn them off.

B. Check the site completely for:

1. Fire and electrical hazards
2. Chemical hazards (Chlorine storage)
3. Other hazards

C. Notify Site Manager of hazards and services needed

D. Barricade hazardous areas using whatever materials handy

E. When site is secure, report to the Command Post for direction

F. Open emergency container and provide emergency sanitation areas if toilets are unavailable

Directions for the Instructional Staff During a Declared Emergency

Teachers and Para Professionals shall:

A. Respond immediately to emergency signals requiring specific actions and check in on Share911

B. If signal is one to Leave Building, know if signal is for:

1. Fire evacuation

2. Earthquake evacuation
3. Chemical spill evacuation

Evacuate Accordingly!

A. When leaving building:

1. Take emergency backpack
2. Require students to be silent in order to hear instructions
3. Close doors to classroom
4. Go directly to pre-assigned location

B. Check with nearby classrooms when evacuating. If there are seriously injured persons who cannot be moved, assign one teacher to remain and the other to evacuate the rest of the students. Report on Share911

C. Teachers shall provide First Aid to the best of their ability to students under their supervision until the emergency First Aid station is activated. Students with major injuries are to remain in the classroom supervised by a teacher or aide. Students with minor injuries are to be cared for after evacuation.

D. Upon reaching evacuation destination, teachers shall:

1. Take roll
2. List missing students on Share 911 and on paper
3. Give list to Assembly Area Team members
4. Calm students. Remind them of District policies about remaining at school
5. Monitor warmth and protection of students. Move if necessary

E. If assigned to a Site Emergency Team, transfer your students to paired teacher to supervise, report immediately to the Command Post for supplies and begin implementation of Team responsibilities.

USE REMS TO ESTABLISH YOUR EMERGENCY SITE TEAM

Note: Contact listing is intended to be shared with team members to enhance communication in the event of a critical incident. It is recommended that the Principal and Designee establish an intranet list server to further enhance communications. The personal information listed is intended for team members. Please type name and number under each assignment.

REMS Team Members Primary Contact/Cell number Secondary Contact/Cell number

Incident Commander: Brian Dodson, 510.229.7208

Establishes an Incident Command Center, lists incident objectives and designates the following positions to perform the following duties.

Logistics Chief: Manya Morris, 510.331.7950

Supports each unit leader with where to find the necessary tools to support the team fulfilling their duties.

Report immediately to the Command Post with:

- Master keys
- Current roster of students and staff
- Emergency forms and documents
- Office supplies to assist unit leads
- Computers and walkie talkies
- Assume responsibilities as directed by Site Manager

Communication Unit Leader: Lashonda Knox, 510.472.1024

Works with the incident commander to communicate out important information to all supervisors and the public.

Report immediately to the Command Post with:

- Computer
- Office supplies

Parent Reunification Unit Leader: Lashonda Knox, 510.472.1024

Reunification refers to getting students reunited with their parents or guardians in an efficient and orderly manner. Reunification can be an enormous challenge and takes a lot of planning.

The Student Release Team is responsible for:

- Setting up secure reunion area
- Checking student emergency cards for authorized releases
- Completing release logs
- Coordinating with the Public Information Office on external messages

Student Accounting/Group Supervisor: Omar Badr, 510.328.0487

Evacuation, shelter, and student care in an emergency is one of the most important tasks faced by schools. It includes student accounting, protection from weather, providing for sanitation needs, and providing for food and water and releasing of students to their guardians.

The Evacuation/Shelter/Care Team is responsible for:

- Accounting for the whereabouts of all students, staff, and volunteers
- Setting up secure assembly area
- Managing sheltering and sanitation operations
- Managing student feeding and hydration
- Coordinating with the Student Release Team
- Coordinating with the Logistics Section to secure the needed space and supplies

Search & Rescue Group Supervisor: Adrian De la Fuente Ramirez, 510.356.7762

Search & Rescue Teams search the entire school facility, entering only after they have checked the outside for signs of structural damage and determined that it is safe to enter. Search & Rescue Teams are responsible for ensuring that all students and staff evacuate the building (or, if it is unsafe to move the persons, that their locations are documented so that professional responders can locate them easily and extricate them).

Search & Rescue Teams are also responsible for:

- Using Share 911 to identify where injuries may exist
- Obtaining injury and missing student reports from teachers
- Moving injured members from building if emergency responders are unable to do so
- Identifying and marking unsafe areas
- Conducting initial damage assessment

First Aid/Triage Group Supervisor: Becky Yamagani, 510.748.4017

First Aid Teams provide triage and treatment for students and other disaster victims. First Aid Teams are responsible for setting up first aid area for students, assessing and treating injuries, and completing master injury report.

First Aid Teams are responsible for:

- Setting up a first aid area for students
- Assessing and treating injuries
- Completing master injury report

Note: The Logistics Section Medical Unit provides care to responders. The Operations Section First Aid Team is dedicated to students or other disaster victims.

Crisis Intervention/ Counseling Group Supervisor: Mia Callahan, 925.324.7156

The Crisis Intervention Team is responsible for assisting students and school personnel who are unable to cope with the fears and psychological trauma associated with emergencies and disasters.

This includes:

- Assessing need for onsite mental health support
- Determining need for outside agency assistance
- Providing onsite intervention/counseling
- Monitoring well-being of school emergency team, staff, and students, and reporting all findings to the Operations Section Chief

Facilities and Safety Officer: Eddie Tolentino, 510.890.8952

The Facilities & Security Response Team is responsible for:

- Locating all utilities and turning them off, if necessary
- Securing and isolating fire/HazMat
- Opening Emergency Trailer
- Assessing and notifying officials of fire/HazMat
- Conducting perimeter control

Emergency Drill Leader: Brian Dodson, 510.229.7208

The Emergency Drill Leader is responsible for:

- Training staff
- Coordinating and running all required drills
- Monitoring participations
- Reviewing after action reports
- Reporting to the incident commander

LIST SEARCH TEAM DUTY DESCRIPTIONS

EXAMPLE: If assignment is SEARCH TEAM:

Take heavy gloves, flashlight, hard hat and masking tape (no entry) from Emergency Backpack.

Leave Emergency Backpack and students with designated teacher (see previous page).

Report to INCIDENT COMMAND CENTER near gate in lower yard meet with search team partner(s).

Receive directions for search instructions from Search team supervisor.

LIST WHO WILL BE:

SEARCH TEAM #1 Search team will be delegated by

LIST FIRST AID FUNCTION

EXAMPLE: Minimize injuries and loss of life: provide temporary care of injured students.

Set up desk at picnic tables behind multipurpose room (or if unsafe here, on blacktop near multipurpose room).
Organize supplies and treatment area.
Help with wounded.
Keep Check Out Station informed.
Request additional help (ambulances, etc.) through Check Out Station.
Look up emergency information if necessary.

LIST WHO WILL BE:

TREATMENT

TRIAGE

RECORDER

List the things you will have to accomplish and assign to operations section or logistics section.

Examples:

Set up table, chairs and sign "Incident Command Center"

Set up operations table, logistics table.

Set up a first aid station

Put traffic cones in the street, blocking off access to the parking lot entry drive

Set up people to handle the check out of students. Display signs A-L, M-Z. Have emergency card information forms out.

Record finding of search teams

List any unaccounted for students and those in First Aid or in need of first aid.

Keep track of the walkie-talkies

Listen to radio

Use runners as necessary to retrieve information and students

Organize parent line-up and announce using bullhorn to parents that students have been evacuated

Assist in calming and organizing parents

Provide pen and paper for non-English speaking students to write their name

Communicate to District Personnel

INCIDENT COMMAND POST – Located

The Site Manager or designee is the final authority at each school. He/she must be available for all decisions, information and authority during the time the schools are isolated.

Therefore, the Site Manager and the Command Post should be housed in a central area, i.e., the front of the school, where the manager is available to radio, telephone, emergency equipment or personnel and parents.

The Command Post will begin to operate immediately after a disaster.

This is where the record keeping, communication, and major decision making will take place. The Site Manager or Incident commander will be here.

In addition, a separate Student Release Area will be established to coordinate the release of students to authorized adults. Student release area will be in the bike cage (if inaccessible at the end of the parking lot behind the second gate).

Emergency Release Information Forms are needed at the Release Area to document the release of all students.

While the Command Post is functioning, The First Aid and Search/Assessment Teams will carry out their functions and provide information to the Incident commander about the:

1. Condition of students
2. Condition of staff
3. Condition of facilities

Management

During an emergency, the Incident Commander directs response actions from a designated Command Post. To effectively do this, the Incident Commander must constantly assess the situation, and develop and implement appropriate strategies. The Incident Commander must be familiar with the available resources, accurately document all response actions, and effectively communicate response strategies to others participating in the response. This function is typically filled by the school principal. The principal is assisted in carrying out this function by a Public Information & Liaison Officer and Safety Officer.

Planning & Intelligence

Planning and Intelligence involves the use of various methods to efficiently gather information, weigh and document the information for significance, and actively assess the status of the emergency. This understanding and knowledge about the situation at hand is vital to the effective management of a response. These activities are performed by a single person who reports directly to the Incident Commander.

Operations

All response actions are implemented under by Operations. This includes staff performing first aid, crisis intervention, search and rescue, site security, damage assessment, evacuations, and the release of students.

Logistics

Logistics supports the response by coordinating personnel; assembling and deploying volunteers; providing supplies, equipment, and services; and facilitating communications among emergency responders.

Finance & Administration

Finance & Administration involves the purchasing of all necessary materials, tracking financial records, timekeeping for emergency responders, and recovering school records following an emergency. These activities are performed by a single person who reports directly to the Incident Commander.

Types of Emergencies & Specific Procedures

Aircraft Crash

FALLEN AIRCRAFT

DEFINITION/DESCRIPTION

If an aircraft falls near the school, the principal will determine which emergency action, if any, will be taken. Local fire and police departments will be responding also. All students and staff should be kept at a safe distance to protect them from possible explosions and/or fire.

IMMEDIATE ACTION

Principal

- Determine which Action, if any, should be implemented.
- Where necessary, tell teachers they may need to take immediate action for the safety of students without waiting for directions from the principal.
- Determine, if possible, whether the aircraft is military, commercial or private. Contact the local police to determine appropriate action and refer all members of the press to the Emergency Operations Center.

Principal's Secretary

- Respond to calls.
- Assist principal as needed.
- Refer all members of the press to the Emergency Operations Center.

Teachers

- Follow principal's direction as to appropriate Action.
- Depending on the nature of the accident you may need to take Action DROP or Action TAKE COVER to protect students from a possible explosion and/or fire.

FOLLOW UP ACTION

Principal

- Provide up-to-date information to staff and students as it becomes available and arrange school site meetings to make assignments and determine plans.
- Coordinate activities of the school site team.
- Maintain contact with Emergency Operations Center and Superintendent's office.
- Arrange after-school staff meetings to debrief and clarify events.

Teachers

- Read bulletins/announcements as provided by the principal.
- Refer all media to the principal's office.
- Cooperate with the school site team to provide follow-up as appropriate.
- Refer for counseling students who may be at risk.
- Return to normal instructional activities as soon as possible.

Animal Disturbance

If a rabid or vicious animal is at or in the vicinity of the school, the Animal Control Center should be notified immediately. Teachers shall be notified Shelter In Place. Students outside of the building will be quietly and cautiously sent into the nearest building and secured in a room behind closed doors. Notify the Superintendent's Office.

Armed Assault on Campus

When responding to a situation that requires our school to go into lockdown (this may include, but is not limited to, an active shooter in the building), the ALICE (Alert, Lockdown, Inform, Counter, Evacuate) protocol will be followed.

ALERT

Purpose: To use clear, concise language to indicate presence and location of active shooter or other harmful individual.

Indicate lockdown and the harmful presence and/or location of threat. For example, "LOCKDOWN, There is an active shooter in the Computer Lab," or "LOCKDOWN, an armed gunman is walking through the first floor long hallway."

Anyone can alert the school community to such a situation. Do not wait for or rely on Administration or the front office staff to make the announcement. If a staff or faculty member undoubtedly sees or is notified of a harmful individual inside the school building, he or she has the authority to alert the rest of the school community of a lockdown. Some ways to alert include: the PA system, Using the classroom phone to activate LOCKDOWN, yelling, using share 911. Faculty and staff must use any means available to them to alert the school community and to spread the word. This may be a team effort where a group of individuals work together to inform everyone. If the opportunity to escape presents itself, you should do so and report to the predetermined Rally Point.

LOCKDOWN

Purpose: To allow for an aggressive use of current technology and procedures.

A traditional lockdown procedure is the first best option when in a high-risk area (or near the harmful individual). If you do not know if you are in a high-risk area, assume you are high risk and proceed to lockdown. If remaining in lockdown remains the best option, all members of the school community should work together to protect themselves.

First, close and lock classroom doors. Use belt or backpack strap to secure door handle if possible.

Create a barricade between you and students in the classroom and the intruder on the outside; use desks, chairs, shelves, cabinets and other pieces of furniture to block entry and to provide more time for survival (have smaller items near at hand in event intruder enters the room)

Gather in the area furthest from the entry point to the room; greater distance means greater safety.

Taking attendance and maintaining order are not the priority.

INFORM

Purpose: To continually communicate the shooter's whereabouts using direct and clear language. (Use Share 911 and the PA system)

By communicating with the school community, all members can make well-informed judgment calls and can be aggressive in protecting themselves. Students, faculty and staff should use every opportunity to alert others and to communicate the whereabouts of the harmful individual.

The use of share 911, phones (school or cell), yelling, and PA system are encouraged to communicate the whereabouts and will keep the intruder off balance. Working together to make informed decisions will put the intruder at a disadvantage.

COUNTER

Purpose: To apply skills to distract, confuse and gain control.

Counter is an absolute last resort. If one finds himself in close proximity to the intruder (no chance to flee or safely get away), he should apply the following counter movements to increase chances of survival:

- Throw objects at the intruder
- Distract the intruder by noise and/or movement
- Run away in a zig zag pattern
- Swarm the intruder
- Flight or fight but do not freeze
- Turn chaos into an advantage
- Use body weight and gravity to gain control

EVACUATE

Purpose: To remove as many people as possible from the danger zone to minimize targets of opportunity.

If you know the intruder's whereabouts and you are not in a high-risk area, you should Evacuate to the school's Rally Point. Only people on the first floor should exit through the windows if necessary. People on the 2nd and 3rd floors should not evacuate through windows as this may cause harm and use the safest stairwell then exit the school to the Rally Point.

REUNIFICATION

Purpose: To reunify students with their parent/guardians in a safe location

Biological or Chemical Release

CHEMICAL SPILL

1. An announcement will be made to either Shelter in Place or evacuate the building and gather in the Assembly Area, depending on the situation.
2. The announcement will be made by the P.A. system, or if this fails to operate, messenger will alert classes.
3. If the Assembly Area is not safe, students will be evacuated to Lincoln Park, depending on the area of the spill and direction of the wind.

CHEMICAL ACCIDENT

1. DEFINITION/DESCRIPTION

Chemical accidents of disaster magnitude would include tank truck accidents involving large quantities of toxic gases or toxic liquids. This type of accident will likely be reported by an outside source unless the accident has occurred immediately adjacent to the school site.

2. IMMEDIATE ACTION

Principal

- a) Receive information about/review situation to determine if evacuation routes are safe (move crosswind to avoid fumes).
- b) Determine which action should be implemented.
- c) Sound alarm for appropriate action.
- d) Notify/maintain contact with Superintendent/Emergency Operations Center.
- e) Determine what further action to take.

Teachers

- a) Implement appropriate action, using alternate evacuation route if required.
- b) Maintain control of students.
- c) Take roll. Report students who are absent.
- d) Notify principal of any problems in/around area
- e) Notify principal of need for first aid, as appropriate.

Custodian

- a) Review situation to assess extent of spill, wind direction and proximity to building.
- b) Report findings to principal.
- c) Be prepared to direct fire/police department to spill site.
- d) Assist in spill clean-up or containment, as appropriate.

3. FOLLOW UP ACTION

Principal

- a) Determine, in coordination with M.O.F./Fire Department, whether buildings are habitable.
- b) Notify staff/students of any modification in schedule.
- c) Work with Emergency Operations Center to publicize information regarding accident.
- d) Arrange school site meeting to provide information to staff.

Principal's Secretary

- a) Screen all calls. Refer public to Emergency Operations Center.

- b) Refer media to Emergency Operations Center.
- c) Prepare necessary bulletins.

Teachers

- a) Read bulletins/announcements as provided by principal.
- b) Refer all media to principal's office.
- c) Cooperate with school site team to provide follow-up, as appropriate.
- d) Refer for counseling students who may be at risk.
- e) Return to normal instructional activities as soon as possible.

Bomb Threat/ Threat Of violence

1. DEFINITION/DESCRIPTION

A bomb threat will typically be received in writing or by telephone call. Responses will generally be the same with the initial exception of a person receiving a telephone threat. A copy of the Bomb Threat Checklist should be readily available for every administrative phone responder.

2. IMMEDIATE ACTION – Telephone Threat

Person Receiving Call

- a) Keep the caller on the line. Delay the caller with such statements as: "I'm sorry, I did not understand you. What did you say?"
- b) Use Bomb Threat Checklist (see form at the end of this "Bomb Threat" section). Get as much information as possible from the caller.
- c) Immediately after caller hangs up, report all information to principal.

All Office Personnel

Immediately search your work area for foreign or suspicious objects or packages. If one is found, DO NOT TOUCH OR MOVE IT!!

IMMEDIATE ACTION – Written Threat

Person Receiving Written Message

Give the message to the principal immediately upon identification.

Principal

- a) Receive/review all information about bomb threat.
- b) Determine which action should be taken.
- c) Initiate non-electronic evacuation procedure; i.e. runner or bullhorn, since electronic warnings could activate any device, being sure all evacuation routes are clear.
- d) Notify Superintendent/Police/Fire Department.
- e) Direct search of office complex, evacuation site and classrooms.
- f) Determine what further action should be taken.

Teachers

- a) Implement appropriate action, using alternate evacuation route if required.
- b) Maintain control of students.
- c) Take roll. Report students who are absent.
- d) Notify principal of any problems in or around area.
- e) Hold students until designated evacuation area has been searched and declared safe, and then conduct students to the cleared area.

Teachers assigned to the designated evacuation area will remain with the pupils; personnel who are assigned to search teams will report to the principal for briefing.

If notification of a threat is received and immediate evacuation is not ordered, teachers will search their classrooms for any unidentifiable objects. If nothing is found, resume instruction until the evacuation order is received.

Custodians

- a) Under the direction of the principal, immediately proceed with a thorough search of designated evacuation area (or other area large enough to contain the students) to provide a safe place for students evacuated from the buildings.

b) Search, as required, to determine that no explosive is hidden in a book, clothes locker or restroom.

3. FOLLOW UP ACTION

Principal

- a) Determine, in coordination with M.O.F. and Fire Department, whether buildings are habitable.
- b) Notify staff/students of any modification in schedule, via special bulletin or telephone tree.
- c) Work with Emergency Operations Center to put messages on TV, radio and telephone system regarding any modifications in schedule.
- d) Arrange school site meeting to discuss plan.

Principal's Secretary

- a) Screen all calls. Refer calls to Emergency Operations Center.
- b) Prepare necessary bulletins.

Teachers

- a) Read bulletins/announcements as provided by principal.
- b) Refer all media to principal's office.
- c) Cooperate with school site team to provide follow-up as appropriate.
- d) Refer for counseling students who may be at risk.
- e) Return to normal instructional activities as soon as possible.

EXPLOSION OR THREAT OF EXPLOSION

1. DEFINITION/DESCRIPTION

An explosion at the school, or the threat of an explosion, may be caused by leaking gas or a faulty boiler within a school building.

2. IMMEDIATE ACTION – EXPLOSION

Principal

- Sound the school alarm.
- Notify the Superintendent or Assistant Superintendent.
- Notify utility companies of a break or suspected break.
- Notify fire and police departments and direct further action as required.
- Notify teachers of proper action (DROP or LEAVE BUILDING).

Teachers

- Command DROP is given. Instruct students to react in the same manner on their own to this type of catastrophe in case it occurs when the teacher is temporarily not present.
- If the explosion occurred within the building, or threatened the building, immediately implement Action LEAVE BUILDING.
- Move to an area of safety and maintain control of students.
- Notify principal of students needing first aid as necessary.
- Fight incipient fires without endangering life.
- Take roll. Report absent students to principal.
- Students and staff should not return to the school until Fire Department officials declare the area safe.

IMMEDIATE ACTION - THREAT OF EXPLOSION:

Principal

- Sound the school fire alarm, or silent evacuation if electronic means could set off explosion. This will automatically implement Action LEAVE BUILDING.
- Follow procedures for principal -- 'c' and 'd' above.

Teacher

- Follow procedures for teachers -- 'c' through 'g' above.

Disorderly Conduct

CIVIL DISOBEDIENCE/MENACING INDIVIDUALS

1. DEFINITION/DESCRIPTION

Civil disobedience is defined as any assemblage on the school premises by unauthorized persons whose purpose and conduct is inimical to the orderly conduct of the school and the laws relating to the conduct of schools and the welfare of students.

WARNING: The presence of unauthorized individuals or an alert of an impending visitation. When this condition has been reported to the principal or authority in charge, he shall transmit the warning to all classes by the public address system. If the PA system is inoperable, a messenger will be sent to each classroom.

2. IMMEDIATE ACTION

The major plan of action will be to protect all personnel from undue exposure to danger. Every effort must be made to keep classes within their rooms. The following specific steps will be taken to implement the plan of action:

Principal or Designee

- a) Transmit a Shelter in Place alert to all staff members.
- b) Call the local law enforcement agencies to provide protection and to handle arrests.
- c) Make certain that a specific crime is committed before requesting arrests.
- d) School civil disobedience crimes involving arrest are listed in the Criminal Code Procedure and include the following:
 1. Disturbing the Peace
 2. Trespassing
 3. Loitering Around the School Grounds
- e) The principal should make an announcement to the demonstrators similar to the following:
"I am the principal of this school. You are interfering with the orderly process of education in this school. I request that you leave. If you do not leave, I shall ask for your arrest. You are causing a disturbance."

Teachers

- a) Keep students within their locked classrooms until further notice, regardless of the bells and schedules.
- b) Lock classroom doors.
- c) Remain in charge of your class, utilizing the best judgment in occupying the students within the classroom.
- d) Precaution should be taken to protect personnel from flying glass in case of broken windows. Drapes, venetian blinds, or jalousies should be closed.
- e) Where there is evidence of a potential problem, all P.E. classes will immediately return to the locker rooms.

Custodians

Lock and secure all exterior doors.

3. FOLLOW UP ACTION

Principal

- a) Determine, in coordination with M.O.F., whether building(s) is/are habitable.
- b) Notify staff/students of any modification in schedule, via special bulletin or telephone tree.
- c) Work with Communications director to put messages regarding any modifications in schedule.
- d) Arrange school site meeting to discuss plan.

Principal's Secretary

- a) Screen all calls. Refer public to Director of Communications
- b) Refer media to Director of Communications
- c) Prepare necessary communication to community.

Teachers

- a) Read announcements as provided by principal.
- b) Refer all media to principal's office.
- c) Cooperate with school site team to provide follow-up, as appropriate.
- d) Refer for counseling students who may be at risk.
- e) Return to normal instructional activities as soon as possible.

Earthquake

Although the probability of an earthquake occurring is lower than most other emergency types, the potential for injuries and damage from one is high. It is essential that students and staff remain aware of the following basic actions:

This section removed from posted plan for security purposes. If you wish to see the full plan, contact the school principal for an appointment.

If an earthquake or other situation warrants, drop to the floor, take protective position under desks or furniture with backs to windows and hands covering head and face. Stay in position until directed to evacuate or take other protective action. If outside, move away from buildings and trees and take protective position. When situation permits, proceed to the designated assembly point. Standby: Alert students in your area to stand by for further information. Make whatever assessment of the situation is possible. Render emergency first aid as required. If inside, stay inside during ground shaking. In classrooms or offices, move away from windows, shelves and heavy objects or furniture that may fall. Take cover under a safe table, desk or counter. At the teacher's command, students should take the DROP position.

If a "shelter" (table, desk, etc.) is not available, move to an inside wall or corner, turn away from windows, kneel alongside wall, and bend head close to knees, with elbows firmly behind neck protecting face. If notebooks or jackets are handy, hold these overhead for added protection from flying glass and ceilings debris. Remain in sheltered position for at least 60 seconds or until directed to move by an adult. If in halls, on stairways, or other areas where no cover is available, students must follow the directions of the nearest teacher or school employee.

If in the library, immediately move away from windows and bookshelves and take appropriate cover. In the science lab or shops, all burners should be extinguished (if possible) before taking cover. Stay clear of hazardous chemicals that may spill. The duration of ground shaking depends on a number of factors, including the severity of the earthquake. Advise students to anticipate shorter or longer episodes of ground shaking during actual earthquakes and their aftershocks.

EARTHQUAKE HAZARDS COMMONLY FOUND IN SCHOOL BUILDINGS:

- Glass that shatters or flies around
- Objects stored above head-level on shelves, walls, and ceilings (such as unused projectors, books, science equipment, boxes)
- Objects that block movement to safe places (books on floors, tipped desks and bookcases)
- Cabinets without latches
- Objects stored on wheels
- Open shelving without a lip or restraining wire
- Free standing cabinets
- Blocked exits
- Objects in hallways that block movement (glass, tables, locker contents)

SETTLING DOWN AFTER THE FIRST SHOCK:

- After the first shock, teachers will evacuate the classrooms, being alert to the possibility of aftershocks.
- When leaving the classroom, teachers should make every effort to take with them the roll book and emergency supplies.
- Announce that no student is to return to the room unless directed to do so.
- Teachers will take classes to pre-arranged places on the campus.
- Teachers and students will remain in designated areas until re-entry to the building has been approved or they are directed to move elsewhere.
- School will remain open indefinitely until every student has been released to parents or to an authorized person.
- Do not light any fires after the earthquake because of possible gas leaks.
- If possible, notify utility companies of any break or suspected breaks in service.

THE GREAT SHAKEOUT EARTHQUAKE DRILLS

All AUSD schools are encouraged to participate in the annual Great ShakeOut Earthquake Drills. See <https://www.shakeout.org/index.html> for more information.

Explosion or Risk Of Explosion

EXPLOSION OR THREAT OF EXPLOSION

DEFINITION/DESCRIPTION

An explosion at the school, or the threat of an explosion, may be caused by leaking gas or a faulty boiler within a school building.

IMMEDIATE ACTION – EXPLOSION

Principal

- a) Sound the school alarm and report on Share911.
- b) Notify teachers of proper action (DROP or LEAVE BUILDING).

Teachers

- a) Command DROP is given. Instruct students to react in the same manner on their own to this type of catastrophe in case it occurs when the teacher is temporarily not present.
- b) If the explosion occurred within the building, or threatened the building, immediately implement Action LEAVE BUILDING.
- c) Move to an area of safety, and maintain control of students.
- d) Use Share911 to report students absent, found or needing first aid as necessary.
- e) Fight incipient fires without endangering life.
- g) Students and staff should not return to the school until Fire Department officials declare the area safe.

IMMEDIATE ACTION - THREAT OF EXPLOSION:

Principal

Sound the school fire alarm, or silent evacuation if electronic means could set off explosion. This will automatically implement Action LEAVE BUILDING.

Follow procedures for principal -- 'c' and 'd' above.

Teacher

Follow procedures for teachers -- 'c' through 'g' above.

Fire in Surrounding Area

Follow shelter in place procedures

Fire on School Grounds

DEFINITION/DESCRIPTION: A fire detected in or adjacent to any building at the school site.

IMMEDIATE ACTION

Principal or Site Safety Coordinator

- View fire or take report to determine that evacuation routes are safe.
- Notify teachers of alternate route if necessary.
- Sound school fire alarm and report on Share911.
- Determine what further action to take (i.e. send students/staff home).

Teachers

- Implement Action LEAVE BUILDING, using alternate route in necessary.
- Maintain control of students at a safe distance from the fire and fire fighting equipment.
- Take roll upon arrival at designated area. students.
- Remain with students in designated area until notified of next action.
- Notify principal of any hazards observed in/around area through Share911.
- Notify principal of need for first aid as appropriate through Share911.

Custodians

- View fire to identify location and extent.
- Report findings to principal.
- Fight incipient fire without endangering life.
- Be prepared to direct fire department to fire site.
- Shut off gas/water as appropriate.
- Shut off electricity after all necessary use of P.A. system is complete.

FOLLOW-UP ACTION

Principal

- Determine, in coordination with M.O.F. and Fire Department whether buildings) is/are habitable.
- Notify staff/students of any modification in schedule, via Share911 and special bulletin or telephone tree.
- Work with Director of Communications to put messages on TV, radio and communication system regarding any modifications in schedule
- Arrange school site meeting to discuss plan.

Principal's Secretary

- Screen all calls.
- Refer media to Director of Communication.
- Prepare necessary communications to community.

Teachers

- Read announcements as provided by principal.
- Refer all media to principal's office.
- Cooperate with school site team to provide follow-up as appropriate.
- Refer for counseling students who may be at risk.
- Return to normal instructional activities as soon as possible.

Flooding

DESCRIPTION/DEFINITION

There should be some thought and preparation for this eventuality should any sources around the school create flooding. Flooding may be the secondary effect of another disaster, such as an earthquake.

IMMEDIATE ACTION

Principal

- View flood or take report to determine that evacuation routes are safe.
- Broadcast Alert on Share911 and PA as appropriate.
- Determine what further action to take.

Teachers

- Implement appropriate Action in response to principal direction.
- Take roll upon arrival at evacuation area. Report absent students, needs for first aid and any hazards observed in/around area to principal through Share911.
- Maintain control of students at evacuation area.

Custodians

- View flood to identify location and extent.
- Report findings to principal.
- Be prepared to direct M.O.F./City to flood site/source.
- If flooding is result of school site damage, turn off water.

Follow up Plan

Principal

- Determine, in coordination with M.O.F. and Fire Department whether buildings) is/are habitable.
- Notify staff/students of any modification in schedule, via Share911 and special bulletin or telephone tree.
- Work with Director of Communications to put messages on TV, radio and communication system regarding any modifications in schedule
- Arrange school site meeting to discuss plan.

Principal's Secretary

- Screen all calls.
- Refer media to the Director of Communication.
- Prepare necessary communications to the community.

Teachers

- Read announcements as provided by the principal.
- Refer all media to the principal's office.
- Cooperate with the school site team to provide follow-up as appropriate.
- Refer for counseling students who may be at risk.
- Return to normal instructional activities as soon as possible.

Loss or Failure Of Utilities

UTILITIES LOSS OR FAILURE

CALL MOF - They will call the appropriate public works system based on the loss or failure.

LOSS OF ELECTRICAL POWER:

Consult Alameda Power

LOSS of GAS

PG&E

WATER EMERGENCY:

East Bay Municipal Utility District, colloquially referred to as "East Bay Mud

PHONE ISSUES:

Contact Technology Information Services to report phone issues.

ADDITIONAL INFORMATION:

Contact Maintenance, Operations & Facilities at extension if any utility will be off for an extended period of time.

Notify the superintendent of the situation.

If necessary, make appropriate arrangements with Maintenance and Operations for temporary communications, water delivery and portable rest rooms.

In the event of an extended outage, consult with the cafeteria manager. The cafeteria manager will consult with Food and Nutritional Services.

If an extended outage is likely, provide an update to keep parents/guardians informed.

Motor Vehicle Crash

Step1: Respond to the injured party and determine if first aid or CPR should be provided

Step 2: If 911 needs to be called have another person call while you deliver first aid or CPR

Step 3: Send another person to notify others and get any emergency equipment or information that would be helpful to the emergency

Step 4: When safe to do so, activate share 911 to communicate to staff if an ambulance is on its way

Step 5: Designate staff to the appropriate gate/entrance to help emergency services get in close proximity to injured party

Step 6: Staff are required to complete and turn in an Accident Report to administration for any injuries to any one on campus

Step 7: Accident forms need to be sent to the business office

Psychological Trauma

The sudden death, serious injury to a student or staff member either through natural causes, accidents or as the result of an act of violence, such as school shooting, missing students (known or suspected abduction), physical assault, sexual assault, non-natural or non-accidental causes or other unexpected events are, without question, a crisis. Responding to these kinds of crisis situations in a timely and effective manner is as critical as dealing with an earthquake or a fire.

1. Contact Student Services to request the District Crisis Intervention Team immediately following a serious injury, accident or death of a student or staff member.

2. Work with your school psychologist and or counselors to determine identification of short- and long-term interventions for students or staff traumatized by the event.
3. Work with the Superintendent's office to formulate a public statement.
4. Discuss the crisis in a factual manner in follow up meetings and/or communications.
5. Be sensitive to latent behavior problems that are trauma-related.

A general message will be prepared and whenever possible parents will be contacted first in order to be the first adults to provide the information and support their children. All staff will be debriefed and supported. Activities to best meet the needs of the community will be provided aimed at providing counseling, a way for all to process (writing, drawing, and sharing). Activities such as games, music and reading may be planned over a short period of time to reduce anxiety and work demands. Follow and close monitoring for students and staff to insure latent reactions and responses.

Opioid Overdose

Step (1) Call 911 An overdose is a medical emergency. It is important to have trained medical professionals assess the condition of the overdose victim. Even though Naloxone can reverse the overdose, there may be other health problems of which the responder may not be aware. In addition, people who survive any type of overdose are at risk of experiencing other health complications because of the overdose. Getting someone examined by a medical professional is an important part of reducing the harms associated with overdosing.

It is important for trained staff to remember that Naloxone only works if there are opioids involved with the overdose. It cannot reverse an overdose from benzodiazepines, meth, cocaine, or alcohol.

Step (2) Administer Naloxone (Narcan)

Open the Naloxone blister pack; do not push the plunger.

With the victim's head tilted slightly back, place two (2) fingers over the top of the medication with your thumb securing it from the bottom.

Insert the atomizer fully and gently into their nostril

Push the plunger forward with the thumb and deliver spray of medication. (There is no need to plug the opposing nostril).

Place the person to their side (recovery position).

If the individual is still not responding within two (2) minutes, give a second dose in the opposite nostril.

Follow Up

If the victim is a student, contact parent/guardian per school policy.

Complete an Accident/Injury Report

Facilitate a debriefing with responding staff

Consider a plan of care for the students' safe return to school

Emergency Evacuation Map

[See Attachments](#)

Comprehensive School Safety Plan

**2023-24
School Year**

School: William G. Paden Elementary School

CDS Code: 01 61119 6090120

District: Alameda Unified School District

Address: 444 Central Ave.
Alameda, CA 94501

Date of Adoption:

Date of Update: 2/26/2024

Date of Review:

- with Staff 2/28/2024

- with Law Enforcement

- with Fire Authority

Table of Contents

Comprehensive School Safety Plan Purpose.....	4
Safety Plan Vision.....	4
Components of the Comprehensive School Safety Plan (EC 32281).....	5
(A) Child Abuse Reporting Procedures (EC 35294.2 [a] [2]; PC 11166).....	5
(B) Disaster Procedures (EC 35295-35297; GC 8607 and 3100).....	7
(C) School Suspension, Expulsion and Mandatory Expulsion Guidelines	10
(D) Procedures to Notify Teachers of Dangerous Pupils (EC 49079).....	30
(E) Sexual Harassment Policies (EC 212.6 [b]).....	31
(F) School-wide Dress Code Relating to Gang-Related Apparel (EC 35183).....	34
(G) Procedure for Safe Ingress and Egress of Pupils, Parents, and Staff to and from School (EC 35294.2)	37
(H) A Safe and Orderly School Environment Conducive to Learning (EC 35294.2)	39
(I) School Discipline Rules and Consequences (EC 35291 and EC 35291.5)	40
(K) Hate Crime Reporting Procedures and Policies	41
(J) Procedures to Prepare for Active Shooters.....	42
Procedures for Preventing Acts of Bullying and Cyber-bullying.....	43
Emergency Contact Numbers	47
Safety Plan Review, Evaluation and Amendment Procedures	48
William G. Paden Elementary School Incident Command System.....	49
Incident Command Team Responsibilities.....	50
Types of Emergencies & Specific Procedures.....	57
Aircraft Crash	57
Animal Disturbance.....	57
Armed Assault on Campus	57
Biological or Chemical Release.....	57
Bomb Threat/ Threat Of violence	58
Disorderly Conduct	60
Earthquake	62
Explosion or Risk Of Explosion	62

Fire in Surrounding Area63

Fire on School Grounds63

Flooding65

Loss or Failure Of Utilities66

Motor Vehicle Crash66

Psychological Trauma.....66

Opioid Overdose67

Emergency Evacuation Map.....68

Comprehensive School Safety Plan Purpose

Effective January 1, 2019, Assembly Bill 1747 (Rodriguez), School Safety Plans, became law. This bill requires that during the writing and development of the comprehensive school safety plan (CSSP), the school site council or safety committee consult with a fire department and other first responder entities in addition to currently required entities. It requires the CSSP and any updates made to the plan to be shared with the law enforcement agency, the fire department, and the other first responder entities.

The California Education Code (sections 32280-32288) outlines the requirements of all schools operating any kindergarten and any grades 1 to 12, inclusive, to write and develop a school safety plan relevant to the needs and resources of that particular school.

In 2004, the Legislature and Governor recast and renumbered the Comprehensive School Safety Plan provisions in SB 719 and AB 115. It is the intent of the Legislature in enacting the provisions to support California public schools as they develop their mandated comprehensive safety plans that are the result of a systematic planning process, that include strategies aimed at the prevention of, and education about, potential incidents involving crime and violence on school campuses.

The historical requirement of the Comprehensive School Safety Plan was presented in Senate Bill 187, which was approved by the Governor and chaptered in 1997. This legislation contained a sunset clause that stated that this legislation would remain in effect only until January 1, 2000. Senate Bill 334 was approved and chaptered in 1999 and perpetuated this legislation under the requirement of the initial legislation.

Comprehensive School Safety Plans are required under SB 719 & AB 115 and contains the following elements:

Assessment of school crime committed on school campuses and at school-related functions

- Child abuse reporting procedures
- Disaster procedures
- Suspension and expulsion policies
- Procedures to notify teachers of dangerous pupils
- Discrimination and harassment policies
- School wide dress code policies
- Procedures for safe ingress and egress
- Policies enacted to maintain a safe and orderly environment
- Rules and procedures on school discipline
- Hate crime reporting procedures

The Comprehensive School Safety Plan will be reviewed and updated by March 1st every year. In July of every year, the school will report on the status of its school safety plan including a description of its key elements in the annual school accountability report card.

A copy of the Comprehensive School Safety Plan is available for review at 444 Central Ave.

Safety Plan Vision

The Alameda Unified School District is committed to providing a quality educational environment that is safe, secure, and peaceful. The primary goal of the District is to help each student develop to the maximum of his/her capacity and function as a responsible member of a democratic society. When parents, students and staff are aware of our mutual responsibilities to keep our community safe, we can effectively promote positive student participation in all of our schools.

The School Site Emergency Plan is designed for use as a school resource for prevention/mitigation, preparedness, response, and recovery planning and training as well as functioning as a template for meeting the requirements for the annual Safety Plan Process under Senate Bill 187, Education Code Section 35294, Statutes of 1998, and the National Incident Management System. It is designed to be a living document that is updated as necessary to meet site, District, and community needs, forms, and/or requirements—therefore, it should be maintained in hard copy and electronic form.

This document is NOT intended to be a “grab and go” guide in an actual emergency.

Components of the Comprehensive School Safety Plan (EC 32281)

William G. Paden Elementary School Safety Committee

Site Safety Coordinator Tri Nguyen
Head Custodian Mark Gelico
Office Manager Andre Patolot
Heath Yessey D'Orazi
Community Member Wendy Baty
Campus Supervisor Tri Nguyen

Assessment of School Safety

Current Status of School Crime. Each school is required to assess the current status of school crime committed on the school campus and at schoolrelated functions. You may accomplish this by reviewing the following type of information: Local law enforcement crime data; suspension/expulsion data; behavior referrals; counseling referrals; attendance rates; SART/SARB data; CHK Survey data; SPSA data; property damage/vandalism data; or any other data pertinent to your assessment. Insert Aeries data here.

Strategies and Programs to Provide and Maintain a High Level of Safety (EC 32281(a)1, items A-J)

Our staff adheres to the Positive Students Interventions and Support Model when providing feedback to students. We actively teach, model, reinforce, and celebrate behaviors such as being safe, kind, and responsible across different areas of the campus. Furthermore, we align these expectations with the Toolbox Project, which equips students with self-advocacy, empathy, patience, and mindfulness strategies to navigate challenges they may encounter on campus.

(A) Child Abuse Reporting Procedures (EC 35294.2 [a] [2]; PC 11166)

Child Abuse Reporting Procedures

With concern for the total well-being of each student, employees of the district shall report known or suspected incidences of child abuse in accordance with state law and district regulations. Our employees cooperate with the child protective agencies responsible for reporting, investigating and prosecuting cases of child abuse.

A. Definition of Child Abuse

"Child Abuse," as defined by law, pursuant to Penal Code 273 and 11165, includes:

1. Physical abuse resulting in a non-accidental physical injury.
2. Physical neglect, including both severe and general neglect, resulting in negligent treatment or maltreatment of a child.
3. Sexual abuse including both sexual assault and sexual exploitation.
4. Emotional abuse and emotional deprivation including willful cruelty or unjustifiable punishment.
5. Severe corporal punishment.

B. Legal Duty to Report

Mandated child abuse reporting is governed by the Child Abuse and Neglect Reporting Act, P.C. 11164. The intent and purpose of the law is to protect children from abuse. The definition of a child is any person under 18 years of age.

Within the scope of his or her employment, any childcare custodian who has knowledge of, observes, or reasonably suspects a child is a victim of child abuse, shall report the known or suspected abuse to a child protective agency by telephone and written report. Additionally, any suspicion of mental suffering inflicted on a child where his or her well-being is endangered in any way, will also be reported.

"Mandated Reporters" are those people defined by law as "childcare custodians," "medical practitioners" and "non-medical practitioners" and include virtually all school employees.

(Penal Code 11165.7 and 11165.8) The following school personnel are required to report: teachers, administrators, supervisors of child welfare and attendance, certificated student personnel employees, employees of a child care programs, preschool teachers, school psychologists, licensed nurses, counselors, para-educators instructional aides or other classified employees trained in child abuse reporting. Employees do not need to have their employer's permission to make a child abuse report.

"Child Protective Agencies" are those law enforcement and child protective services responsible for investigating child abuse reports, including the local police or sheriff's department, county welfare or juvenile probation department and child protective services (CPS).

"Reasonable Suspicion" means that it is objectively reasonable for a person to entertain such a suspicion, based upon facts that could cause a reasonable person in a like position, drawing when appropriate on his/her training and experience, to suspect child abuse. (Penal Code 11166)

3. Employees will report known or suspected child abuse to a child protective agency by telephone immediately or as soon as practically possible and in writing within 36 hours. The reporting duties are individual and cannot be delegated to another individual.

4. When two or more persons who are required to report and both have knowledge of suspected child abuse, and when there is agreement among them, the telephone report may be made by any one of them who is selected by mutual agreement, and a single report may be made and signed by the person selected. However, if any person who knows or should know that the person designated to report failed to do so, that person then has a duty to make the report.

5. The duty to report child abuse is an individual duty and no supervisor or administrator may impede or inhibit such reporting duties. Furthermore, no person making such a report shall be subject to any sanction. Any supervisor or administrator in violation (Section 11166) is guilty of an infraction punishable by a fine not to exceed five thousand dollars (\$5000).

C. Legal Responsibility and Liability

1. Mandated reporters have absolute immunity. School employees required to report are not civilly or criminally liable for filing a required or authorized report of known or suspected child abuse.

2. Any mandated reporter who fails to report an incident of known reasonably suspected child abuse or neglect as required by this section is guilty of a misdemeanor punishable by up to six months confinement in a county jail or by fine of one thousand dollars (\$1000) or by both that fine and punishment. The mandated reporter may also be held civilly liable for damages of any injury to the child after a failure to report.

D. Reporting Procedures

The person who first observes or learns about the abuse is to complete the "Suspected Child Abuse Report" form (BCIA 8572) and call the Child Abuse Reporting phone number Call our hotline now at 510-259-1800, available 24 hours a day, 7 days a week or if it is an emergency call:

OR Immediately telephone the appropriate law enforcement agency (based upon where the abuse is suspected to have occurred). Jurisdiction, as to whether the county or the city responds, is determined by where the abuse took place.

a. City: Call the Alameda Police Department (510) 337-8340

3. Employees are not required to identify themselves to their employer when they make a child abuse report. If an employee wishes to waive his/her confidentiality rights he/she may wish to make photocopies of the "Suspected Child Abuse Report" form (SS8572) and forward a copy to the principal and to the Executive Director of Student and Family Support Services.

E. Victim Interviews

Upon request, a child protective agency representative may interview a suspected victim of child abuse, during school hours and on school premises, concerning a report of suspected child abuse that occurred within the child's home. The child shall be given the choice of being interviewed in private or in the presence of any adult school employee or volunteer aide selected by the child. A staff member or volunteer aide selected by a child may decline to present at the interview. If the selected person accepts, the principal or designee shall inform him/her, before the interview takes place, of the following legal requirements:

1. The purpose of the selected person's presence at the interview is to lend support to the child and enable him/her to be as comfortable as possible.
2. The selected person shall not participate in the interview.
3. The selected person shall not discuss the facts or circumstances of the case with the child.
4. The selected person is subject to the confidentiality requirements of Article 2.5 (Penal Code 11165 et seq.), a violation of which is punishable as specified by 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)

F. Release of Child to Peace Officer or to a Child Protective Services Worker

When a child is released to a peace officer and taken into custody as a victim of suspected child abuse, the principal or other school staff shall not notify the parent/guardian as required in other instances of removal of a child from school, but rather shall provide the peace officer with the address and telephone number of the child's parent/guardian. It is the responsibility of the peace officer to notify the parent/guardian of the situation

G. Staff Training

The Principal or designee shall provide training in child abuse identification and reporting for all certificated personnel, instructional and teacher aides, teacher assistants, para-educators and other classified employees. (Penal Code 11165.7) All employees trained in child abuse identification and reporting shall be given, as a part of that training, written notice of the child abuse reporting requirements and the employees' confidentiality rights. (Penal Code 11165.7). The absence of training does not excuse a mandated reporter from the duties imposed by the penal code.

(B) Disaster Procedures (EC 35295-35297; GC 8607 and 3100)

Disaster Plan (See Appendix C-F)

Purpose of the Plan

This response plan is designed to assist school staff, students, parents and local agencies organize resources of the school and community to respond to a crisis situation while school is in session. Regulatory Authority State laws and regulations require school districts develop emergency plans and train staff in emergency response procedures. These include laws applicable to school staff and students as well as Cal/OSHA regulations specifically addressing the safety of district employees. The Katz Act [California Education Code, §35295-35297] requires schools plan for earthquakes and other emergencies. It also requires training in earthquake preparedness procedures for both certificated and classified staff. The Petris Bill [Government Code, §8607] requires school districts be prepared to utilize the Standardized Emergency Management System (SEMS) when responding to emergencies. This requires that principles of SEMS are incorporated in District plans; that the Incident Command System (ICS) are used at school sites; that all school personnel are trained in how the respective systems work and correlate; and that schools have drills and exercises in order to practice using the systems. This plan is designed and structured to ensure compliance with the mandates of state law as well as with Cal/OSHA's Emergency Action Plan Standard Title 8, California Code of Regulations §3220. This regulation requires each employer facility have an Emergency Action Plan which focuses on specific emergency contingencies, response personnel roles, and evacuation plans of each employer's site where employees work. Schools and school districts are included in this mandate. School Site Emergency Preparedness and Response Coordination Each principal shall supervise the planning, operating and testing of their respective school's Emergency Preparedness and Crisis Response Plan. Each principal will also ensure that all school staff and students are familiar with the basic elements of the District's Emergency Operations Plan, which will be utilized at the district office in the event of a major emergency or district-wide disaster. The principal must ensure that the Incident Command System are utilized by all staff personnel in the event of an emergency incident and shall serve as the Incident Commander at all school crises or emergencies.

Campus and Facility Site Preparedness Duties

This school and the District have designated specific persons to assume emergency position responsibilities in the event of a site emergency or District-wide disaster. The following information provides a breakdown of these responsibilities:

All School Staff:

- Become familiar with the school's emergency and evacuation procedures.
- Participate in First Aid and CPR training, as appropriate.

Annually each principal shall:

- Designate Staff Incident Command Structure Assignments.
- Update this site Emergency Preparedness and Crisis Response Plan.
- Ensure personnel are properly trained in their respective assignments.
- Conduct survey of personnel to determine CPR/First Aid/Disaster Preparedness/Medical Training.
- Survey parents to determine who may wish to volunteer during an extended emergency or disaster.
- Ensure needs of students and staff with disabilities are provided for in the event of an emergency.
- Designate primary and alternate locations for command post, evacuation, first aid, student release, and morgue.
- See that parents are informed of the plan and its effect upon students.
- Compile/maintain list of local emergency agencies including telephone numbers and addresses.
- Practice building evacuation plans including testing of warning systems, alarm signals, and communications methods.
- With Maintenance and Operations, complete a site and building hazard survey.
- Ensure all emergency equipment and supplies are in usable condition at all times.

Teachers:

- Teachers are responsible for the supervision of students in their charge.
- Understand emergency response procedures.
- Have planned activities for use during disasters to lessen possible tension.

School Office Managers or Designee:

- Organize and maintain the emergency first aid supplies and distribute back-up supplies.
- Assist principal in developing procedures to protect essential records.
- Ensure battery-operated AM/FM radio is available in working condition; know the call number and frequency of disaster information station.
- Maintain an up-to-date list of students and staff who require life sustaining medication.

School Custodians or designee:

- Assist principal in planning control procedures for different types of building damage.
 - Routinely check that battery-operated equipment is in working condition.
- Directions for the Instructional Staff During a Declared Emergency

Crisis Response

The primary goals of crisis response are to:

- Prevent a potentially chaotic situation from escalating into a catastrophic event.
- Help those affected to return, as quickly as possible, to a normal level of functioning.
- Decrease the potential long-term effects of the crisis.

Incident Command System (ICS)

The Incident Command System is an emergency response system used to manage an emergency incident at a specific facility or site. The ICS, as designated by the AUSD, will be used by this school as the formal emergency response structure. This is in contrast to the Standardized Emergency Management System (SEMS) which is used to manage resources at a district-wide level.

Foundations of Crisis Response

The primary foundation for any emergency or crisis response system is to ensure, as much as is humanly possible, the application of the three C's at all times.

These three C's are:

- Control – Control is the cornerstone of every crisis/emergency response. In emergency response this is initiated and maintained through the effective use of the Incident Command System.
- Communication - Communication is essential to maintaining effective coordination of all response actions. Ongoing communication must be maintained between response persons, school staff, and the command team.
- Coordination - Coordination is essential to ensure that the most effective and appropriate response actions are used throughout a response operation. Proper utilization of the Incident Command System will ensure that all response operations are coordinated from a central point and that no response action is taken at cross purposes to any other.

Insert link to REMS packet here

Public Agency Use of School Buildings for Emergency Shelters

If the Superintendent declares a District emergency during the school day, the District has a clear statement of policy governing its actions.

Alameda Unified School District Policy is as follows:

IN CASE OF A DECLARED EMERGENCY BY THE SUPERINTENDENT DURING SCHOOL HOURS, ALL STUDENTS WILL BE REQUIRED TO REMAIN AT SCHOOL OR AN ALTERNATE, SAFE SITE UNDER THE SUPERVISION OF DISTRICT PERSONNEL:

1. Until regular dismissal time and then released only if it is considered safe, OR
2. Until released to an adult authorized by the parent or legal guardian whose name appears on student information system (Aeries).
 - a) If students are on their way to school they should proceed to school.
 - b) If students are on their way home from school they are to continue home.
3. To provide this supervision and care, Alameda Unified School District personnel will be utilized under Title 1, Division 4, Chapter 8 Government Code and other legal statutes. The statute states that all public employees are designated disaster service workers when an emergency is declared. The District Superintendent, or designee, has the legal authority to declare an emergency in this District. The authority also extends to Alameda County to declare an emergency and impress public employees into service as disaster service workers.

4. Alameda Unified School District encourages the utilization of a buddy system at District sites wherein staff responsibilities for specific emergency functions are assigned to pairs of employees who could, with approval of the Site Manager, carry on legally required supervision and care requirements while allowing emergency home visits to assure welfare of their own families.

(C) School Suspension, Expulsion and Mandatory Expulsion Guidelines

Definitions

Suspension from school means removal of a student from ongoing instruction for adjustment purposes.

The teacher of any class from which a student is suspended pursuant to Section 48910 shall require the student to complete any assignments and tests missed during the suspension. The school will monitor and address the educational needs of the student that arise due to the loss of instructional time. (Education Code 48913). However, suspension does not mean any of the following: (Education Code 48925)

- Reassignment to another education program or class at the same school where the student will receive continuing instruction for the length of day prescribed by the Governing Board for students of the same grade level.
- Referral to a certificated employee designated by the principal to advise students.
- Removal from the class, but without reassignment to another class or program, for the remainder of the class period without sending the student to the principal or designee as provided in Education Code 48910. Removal from a particular class shall not occur more than once every five school days.

Referral means removal from classroom instruction for discipline reasons.

Expulsion means removal of a student from the immediate supervision and control, or the general supervision, of school personnel. (Education Code 48925)

Day means a calendar day unless otherwise specifically provided. (Education Code 48925)

School day means a day upon which the schools of the district are in session or weekdays during the summer recess. (Education Code 48925)

Student includes a student's parent/guardian or legal counsel. (Education Code 48925)

Principal's designee means one or more administrators or, if there is not a second administrator at one school site, a certificated person specifically designated by the principal, in writing, to assist with disciplinary procedures. Only one such person may be designated at any time as the principal's primary designee, and only one such person may be designated as secondary designee for the school year. The names of such persons shall be on file in the principal's office. (Education Code 48911)

School property, for the purposes described in Education Code 48900, includes, but is not limited to, electronic files and databases. (Education Code 48900(u))

The District database is the Aeries Student Information System.

Restorative Practices (RP) is a continuum of practices by which schools build community through circles and other activities, where students learn to use affective statements and the process where all stakeholders affected by an injustice have an opportunity to discuss how they have been affected by the injustice and to decide what should be done to repair the harm.

Positive Behavioral Interventions and Supports (PBIS) is a framework for providing a range of systemic and individualized strategies for achieving important academic and behavioral outcomes while preventing problem behaviors.

Social and Emotional Learning (SEL) is a process through which children and adults develop the fundamental skills for life effectiveness. The five SEL competencies are: self-awareness, self-management, social awareness, relationship skills, and responsible decision-making.

Multi Tiered System of Support (MTSS) is a way of organizing instruction and intervention to help all students. The goal of the multi-tiered framework is to provide high-quality instruction and supports based on student need. This framework helps educators by providing information (data) to identify students needing additional support (academic and behavioral) and also identify students who may need special education services. MTSS includes three levels (or tiers) of instruction. Each tier has a set of evidence-based practices to meet the instructional goals.

Tier 1

For MTSS, a school must first establish its Tier 1 or universal supports. Universal supports are the instructional practices that help all students in a school. Once the universal supports are in place, staff can use assessment data to determine which students need additional supports.

Tiers 2 and 3

The intensity and duration of supports increase for Tiers 2 and 3. The appropriate level of support for each student is determined by assessment data.

Grounds for Suspension and Expulsion

The following is a list of grounds for which suspension and expulsion may be permitted or shall be imposed subject to the

restrictions and requirements herein:

- Caused, attempted to cause, or threatened to cause physical injury to another person or willfully used force or violence upon another person, except in self-defense (Education Code 48900(a))
- A student who aids or abets the infliction or attempted infliction of physical injury on another person, as defined in Penal Code 31, may be suspended, but not expelled. However, such a student may be suspended or expelled pursuant to Education Code 48900(a) when he/she has been adjudged by a juvenile court to have committed, as an aider or abettor, a crime of physical violence in which the victim suffered great or serious bodily injury. (Education Code 48900(t))
- 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))
- 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))
- 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))
- Committed or attempted to commit robbery or extortion (Education Code 48900(e))
- Caused or attempted to cause damage to school property or private property (Education Code 48900(f))
- Stole or attempted to steal school property or private property (Education Code 48900(g))
- 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))
- Committed an obscene act or engaged in habitual profanity or vulgarity (Education Code 48900(i))
- Unlawfully possessed, offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Health and Safety Code 11014.5 (Education Code 48900(j))

As provided in California Education Code section 48900(k), no student enrolled in grades T-Kindergarten through third grade may be suspended or expelled for disrupting school activities or willfully defying the authority of school personnel ("disruption and willful defiance") and no student in TK-12 may be expelled for willful disruption or defiance.

Effective July 1, 2019, no student enrolled in grades T-Kindergarten through twelve (TK-12) grades may be suspended or expelled for disrupting school activities or willfully defying the authority of school personnel. The Board will review data regarding suspensions for defiance in Grades 4 through 12 in August 2019 and January 2020. If, based on review of the data, it appears further steps should be undertaken to meet the goal of eliminating suspensions for defiance by July 1, 2019, the Board will direct the Superintendent to implement such additional measures to achieve the goal of no suspensions for defiance by July 1, 2020.

- Knowingly received stolen school property or private property (Education Code 48900(l))
- 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))

- 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))
- 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))
- Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma (Education Code 48900(p))
- 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.

- 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.

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 (items #20-22 below), that has any of the effects described above on a reasonable student.

Electronic act means the transmission of a communication, 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.

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))

- 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)

A student in grades 4-12 is also subject to suspension or recommendation for expulsion when it is determined that he/she:

- 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)

- 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)

- 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)

A student may be suspended or expelled for any of the acts listed above if the act is related to school activity or school attendance occurring at any district school or within any other school district, at any time, including, but not limited to, the following: (Education Code 48900(s))

- While on school grounds
- While going to or coming from school
- During the lunch period, whether on or off the school campus
- During, going to, or coming from a school-sponsored activity

Teacher-Initiated Suspensions Pursuant to Section 48910

The Board desires the adoption of a Multi-Tiered System of Support which includes Positive Behavior Intervention Supports to facilitate a consistent approach for positive, pro-social behavior management (BP 5144). The District expects teachers to attempt interventions prior to initiating a suspension pursuant to Section 48910 except where suspension for a first offense is permitted or mandated by law, as described on pp. 8-9 below.

When removing a student from his/her class pursuant to Section 48910, 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 removed. (Education Code 48910)

The site administrator or designee shall ensure that site staff completed the following:

- The teacher completed the Teacher-Initiated Pupil Suspension Report and, starting in the 2019-20 school year, the office referral form.
- The teacher contacted the parent/guardian to request their participation in a parent-teacher conference regarding the suspension within 24 hours. 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)
- The site administrator or designee reviewed the office referral form and completed the in-school suspension form if warranted.
- The site administrator or designee contacted parent/guardian regarding the suspension.
- The site administrator or designee recorded the classroom interventions and referral in the District database.

A student suspended from class pursuant to Section 48910 shall not be returned to class during the period of suspension without the approval of the teacher of the class and the principal. (Education Code 48910)

A student suspended from class pursuant to Section 48910 shall not be placed in another regular class during the period of suspension. However, if a student is assigned to more than one class per day, he/she may be placed in any other regular classes except those held at the same time as the class from which the student was removed. (Education Code 48910)

The teacher of any class from which a student is suspended pursuant to Section 48910 shall require the student to complete any assignments and tests missed during the suspension. The school will monitor and address the educational needs of the student that arise due to the loss of instructional time. (Education Code 48913)

When suspending a student in Grades TK-3 from class for committing an obscene act or engaging in habitual profanity or vulgarity, the teacher of the class may require any parent/guardian who lives with the student to attend a portion of the school day in the class from which the student is being suspended, to assist in resolving the classroom behavior problems. (Education Code 48900.1) The teacher of the class may also require any parent/guardian who lives with the student to attend a portion of the school day in the class to assist in resolving classroom behavior problems.

When suspending a student in Grades 4-12 from class for committing an obscene act or engaging in habitual profanity or vulgarity, disrupting school activities, or otherwise willfully defying valid staff authority, the teacher of the class may require any parent/guardian who lives with the student to attend a portion of the school day in the class from which the student is being suspended, to assist in resolving the classroom behavior problems. (Education Code 48900.1)

When suspending a student in any grade from class for committing an obscene act, engaging in habitual profanity or vulgarity, the teacher of the class may require any parent/guardian who lives with the student to attend a portion of the school day in the class from which the student is being suspended, to assist in resolving the classroom behavior problems. (Education Code 48900.1) The teacher of the class may also require any parent/guardian who lives with the student to attend a portion of the school day in the class to assist in resolving classroom behavior problems.

Teachers should reserve the option of required parental attendance for cases in which they have determined that it is the best strategy to promote positive interaction between the teacher and the student and his/her parents/guardians and to improve the student's behavior.

Any teacher requiring parental attendance pursuant to this policy shall apply the policy uniformly to all students within the classroom. (Education Code 48900.1)

When a teacher makes this request, the principal shall send the parent/guardian a written notice that the parent/guardian's attendance is requested pursuant to law. (Education Code 48900.1)

The notice shall specify that the attendance may be on either the date the student is scheduled to return to class or within one week thereafter.

This notice shall also:

- Inform the parent/guardian when his/her presence is expected and by what means he/she may arrange an alternate date
- Ask the parent/guardian to meet with the principal after the visit and before leaving school, as required by Education Code 48900.1

At the meeting with the student's parent/guardian, the principal or designee shall explain the district's and school's discipline policies, including the disciplinary strategies that may be used to achieve proper student conduct.

When a parent/guardian does not respond to the request to attend school, the principal or designee shall contact him/her by telephone, mail, or other method that maintains the confidentiality of the student's records.

District regulations shall include procedures for implementing parental attendance requirements. Parents/guardians shall be notified of this policy prior to its implementation. (Education Code 48900.1)

Suspensions by Superintendent, Principal, or Designee

The Board does not support a zero tolerance approach to discipline except where mandated by law. Schools may not adopt zero tolerance policies that conflict with District discipline policies. The Board desires that schools will adopt, engage, and implement positive approaches to addressing problem behavior prior to initiating the suspension of a student.

Suspension for a first time offense is limited to certain serious offenses (listed below in permissible and mandatory categories) or where it can be documented that the presence of a student causes a danger to persons.

Defiance

As provided in California Education Code section 48900(k), no student enrolled in grades T-Kindergarten through third grade may be suspended or expelled for disrupting school activities or willfully defying the authority of school personnel ("disruption and willful defiance") and no student regardless of grade may be expelled for willful defiance or disruption.

Effective July 1, 2019, no student enrolled in grades T-Kindergarten through twelve (TK-12) grades may be suspended or expelled for disrupting school activities or willfully defying the authority of school personnel. Suspension and expulsion shall not be imposed for a violation of Education Code section 48900(k), including disruption of school activities or willful defiance. The District expects schools to develop appropriate interventions, for example, behavioral plans, restorative circles, or SEL groups for students who engage in a pattern of defiant behavior.

Defiance is when a student continues to disobey a school official, teacher, or administrator after having been taught the rules and expectations of the school and the student displays behavior that directly interferes with the rights of others to learn.

The Board will review data regarding suspensions for defiance in Grades 4 through 12 in August and January. If, based on review of the data, it appears further steps should be undertaken to meet the goal of eliminating suspensions for defiance, the Board will direct the Superintendent to implement such additional measures to achieve the goal of no suspensions for defiance by July 1, 2020.

Discipline and Intervention Matrix for Administrators

Attached to this Administrative Regulation is the discipline and intervention matrix aligned to the District's Multi-Tiered System of Support framework that models a progressive and holistic approach to discipline. As provided in the Board Policy, each school is responsible for adopting strategies, programs, and interventions within this framework to facilitate a positive approach to behavior management. Even if suspension is appropriate, administrators must first consider whether other interventions should be used.

Except where suspension for a first offense is permitted or mandatory (as described above), in-school and out-of-school suspension and other sanctions that result in a student's loss of instruction shall only be imposed when the principal or designee has determined that other means of correction that are consistent with District policies and procedures have failed to bring about proper conduct. (Education Code 48900.5)

As described in AR 5144, interventions and other alternatives to suspension should be attempted and evaluated prior to referral from the classroom. In addition, the principal or designee shall document the other means of correction used and retain them in the student's record. (Education Code 48900.5)

The Principal or designee shall complete the suspension form and record the suspension in the District's database.

The Superintendent, principal, or designee may suspend a student from school for not more than five consecutive school days unless the suspension is extended pending expulsion. (Education Code 48911)

A student may be suspended from school for not more than 20 school days in any school year unless, for purposes of adjustment, the student enrolls in or is transferred to another regular school, an opportunity school, or continuation school or class, in which case suspension shall not exceed 30 days in any school year. However, this restriction on the number of days of suspension does not apply when the suspension is extended pending an expulsion. (Education Code 48903, 48911, 48912)

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)

Suspensions shall be initiated according to the following procedures:

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 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. 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)

Administrative Actions: All requests for student suspension are to be processed by the principal or designee. All suspensions shall be recorded in the District database. 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)

Notice to Parents/Guardians: At the time of the suspension, a school employee shall make a reasonable effort to contact the parent/guardian by telephone or in person. Whenever a student is suspended, the parent/guardian shall be notified in writing of the suspension. (Education Code 48911)

This notice shall state the specific offense committed by the student. (Education Code 48900.8)

In addition, the notice may state the date and time when the student may return to school. If school officials wish to ask the parent/guardian to confer regarding matters pertinent to the suspension, the notice may add that state law requires the parent/guardian to respond to such requests without delay.

Parent/Guardian Conference: Whenever a student is suspended, school officials may meet 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)

Although the parent/guardian is required to respond without delay to a request for a conference about his/her child's behavior, 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 readmission solely because the parent/guardian failed to attend the conference. (Education Code 48911)

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 Principal may, in writing, extend the suspension until such time as the Board has made a decision. (Education Code 48911)

Any extension of the original period of suspension shall be preceded by notice of such extension with an offer to hold a conference concerning the extension, giving the student an opportunity to be heard. This conference may be held in conjunction with a meeting

requested by the student or parent/guardian to challenge the original suspension. Extension of the suspension may be made only if the Superintendent or Principal determines, following a meeting in which the student and the student's parent/guardian were invited to participate, that the student's presence at the school or at an alternative school would endanger persons or property or threaten to disrupt the instructional process. (Education Code 48911)

If the student involved is a foster youth, the Superintendent or designee shall notify the district liaison for foster youth of the need to invite the student's attorney and a representative of the appropriate county child welfare agency to attend the meeting. (Education Code 48853.5, 48911, 48918.1)

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.

The student shall be responsible for contacting the school to receive assignments to be completed during the period of the suspension. The school shall make available all assignments and tests that the student will miss while suspended.

Suspension by the Board

The Board may suspend a student for any of the acts listed in "Grounds for Suspension and Expulsion" above and within the limits specified in "Suspensions by Superintendent, Principal, or Designee" above. (Education Code 48912)

The Board may suspend a student enrolled in a continuation school or class for a period not longer than the remainder of the semester if any of the acts listed in "Grounds for Suspension and Expulsion" occurred. The suspension shall meet the requirements of Education Code 48915. (Education Code 48912.5)

When the Board is considering a suspension, disciplinary action, or any other action (except expulsion) against any student, it shall hold a closed session if a public hearing would lead to disclosure of information violating a student's right to privacy under Education Code 49073-49079. (Education Code 35146, 48912)

The Board shall provide the student and his/her parent/guardian with written notice. Upon receiving this notice, the student or parent/guardian may request a public meeting, and this request shall be granted if made in writing within 48 hours after receipt of the Board's notice. However, any discussion that conflicts with any other student's right to privacy still shall be held in closed session. (Education Code 35146, 48912)

Supervised Suspension Classroom

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 a supervised suspension classroom in a separate classroom, building, or site for the entire period of suspension. The following conditions shall apply: (Education Code 48911.1)

The supervised suspension classroom shall be staffed in accordance with law and by certificated employees.

The student shall have access to appropriate counseling services.

The supervised suspension classroom shall promote completion of schoolwork and tests missed by the student during the suspension.

The student shall be responsible for contacting his/her teacher(s) to receive assignments to be completed in the supervised suspension classroom except where otherwise set out in the student's Individualized Education Program (IEP) or Section 504 plan. 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.

The Principal or designee shall complete the in-school suspension form and record the suspension in the District's database.

At the time a student is assigned to a supervised suspension classroom, the principal or designee shall notify the student's parent/guardian in person or by telephone. When the assignment is for longer than one class period, this notification shall be made

in writing. (Education Code 48911.1)

Involuntary Transfer

The District may not involuntarily transfer a student in Grades TK- 3rd grade to another school based on a finding of disruption of school activities or willful defiance of the authority of school personnel (California Education Code section 48900(k)).

Effective July 1, 2019, the District may not involuntarily transfer a student to another school based on a finding of disruption of school activities or willful defiance of the authority of school personnel (California Education Code section 48900(k)).

Involuntary transfers may only occur following a recommendation for expulsion and after a hearing before the District's Disciplinary Hearing Panel (DHP) consistent with the requirements in Education Code section 48918 and the notice and hearing procedures set forth below for expulsions. In addition, an involuntary transfer to a continuation school must be made pursuant to Education Code section 48432.5.

Expulsions

The Board shall expel, as required by law, any student found to have committed any offense listed below under "Mandatory Recommendation and Mandatory Expulsion" (see page 13). (Education Code 48915)

For all other grounds listed under "Grounds for Suspension and Expulsion," the Board shall order a student expelled upon the recommendation of the Superintendent, principal, or designee only if the Board makes a finding of either or both of the following: (Education Code 48915(b) and (e))

- That other means of correction have repeatedly failed to bring about proper conduct
- 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

Authority to Expel

A student may be expelled only by the Board. (Education Code 48918(j))

The Board shall expel, as required by law, any student found to have committed any offense listed below under "Mandatory Recommendation and Mandatory Expulsion." (Education Code 48915)

For all other grounds listed above under "Grounds for Suspension and Expulsion," the Board shall order a student expelled upon the recommendation of the Superintendent, principal, or designee, only if the Board makes a finding of either or both of the following: (Education Code 48915(b) and (e))

- That other means of correction are not feasible or have repeatedly failed to bring about proper conduct
- 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

Recommendation for Expulsion Expected Unless It Is Not Appropriate or Alternative Means of Correction Would Address the Conduct

Unless the Superintendent, principal, or designee 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(a))

- Causing serious physical injury to another person, except in self-defense

- Possession of any knife as defined in Education Code 48915(g), explosive, or other dangerous object of no reasonable use to the student
- 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
- Robbery or extortion
- 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)

Mandatory Recommendation and Mandatory Expulsion

The Superintendent, principal, or designee shall recommend that the Board expel any student found at school or at a school activity to be: (Education Code 48915(c))

Possessing, as verified by a district employee, selling, or otherwise furnishing a firearm.

Possession of an imitation firearm, as defined in Education Code 48900(m), shall not be regarded as an offense requiring a mandatory recommendation for expulsion and mandatory expulsion. However, an administrator shall have discretion on a case-by-case basis to recommend expulsion for the possession of an imitation firearm.

Brandishing a knife as defined in Education Code 48915(g) at another person

Unlawfully selling a controlled substance listed in Health and Safety Code 11053-11058

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

Possessing an explosive as defined in 18 USC 921

Upon finding that the student committed any of the above acts, the Board shall expel the student. (Education Code 48915)

Student's Right to Expulsion Hearing

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 one of the acts listed above under "Grounds for Suspension and Expulsion." (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))

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)

Receive five days' notice of his/her scheduled testimony at the hearing

Have up to two adult support persons of his/her choosing present at the hearing at the time he/she testifies

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)

The rights of a complaining witness are further outlined in Administrative Regulation 5145.7 (Sexual Harassment).

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))

- The date and place of the hearing.
- A statement of the specific facts, charges, and offense upon which the proposed expulsion is based.
- A copy of district disciplinary rules which relate to the alleged violation.
- 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).
- 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 advisor.

Legal counsel means an attorney or lawyer who is admitted to the practice of law in California and is an active member of the State Bar of California.

Nonattorney advisor means an individual who is not an attorney or lawyer, but who is familiar with the facts of the case and has been selected by the student or student's parent/guardian to provide assistance at the hearing.

- The right to inspect and obtain copies of all documents to be used at the hearing.
- The opportunity to confront and question all witnesses who testify at the hearing.
- 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

At least 10 days prior to a hearing to determine if a student who is a foster youth as defined under Education Code 48853.5 should be expelled for an offense not requiring a mandatory recommendation for expulsion, the Superintendent or designee shall notify the student's attorney and a representative of an appropriate county child welfare agency. If the hearing is pursuant to an offense requiring a mandatory expulsion recommendation, the Superintendent or designee may provide the same notification. The notice shall be provided by the most cost-effective method possible, including by email or a telephone call. (Education Code 48918.1)

Conduct of Expulsion Hearing

Closed Session: Notwithstanding the provisions of Government Code 54953 and Education Code 35145, the Board shall conduct a hearing to consider the expulsion of the student in a session closed to the public unless the student requests in writing at least five days prior to the hearing that the hearing be a public meeting. If such a request is made, the meeting shall be public unless another student's privacy rights would be violated. (Education Code 48918(c))

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))

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))

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))

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" 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.

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)

- Any complaining witness shall be given five days' notice before being called to testify.
- Any complaining witness shall be entitled to have up to two adult support persons, including, but not limited to, a parent/guardian or legal counsel, present during his/her testimony.
- Before a complaining witness testifies, support persons shall be admonished that the hearing is confidential.
- The person presiding over the hearing may remove a support person whom he/she finds is disrupting the hearing.
- If one or both support persons are also witnesses, the hearing shall be conducted in accordance with Penal Code 868.5.

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.

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.

The district shall provide a room separate from the hearing room for the use of the complaining witness before and during breaks in testimony.

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.

The person conducting the hearing may:

- Arrange the seating within the hearing room so as to facilitate a less intimidating environment for the complaining witness
- 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
- Permit one of the support persons to accompany the complaining witness to the witness stand

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. Alternatively, the Board may appoint an impartial administrative panel composed of three or more certificated personnel, none of whom shall be members of the Board or on the staff of the school in which the student is enrolled. (Education Code 48918(d))

A hearing conducted by the hearing officer or administrative panel shall conform to the same procedures applicable to a hearing conducted by the Board as specified above in "Conduct of Expulsion Hearing," including the requirement to issue its 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 expulsion referral was made, unless the parent, guardian, or responsible adult of the pupil requests another school placement in writing. Before the placement decision is made by the parent, guardian, or responsible adult, the superintendent of schools or the superintendent's designee shall consult with school district personnel, including the pupil's teachers, and the parent, guardian, or responsible adult regarding any other school placement options for the pupil in addition to the option to return to his or her classroom instructional program from which the expulsion referral was made. If the hearing officer or administrative panel finds that the pupil committed any of the acts specified in subdivision (c) of Section 48915, but does not recommend expulsion, the pupil shall be immediately reinstated and may be referred to his or her prior school or another comprehensive school, or, pursuant to the procedures set forth in Section 48432.5, a continuation school of the school district. The decision not to 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 for a period of one year. (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, the final action to expel shall be taken by the Board at a public meeting. (Education Code 48918(j))

If the Board conducts the hearing and reaches a decision not to expel, this decision shall be final and the student shall be reinstated immediately.

Upon ordering an expulsion, the Board shall set a date when the student shall be reviewed for readmission to a school within the district. For a student expelled for 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)

- Periodic review, as well as assessment at the time of review, for readmission
- 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:

- The specific offense committed by the student for any of the causes for suspension or expulsion listed above under "Grounds for Suspension and Expulsion" (Education Code 48900.8)
- The fact that a description of readmission procedures will be made available to the student and his/her parent/guardian (Education Code 48916)
- Notice of the right to appeal the expulsion to the County Board of Education (Education Code 48918)
- Notice of the alternative educational placement to be provided to the student during the time of expulsion (Education Code 48918)
- Notice of the student's or parent/guardian's obligation to inform any new district in which the student seeks to enroll of the student's status with the expelling district, pursuant to Education Code 48915.1 (Education Code 48918)

Decision Not to Enforce Expulsion Order

In accordance with Board policy, when deciding whether to suspend the enforcement of an expulsion order, the Board shall take into account the following criteria:

- The student's pattern of behavior
- 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:

- 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)
- During the period when enforcement of the expulsion order is suspended, the student shall be on probationary status. (Education Code 48917)
- The suspension of the enforcement of an expulsion order may be revoked by the Board if the student commits any of the acts listed under "Grounds for Suspension and Expulsion" above or violates any of the district's rules and regulations governing student conduct. (Education Code 48917)
- 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)

- 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)

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))

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)

Right to 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)

The student shall submit 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 furnishment 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)

Post-Expulsion Placements

The Board shall refer expelled students to a program of study that is: (Education Code 48915, 48915.01)

- Appropriately prepared to accommodate students who exhibit discipline problems
- Not provided at a comprehensive middle, junior, or senior high school or at any elementary school, unless the program is offered at a community day school established at such a site
- Not housed at the school site attended by the student at the time of suspension

When the placement described above is not available and when the County Superintendent so certifies, students expelled for acts described in items #6-13 and #20-22 under "Grounds for Suspension and Expulsion" 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

Readmission procedures shall be as follows:

- On the date set by the Board when it ordered the expulsion, the district shall consider readmission of the student. (Education Code 48916)
- 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.
- The Superintendent or designee shall transmit to the Board his/her recommendation regarding readmission. The Board shall consider this recommendation in closed session if information would be disclosed in violation of Education Code 49073-49079. If a written request for open session is received from the parent/guardian or adult student, it shall be honored.
- 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.

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)

If the Board denies the readmission of a student, the Board shall determine either to continue the student's placement in the alternative educational program initially selected or to place the student in another program that serves expelled students, including placement in a county community school. (Education Code 48916)

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 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)

Outcome Data

The Superintendent or designee shall maintain the following data and report such data annually to the California Department of Education, using forms supplied by the California Department of Education: (Education Code 48900.8, 48916.1)

- The number of students recommended for expulsion
- The specific grounds for each recommended expulsion
- Whether the student was subsequently expelled
- Whether the expulsion order was suspended
- The type of referral made after the expulsion
- The disposition of the student after the end of the expulsion period

Public Reporting of Discipline Data

The Superintendent or designee shall ensure that the following data is publicly available on the District's public website twice annually, within 60 days after the completion of each semester:

- The aggregate number and rates of office referrals, teacher suspensions, supervised in-school and out-of-school suspensions, involuntary transfers, expulsion referrals, expulsions, on-campus citations, school-based arrests, and four-year graduation and drop-out rates, disaggregated by all subgroups, including race, gender, ethnicity, English Language Learner status, socio-economic status, foster youth, homeless youth, and disability and by offense for the district and by school-site.
- The number of instructional days and ADA funding lost to suspensions, transfers, and expulsions.
- The school sites to which students were transferred after the Disciplinary Review Hearing procedure or through any involuntary transfer process, whether they enrolled subsequently, and the outcomes for such students, including, but not limited to, graduation and drop-out rates.

In reporting such data, the privacy of individual students and teachers shall be protected. Data will not be disaggregated in any manner that could reveal student identity to the public or to knowledgeable members of the school community. The data shall be reported for the district as a whole and for each school-site.

The procedures shall also include requirements that appropriate district and school officials regularly review this data and take action to address disparities or disproportionate use of punitive discipline measures for particular subgroups.

Expungement of Student Disciplinary Records

As provided in Board Policy 5144.3, a student, parent, guardian, appointed advocate on behalf of the student, or Superintendent on behalf of a student may apply for expungement of student disciplines record which meet the criteria set forth in BP 5144.3.

(D) Procedures to Notify Teachers of Dangerous Pupils (EC 49079)

Notice Regarding Student Offenses

When a student commits certain offenses that may endanger staff or others, the following procedures shall be implemented to notify staff members as appropriate:

Acts That Are Grounds for Suspension or Expulsion

The Superintendent or designee shall inform the teacher(s) of each student who, during the previous three school years, has engaged in or is reasonably suspected to have engaged in any act, except the possession or use of tobacco products, that would constitute a ground for suspension or expulsion as specified in AR 5144.1 - Suspension and Expulsion/Due Process. This information shall be based upon district records maintained in the ordinary course of business or records received from a law enforcement agency. (Education Code 49079)

Upon receiving a transfer student's record regarding acts committed by the student that resulted in suspension or expulsion, the Superintendent or designee shall inform the student's teacher(s) that the student was suspended from school or expelled from the former district and of the act that resulted in the suspension or expulsion. (Education Code 48201)

Information received by teacher(s) shall be received in confidence for the limited purpose for which it was provided and shall not be further disseminated by the teacher. (Education Code 48201, 49079)

Offenses Reported to the District by a Court

When informed by a court that a minor student has been found by the court to have committed any felony or any misdemeanor involving curfew, gambling, alcohol, drugs, tobacco products, carrying of weapons, a sex offense listed in Penal Code 290, assault or battery, larceny, vandalism, or graffiti, the Superintendent or designee shall expeditiously notify the school principal. (Welfare and Institutions Code 827)

The principal shall expeditiously disseminate this information to any counselor who directly supervises or reports on the student's behavior or progress and to any teacher or administrator directly supervising or reporting on the student's behavior or progress whom the principal thinks may need the information in order to work with the student appropriately, avoid being needlessly vulnerable, or protect others from vulnerability. (Welfare and Institutions Code 827)

Any court-initiated information that a teacher, counselor, or administrator receives shall be kept confidential and used only to rehabilitate the student and protect other students and staff. The information shall be further disseminated only when communication with the student, parent/guardian, law enforcement staff, and probation officer is necessary to rehabilitate the student or to protect students and staff. (Welfare and Institutions Code 827)

When a student is removed from school as a result of an offense, the Superintendent shall hold the court's information in a separate confidential file until the student is returned to the district. If the student is returned to a different district, the Superintendent shall transmit the information provided by the student's parole or probation officer to the superintendent of the new district of attendance. (Welfare and Institutions Code 827)

Any confidential file of court-initiated information shall be kept until the student becomes 18, graduates from high school, or is released from juvenile court jurisdiction, whichever occurs first, and shall then be destroyed. (Welfare and Institutions Code 827)

In order to maintain confidentiality when providing information about student offenses to a counselor or teacher, the principal or designee shall send the staff member a written notification that a student has committed an offense that requires review of a student's file in the school office. This notice shall not name or otherwise identify the student. The staff member shall initial the notification and shall also initial the student's file when reviewing it in the school office.

(E) Sexual Harassment Policies (EC 212.6 [b])

Definitions

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, regardless of whether or not the conduct is motivated by sexual desire. Conduct is considered to be sexual harassment when made against another person of the same or opposite sex in the work or educational setting under any of the following conditions: (Education Code 212.5; Government Code 12940; 2 CCR 11034)

- Submission to the conduct is made explicitly or implicitly a term or condition of the individual's employment.
- Submission to or rejection of the conduct is used as the basis for an employment decision affecting the individual.
- The conduct has the purpose or effect of having a negative impact upon the individual's work performance or of creating an intimidating, hostile, or offensive work environment.
- 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. For purposes of applying the complaint procedures specified in Title IX of the Education Amendments of 1972, sexual harassment is defined as any of the following forms of conduct that occurs in an education program or activity in which a district school exercises substantial control over the context and respondent: (34 CFR 106.30, 106.44)
- A district employee conditioning the provision of a district aid, benefit, or service on the student's participation in unwelcome sexual conduct
- Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the district's education program or activity

Sexual assault, dating violence, domestic violence, or stalking as defined in 20 USC 1092 or 34 USC 12291

Examples of Sexual Harassment

Examples of actions that might constitute sexual harassment under state or federal law in accordance with the definitions above, in the work or educational setting, whether committed by a supervisor, a co-worker, or a non-employee, include, but are not limited to:

- 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
- Unwelcome visual conduct such as drawings, pictures, graffiti, or gestures; sexually explicit emails; displaying sexually suggestive objects
- 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

Title IX Coordinator/Compliance Officer

The district designates the following individual(s) as the responsible employee(s) to coordinate its efforts to comply with Title IX of the Education Amendments of 1972 in accordance with AR 4119.12/4219.12/4319.12 - Title IX Sexual Harassment Complaint Procedures, as well as to oversee, investigate, and resolve sexual harassment complaints processed under AR 4030 - Nondiscrimination in Employment.

The Title IX Coordinator(s) may be contacted at:

Asst. Superintendent of Educational Services
2060 Challenger Drive
Alameda, CA 94501
(510) 337-7095
kzazo@alamedaunified.org

Training

Every two years, the Superintendent or designee shall ensure that supervisory employees receive at least two hours, and nonsupervisory employees receive at least one hour, of classroom or other effective interactive training and education regarding sexual harassment. All newly hired employees and employees promoted to a supervisory position 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)

Such training may be completed by employees individually or as part of a group presentation, may be completed in shorter segments as long as the applicable hourly requirement is met, and may be provided in conjunction with other training provided to the employees. The training shall be presented by trainers or educators with knowledge and expertise in the prevention of harassment, discrimination, and retaliation. (Government Code 12950.1)

The district's sexual harassment training and education program shall include, but is not limited to, the following: (Government Code 12950.1; 2 CCR 11024)

- Information and practical guidance regarding federal and state laws concerning the prohibition, prevention, and correction of sexual harassment
- The types of conduct that constitute sexual harassment
- Remedies available for victims in civil actions, and potential employer/individual exposure/liability
- Strategies to prevent harassment in the workplace

- Supervisors' obligation to report sexual harassment, discrimination, and retaliation of which they become aware
- 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
- The limited confidentiality of the complaint process
- Resources for victims of unlawful harassment, such as to whom they should report any alleged harassment
- Steps necessary to take appropriate remedial measures to correct harassing behavior, which includes the district's obligation to conduct an effective workplace investigation of a harassment complaint
- What to do if the supervisor is personally accused of harassment
- The essential elements of the district's anti-harassment policy, and how to use the policy if a harassment complaint is filed

Employees shall receive a copy of the district's sexual harassment policy and administrative regulations, which they shall read and acknowledge that they have received. Information, including practical examples, of harassment based on gender identity, gender expression, and sexual orientation. Prevention of abusive conduct, including a review of the definition and elements of abusive conduct pursuant to Government Code 12950.1, the negative effects that abusive conduct has on the victim and other in the workplace, the detrimental consequences of this conduct on employee productivity and morale, and that a single act does not constitute abusive conduct unless the act is severe or egregious.

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

The Superintendent or designee shall notify employees that the district does not discriminate on the basis of sex as required by Title IX, that the Title IX nondiscrimination requirement extends to employment, and that inquiries about the application of Title IX to the district may be referred to the district's Title IX Coordinator and/or to the Assistant Secretary for Civil Rights, U.S. Department of Education. (34 CFR 106.8)

The district shall notify employees, bargaining units, and applicants for employment of the name or title, office address, email address, and telephone number of the district's Title IX Coordinator. (34 CFR 106.8)

A copy of the Board policy and this administrative regulation shall:

- 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 (Education Code 231.5)
- 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 (Education Code 231.5)
- Appear in any school or district publication that sets forth the school's or district's comprehensive rules, regulations, procedures, and standards of conduct (Education Code 231.5)
- Be posted, along with the name or title and contact information of the Title IX Coordinator, in a prominent location on the district's web site (34 CFR 106.8)

- Be included, along with the name or title and contact information of the Title IX Coordinator, in any handbook provided to employees or employee organizations (34 CFR 106.8)

All employees shall receive a copy of an information sheet prepared by the California Department of Fair Employment and Housing (DFEH) or the district that contains, at a minimum, components on: (Government Code 12950)

- The illegality of sexual harassment
- The definition of sexual harassment under applicable state and federal law
- A description of sexual harassment, with examples
- The district's complaint process available to the employee
- The legal remedies and complaint process available through DFEH and the Equal Employment Opportunity Commission (EEOC)
- Directions on how to contact DFEH and the EEOC

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, the DFEH poster on discrimination in employment and the illegality of sexual harassment and the DFEH poster regarding transgender rights. (Government Code 12950)

Complaint Procedures

All complaints and allegations of sexual harassment by and against employees shall be investigated and resolved in accordance with law and district procedures. The Title IX Coordinator shall review the allegations to determine the applicable procedure for responding to the complaint. All complaints that meet the definition of sexual harassment under Title IX shall be investigated and resolved in accordance with AR 4119.12/4219.12/4319.12 - Title IX Sexual Harassment Complaint Procedures. Other sexual harassment complaints shall be investigated and resolved pursuant to AR 4030 - Nondiscrimination in Employment.

If sexual harassment is found following an investigation, the Title IX Coordinator, or designee in consultation with the Coordinator, shall take prompt action to stop the sexual harassment, prevent recurrence, and address any continuing effects.

(F) School-wide Dress Code Relating to Gang-Related Apparel (EC 35183)

Basic Principles:

All students are encouraged to dress in a manner that is comfortable and conducive to an active school day.

Students should be able to wear clothing without fear of or actual unnecessary discipline or body shaming.

The student dress code should serve to support all students to develop a body-positive self-image.

All items listed in the "must wear" and "may wear" categories below must meet these basic principles.

Students MUST Wear:

- Top
- Bottom
- Shoes

Clothing that covers specific body parts (genitals, buttocks, and areolae/nipples) with opaque material. Courses or specific class activities that include attire as part of the curriculum may include assignment-specific dress, but should not focus on covering students' bodies or promoting culturally-specific attire. Activity specific shoe requirements are permitted (Examples include but are not limited to physical education and shop class).

Students MAY Choose to Wear:

- Sun-protective clothing, including but not limited to hats, for outdoor use during the school day. (Education Code 35183.5)
- Hats, including religious headwear
- Hooded shirts/jackets (over head is allowed)*

Teachers may direct students to remove/adjust the position of hats/hoods over the head in class during the administration of a test/exam, to address headphone/earbud use issues, or to enable visual identification of a student's face. This does NOT apply to any headwear worn for religious reasons.

Students CANNOT Wear:

- Clothing that includes violent language or images
- Clothing that includes images or language depicting drugs or alcohol (or any illegal item or activity) or the use of same
- Clothing that includes hate speech, profanity, pornography
- Clothing that includes images or language that create a hostile or intimidating environment based on any protected class
- Visible underwear or bathing suits of similar design - Visible waistbands or straps on undergarments worn under other clothing are not a violation
- Helmets, hoods, or other headgear that obscures a student's identity (except as a religious observance).

A student's face must be clearly visible when taking their school photo for identification purposes. This may require the removal of a hood and/or hat. No grade of a student participating in a physical education class shall be adversely affected if the student does not wear standardized physical education apparel because of circumstances beyond the student's control. (Education Code 49066)

Training and Enforcement:

- All staff should be trained to understand the purpose/spirit of the code, the actual code, and how to enforce with the least impact on student learning and self-confidence.
- All staff must enforce the district dress code consistently, once it is adopted. All staff should not have discretion to vary the requirements in ways that lead to discriminatory enforcement.
- All staff should be trained and able to use student/body-positive language to explain the code and to address code violations.
- Enforcement should be consistent with a school's overall discipline plan. Failure to comply with the student dress code should be enforced consistently with comparable behavior and conduct violations, including access to a student advocate or ombudsperson and appeals process.

- Enforcement for students should be limited to safety and non-violence/non-discrimination and will not include messages based on body maturity.
- Violations should be treated as minor on the continuum of school rule violations.
- Students should never be removed from a classroom for a dress code violation unless they are violating the 'Students Cannot Wear' and 'Students MUST Wear' sections of the dress code. Loss of class time should be avoided or kept to a minimum.
- Students should never be forced to wear extra school clothing (that isn't their own) when they are in violation of the code. Students should be presented with a variety of options to rectify the situation. This could include but is not limited to: personal on-site clothing, school-offered clothing, and delivery of alternate clothing.
- Parents/guardians should never be called during the school day to bring alternative clothing for the student to wear for the remainder of the day unless by student request.
- No student should be disproportionately affected by dress code enforcement because of gender, race, body size, or body maturity.
- Students should not be shamed or required to display their body in front of others (students, parents, or staff) in school. "Shaming" includes but is not limited to kneeling or bending over to check attire fit, measuring/commenting on straps, skirt length, or cleavage, asking students to account for their attire in the classroom, and directing students to correct a dress code violation during instructional time.

Evaluation:

The Superintendent or designee shall annually review the effectiveness of this policy and determine, as appropriate, if any further review or revision is required.

Gang-Related Apparel

At individual schools that have a dress code prohibiting gang-related apparel at school or school activities, the principal, staff, and parents/guardians participating in the development of the school safety plan shall define "gang-related apparel" and shall limit this definition to apparel that reasonably could be determined to threaten the health and safety of the school environment if it were worn or displayed on a school campus. (Education Code 32282)

Because gang-related symbols are constantly changing, definitions of gang-related apparel shall be reviewed at least once each semester and updated whenever related information is received. As necessary, the school shall collaborate with law enforcement agencies to update definitions of gang-related apparel.

Uniforms

In schools that require a schoolwide uniform, the principal, staff, and parents/guardians of the school shall jointly select the specific uniform to be worn. (Education Code 35183)

At least six months before a school uniform policy is implemented, the principal or designee shall notify parents/guardians of this policy. (Education Code 35183)

Parents/guardians shall also be informed of their right to have their child exempted.

The Superintendent or designee shall establish criteria for determining student eligibility for financial assistance when purchasing uniforms.

Students who participate in a nationally recognized youth organization shall be allowed to wear organization uniforms on days when the organization has a scheduled meeting. (Education Code 35183)

(G) Procedure for Safe Ingress and Egress of Pupils, Parents, and Staff to and from School (EC 35294.2)

EVACUATION PROCEDURES

EVACUATION ALARM SYSTEM

A crisis or emergency may warrant an evacuation of the school building(s). Once notified of an emergency situation, the Incident Commander, will carry out the initial response actions delineated in the Emergency Preparedness and Crisis Response Plan. In consultation with members of the Incident Command Team, the principal will determine whether an evacuation is warranted or is the safest action given the character of the emergency. Incident Command Team members will immediately assume their designated response duties as activated by the Incident Commander. The Disaster Response Officer will ensure, during the evacuation itself, that all evacuation assistance personnel are operative and performing their respective duties as assigned. When a decision is made to evacuate, the Assembly /Shelter and Care Team leader will immediately report to the assembly area and inspect the area for hazards. The Assembly /Shelter and Care Team leader will notify the Disaster Response Officer immediately if the area is safe. If not, the Assembly /Shelter and Care Team will advise that the evacuation be done to the alternate assembly location. This evacuation may be a partial evacuation of only portions of the building in a localized emergency [e.g., a small chemical spill] or it may be a general evacuation of all building. When an evacuation is ordered, students and staff will be notified according to the site's Preparedness and Crisis Response REMS packet. If deemed appropriate and safe, the school's fire alarm will sound in the event of a general building evacuation. If neither mechanical system is operable, the Incident Commander will utilize office, custodial or student personnel to notify classrooms of the need to evacuate.

COORDINATING THE EVACUATION

Upon receiving the order to evacuate, staff will assume their designated positions in the school. They will then monitor the evacuation procedures and assure that all persons have left the building. Staff are also responsible to ensure that all disabled persons in the building are assisted as necessary.

1. Take emergency backpack, and attendance information.
2. Teachers evacuate with current class. If evacuation occurs outside of a class period: Return to previous class
3. Upon exit lock door to indicate room is all clear and lock door. Keep unlocked if victim is inside.
4. Check with buddy teacher. Assist/evacuate both classes if needed.
5. If on prep or don't have a class: move to nearest evacuation area and assist
6. Check common areas while evacuating.
7. Evacuate to primary location via assigned route, adjust as needed.
8. At evacuation location, line up, and take attendance.
9. List missing students on Share 911
10. Stay with class unless you are released to assume other duties.
11. Release from drill will be PA announcement/bell
12. Communicate with your students and maintain control.

EVACUATION ASSEMBLY AREAS

When ordered to evacuate, students and staff will follow the evacuation route prescribed for their respective areas and exit the building in an orderly and controlled manner. Students and staff have monthly drills to ensure proper evacuation process. Any volunteers or visitors to the classroom should be advised to go with the classroom to the assembly area. ALL students and staff must report to the assembly area and remain there until the Incident Command Team, via the Assembly/Shelter and Care Team, notifies them it is clear to return to the building. Under no circumstances are students to leave the area unless released by the teacher in strict accordance with the school's Student Release Procedures as outlined in the site's Preparedness and Crisis Response Cliff Notes. This will not be done unless it is authorized by the Incident Command Team. Teachers MUST take a head count of all persons under their care to ensure that all students, volunteers and visitors are present. This will be reported to the Assembly /Shelter and Care Team as outlined in the site's Preparedness and Crisis Response Cliff Notes.. If someone is deemed missing, the teacher is to immediately report this fact to the Assembly /Shelter and Care Team as outlined in the site's Preparedness and Crisis REMS packet.

ACCESS CONTROL PERSONNEL

Whenever an evacuation is called, the designated Security/Traffic response team (designated prior to an emergency) will automatically assume duties as traffic controllers to prevent unauthorized public vehicles or persons access to the school campus and building(s). They will function according to the duties delineation shown in the Emergency Preparedness and Crisis Response Plan.

STUDENT EARLY DISMISSAL AND EMERGENCY SCHOOL CLOSURE

During school hours, all students are considered under the care and supervision of school staff. In all circumstances, and especially in the event of emergency incidents or circumstances, the safety of the students and the school staff is of paramount importance. All actions taken shall bear in mind the safety and well-being of both students and school employees. Thus, in the event of a major emergency incident or disaster during school hours, school will not be dismissed without the expressed and clear authorization of the District Superintendent or a designee, and children will remain under the supervision of school authorities. Students will only be released from school and District responsibility in strict accordance with the procedures outlined in the District's Early Release Policy as described below. Parents/guardians or designated emergency contacts who come to the school to pick up students must properly identify themselves in order for their children to be released.

RELEASE OF STUDENTS FROM SCHOOL

AUSD and this school want to reunite parents with their children at the earliest time possible after an emergency situation or major disaster event. However, if it is not possible for parents to pick up their children or make arrangements for others to do so, students will be held at the school or other area until such time as they can be safely released. Each year the school will notify all parents of the procedure for reuniting parents with children in the event of an emergency at school. Parents are encouraged to print out and complete data confirmation each year and update their emergency contacts. In the event students are held at a school, they may be released only to the student's own parent(s) or a person authorized beforehand by the parent. As a part of annual registration, sites collect emergency contact information in AERIES. From AERIES, Emergency Cards shall be printed and used for this purpose. It is recommended sites print copies for teachers to have on hand in their emergency packs along with roll information. Office shall also print out the Emergency Student List or Emergency Cards and Parents or others must check with this school's Student Release team at the emergency Student Release Location prior to pick up of their children. Teachers will release students according to the procedure outlined under the Emergency Student Release Procedures described below.

EMERGENCY RELEASE PLAN PROCEDURES

Teachers will utilize the following procedures to properly release students from their care to a parent, legal guardian or person authorized in writing to pick up the student:

1. At time of emergency, students remain with their current classes. Teacher takes roll on an Accountability Form and await direction from Incident Commander via Student Release team.
2. Incident Command will communicate with district office for dismissal directive. Students will report to (first period or other) classes, upon Student Release team directive.
3. Students will be released only to authorized adults listed on the Emergency Card or Emergency Student List. Adults picking up students must sign Student Release Log and indicate destination. Unless otherwise directed by Incident Commander via Student Release officer, a runner takes message to teacher with name of student being released and name of adult picking up student. Teacher double-checks sign-out sheet, stamps/marks student and releases.
4. Students may go home with people listed on Emergency Card or Emergency Student List if parent can't be reached.
5. Periodically, as students are released, remaining students will be consolidated.
7. Teacher takes attendance after each consolidation, informs Assembly/Shelter and Care team as well as the Student Release team, and keeps all documentation.

(H) A Safe and Orderly School Environment Conducive to Learning (EC 35294.2)

Component:

Component I: The Social Climate, People, and Programs

Element:

Identify proposed changes to or the addition of curriculum, strategies and programs that ensure a safe and orderly environment.

Opportunity for Improvement:

Goal: By 2026-2027 we will reduce suspensions behaviors of unduplicated students by 50%. As a team we very rarely suspend but students do still spend a significant amount of time out of class with restorative work.

Equitable (AA/EL/IEP/CCEIS):

All of the above will be measured in year one as we gather our baseline.

Objectives	Action Steps	Resources	Lead Person	Evaluation
Reduce Behaviors that can lead to Suspensions	Implement proactive systems in place (structured play, social groups, in-class intervention, reteaching of Toolbox for Learning)	Toolbox for Learning, PBIS, and TOSA	C&C Team, TOSA	Principal and C&C Team

Component:

Component II: Physical Environment

Element:

Identify proposed changes to or the addition of strategies and programs that ensure a safe and orderly environment.

Opportunity for Improvement:

Goal: Provide additional exit route in an emergency in order to promote physical safety of the students and staff during an emergency

Objectives	Action Steps	Resources	Lead Person	Evaluation
Assessment of exit routes and locate any routes that may changes	Survey exit routes for any perceived issues, practice exit routes to ensure orderly/safety evacuation.	MOF if needed	Principal	Review Exit Routes with MOF if necessary

(I) School Discipline Rules and Consequences (EC 35291 and EC 35291.5)

William G. Paden Elementary School Student Conduct Code

ALAMEDA UNIFIED SCHOOL DISTRICT DISCIPLINE AND INTERVENTION PROTOCOL

Alameda Unified School District is committed to creating a safe and positive school culture in which all students feel included, supported, and respected. We want to help eliminate inequality in the use of punitive consequences and provide each child with excellent teachers who are equipped to promote academic and social emotional growth in all students. AUSD takes a positive approach to student behavior and the use of restorative practices to minimize the need for punitive consequences and maximize instructional time for every student. We recognize the importance of developing the social and emotional health of all youth and adults in our organization.

The following chart indicates the types of disciplinary action that may apply to each type of infraction. In each instance, an opportunity to teach appropriate behavior through the use of intervention, restorative practices and a corrective action is stated. Each situation or violation involving student conduct should be individualized and the least punitive action based on the violation should be taken. The administrator shall, however, determine whether a specific infraction warrants the corrective action described on the chart. Corrective action taken by the administrator shall take place after progressive discipline interventions by the school fail to bring about proper conduct. These corrective measures are intended to assist in teaching appropriateness and responsibility, while maintaining consistent student discipline on campus.

See Link to discipline matrix: <https://docs.google.com/document/d/1YyzC48Eq5WsTycFdS35jhrGP4G3nALhYghgdznwzuQ/edit#>

Conduct Code Procedures

(K) Hate Crime Reporting Procedures and Policies

Hate-motivated behavior is any behavior intended to cause emotional suffering, physical injury, or property damage through intimidation, harassment, bigoted slurs or epithets, force or threat of force, or vandalism motivated in part or in whole by bias or hostility toward the victim's real or perceived race, color, ancestry, nationality, national origin, immigration status, ethnic group identification, ethnicity, age, religion, marital status, pregnancy, parental status, physical or mental disability, medical condition, sex, sexual orientation, gender, gender identity, gender expression, or genetic information, or any other characteristic identified in Education Code 200 or 220, Government Code 11135, or Penal Code 422.55.

The Superintendent or designee shall design strategies to promote harmonious relationships among students, prevent incidents of hate-motivated behavior to the extent possible, and address such incidents in a timely manner when they occur.

The Superintendent or designee shall collaborate with regional programs and community organizations to promote an environment where diversity is celebrated and hate-motivated behavior is not tolerated. Such collaborative efforts shall focus on the development of effective prevention strategies and response plans, provision of assistance to students affected by hate-motivated behavior, and/or education of students who have perpetrated hate-motivated acts.

The district shall provide students with age-appropriate instruction that:

1. Includes the development of social-emotional learning
2. Promotes an understanding, awareness, appreciation, and respect for human rights, human relations, diversity, and acceptance in a multicultural society
3. Explains the harm and dangers of explicit and implicit biases
4. Discourages discriminatory attitudes and practices
5. Provides strategies to manage conflicts constructively

As necessary, the district shall provide counseling, guidance, and support to students who are victims of hate motivated behavior and to students who exhibit such behavior.

When appropriate, students who engage in hate-motivated behavior shall be disciplined.

The Superintendent or designee shall provide staff with training that:

1. Promotes an understanding of diversity, equity, and inclusion
2. Discourages the development of discriminatory attitudes and practices
3. Includes social-emotional learning and nondiscriminatory instructional and counseling methods
4. Supports the prevention, recognition, and response to hate-motivated behavior
5. Raises the awareness and sensitivity of staff to potentially prejudicial and discriminatory behavior
6. Includes effective enforcement of rules for appropriate student conduct

Employees who engage in hate-motivated behavior shall be subject to disciplinary action, up to and including dismissal.

Rules prohibiting hate-motivated behavior and procedures for reporting a hate-motivated incident shall be provided to students, staff, and parents/guardians.

This policy shall be posted in a prominent location on the district's website in a manner that is readily and easily accessible to parents/guardians and students. (Education Code 234.6)

Complaints

Any staff member who is notified that hate-motivated behavior has occurred, observes such behavior, or otherwise becomes aware of an incident shall immediately contact the compliance officer responsible for coordinating the district's response to complaints and complying with state and federal civil rights laws. As appropriate, the staff member shall also contact law enforcement.

A student or parent/guardian who believes the student is a victim of hate-motivated behavior is encouraged to report the incident to a teacher, the principal, the district's compliance officer, or other staff member.

Any complaint of hate-motivated behavior shall be investigated and, if determined to be discriminatory, shall be resolved in accordance with law and the district's uniform complaint procedures specified in AR 1312.3 - Uniform Complaint Procedures or other applicable procedure. If, during the investigation, it is determined that a complaint is about nondiscriminatory behavior, the principal or designee shall inform the complainant and shall take all necessary actions to resolve the complaint.

(J) Procedures to Prepare for Active Shooters

When responding to a situation that requires our school to go into lockdown (this may include, but is not limited to, an active shooter in the building), the ALICE (Alert, Lockdown, Inform, Counter, Evacuate) protocol will be followed.

ALERT

Purpose: To use clear, concise language to indicate presence and location of active shooter or other harmful individual.

Indicate lockdown and the harmful presence and/or location of threat. For example, "LOCKDOWN, There is an active shooter in the Computer Lab," or "LOCKDOWN, an armed gunman is walking through the first floor long hallway."

Anyone can alert the school community to such a situation. Do not wait for or rely on Administration or the front office staff to make the announcement. If a staff or faculty member undoubtedly sees or is notified of a harmful individual inside the school building, he or she has the authority to alert the rest of the school community of a lockdown. Some ways to alert include: the PA system, Using the classroom phone to activate LOCKDOWN, yelling, using share 911. Faculty and staff must use any means available to them to alert the school community and to spread the word. This may be a team effort where a group of individuals work together to inform everyone. If the opportunity to escape presents itself, you should do so and report to the predetermined Rally Point.

LOCKDOWN

Purpose: To allow for an aggressive use of current technology and procedures.

A traditional lockdown procedure is the first best option when in a high-risk area (or near the harmful individual). If you do not know if you are in a high-risk area, assume you are high risk and proceed to lockdown. If remaining in lockdown remains the best option, all members of the school community should work together to protect themselves.

First, close and lock classroom doors. Use belt or backpack strap to secure door handle if possible.

Create a barricade between you and students in the classroom and the intruder on the outside; use desks, chairs, shelves, cabinets and other pieces of furniture to block entry and to provide more time for survival (have smaller items near at hand in event intruder enters the room)

Gather in the area furthest from the entry point to the room; greater distance means greater safety.

Taking attendance and maintaining order are not the priority.

INFORM

Purpose: To continually communicate the shooter's whereabouts using direct and clear language. (Use Share 911 and the PA system)

By communicating with the school community, all members can make well-informed judgment calls and can be aggressive in protecting themselves. Students, faculty and staff should use every opportunity to alert others and to communicate the whereabouts of the harmful individual.

The use of share 911, phones (school or cell), yelling, and PA system are encouraged to communicate the whereabouts and will keep the intruder off balance. Working together to make informed decisions will put the intruder at a disadvantage.

COUNTER

Purpose: To apply skills to distract, confuse and gain control.

Counter is an absolute last resort. If one finds himself in close proximity to the intruder (no chance to flee or safely get away), he should apply the following counter movements to increase chances of survival:

- Throw objects at the intruder
- Distract the intruder by noise and/or movement

- Run away in a zig zag pattern
- Swarm the intruder
- Flight or fight but do not freeze
- Turn chaos into an advantage
- Use body weight and gravity to gain control

EVACUATE

Purpose: To remove as many people as possible from the danger zone to minimize targets of opportunity.

If you know the intruder's whereabouts and you are not in a high-risk area, you should Evacuate to the school's Rally Point. Only people on the first floor should exit through the windows if necessary. People on the 2nd and 3rd floors should not evacuate through windows as this may cause harm and use the safest stairwell then exit the school to the Rally Point.

REUNIFICATION

Purpose: To reunify students with their parent/guardians in a safe location

Procedures for Preventing Acts of Bullying and Cyber-bullying

Definitions:

Bullying is an unwanted, aggressive behavior that involves a real or perceived imbalance of power between individuals with the intent to cause emotional or physical harm. Bullying can be physical, verbal, or social/relational and involves repetition or potential repetition of a deliberate act.

Cyberbullying includes the electronic creation or transmission of harassing communications, direct threats, or other harmful texts, sounds, or images. Cyberbullying also includes breaking into another person's electronic account or assuming that person's online identity in order to damage that person's reputation.

Examples of the types of conduct that may constitute bullying and are prohibited by the district include, but are not limited to:

- Physical bullying that inflicts harm upon a person's body or possessions, such as hitting, kicking, pinching, spitting, tripping, pushing, taking or breaking someone's possessions, or making cruel or rude hand gestures
- Verbal bullying that includes saying or writing hurtful things, such as teasing, name-calling, inappropriate sexual comments, taunting, or threats to cause harm
- Social/relational bullying that harms a person's reputation or relationships, such as leaving a person out of an activity on purpose, influencing others not to be friends with someone, spreading rumors, or embarrassing someone in public
- Cyberbullying, such as sending demeaning or hateful text messages or emails, sending rumors by email or by posting on social networking sites, or posting embarrassing photos, videos, web site, or fake profiles

Measures to Prevent Bullying:

The Superintendent or designee shall implement measures to prevent bullying in district schools, including, but not limited to, the following:

- Ensuring that each school establishes clear rules for student conduct and implements strategies to promote a positive, collaborative school climate

- Providing to students, through student handbooks and other age-appropriate means, information about district and school rules related to bullying, mechanisms available for reporting incidents or threats, and the consequences for engaging in bullying
- Encouraging students to notify school staff when they are being bullied or when they suspect that another student is being bullied, and providing means by which students may report threats or incidents confidentially and anonymously
- Conducting an assessment of bullying incidents at each school and, if necessary, increasing supervision and security in areas where bullying most often occurs, such as classrooms, playgrounds, hallways, restrooms, and cafeterias
- Annually notifying district employees that, pursuant to Education Code 234.1, any school staff who witnesses an act of bullying against a student has a responsibility to immediately intervene to stop the incident when it is safe to do so

Staff Development:

The Superintendent or designee shall make the California Department of Education's online training module on the dynamics of bullying and cyberbullying, which includes the identification of bullying and cyberbullying and the implementation of strategies to address bullying, available annually to all certificated staff and to other employees who have regular interaction with students. (Education Code 32283.5)

The Superintendent or designee shall provide training to teachers and other school staff to raise their awareness about the legal obligation of the district and its employees to prevent discrimination, harassment, intimidation, and bullying of district students. Such training shall be designed to provide staff with the skills to:

- Discuss the diversity of the student body and school community, including their varying immigration experiences
- Discuss bullying prevention strategies with students, and teach students to recognize the behavior and characteristics of bullying perpetrators and victims
- Identify the signs of bullying or harassing behavior
- Take immediate corrective action when bullying is observed
- Report incidents to the appropriate authorities, including law enforcement in instances of criminal behavior

Student Instruction:

As appropriate, the district shall provide students with instruction, in the classroom or other educational settings, that promotes social-emotional learning, effective communication and conflict resolution skills, character/values education, respect for cultural and individual differences, self-esteem development, assertiveness skills, and appropriate online behavior.

The district shall also educate students about the negative impact of bullying, discrimination, intimidation, and harassment based on actual or perceived immigration status, religious beliefs and customs, or any other individual bias or prejudice.

Students should be taught the difference between appropriate and inappropriate behaviors, how to advocate for themselves, how to help another student who is being bullied, and when to seek assistance from a trusted adult. As role models for students, staff shall be expected to demonstrate effective problem-solving and anger management skills.

To discourage cyberbullying, teachers may advise students to be cautious about sharing passwords, personal data, or private photos online and to consider the consequences of making negative comments about others online.

Reporting and Filing of Complaints:

Any student, parent/guardian, or other individual who believes that a student has been subjected to bullying or who has witnessed bullying may report the incident to a teacher, the principal, a compliance officer, or any other available school employee.

When a report of bullying is submitted, the principal or a district compliance officer shall inform the student or parent/guardian of the right to file a formal written complaint in accordance with AR 1312.3 - Uniform Complaint Procedures. The student who is the alleged victim of the bullying shall be given an opportunity to describe the incident, identify witnesses who may have relevant information, and provide other evidence of bullying.

Within one business day of receiving such a report, a staff member shall notify the principal of the report, whether or not a uniform complaint is filed. In addition, any school employee who observes an incident of bullying involving a student shall, within one business day, report such observation to the principal or a district compliance officer, whether or not the alleged victim files a complaint.

Within two business days of receiving a report of bullying, the principal shall notify the district compliance officer identified in AR 1312.3.

When the circumstances involve cyberbullying, individuals with information about the activity shall be encouraged to save and print any electronic or digital messages that they feel constitute cyberbullying and to notify a teacher, the principal, or other employee so that the matter may be investigated. When a student uses a social networking site or service to bully or harass another student, the Superintendent or designee may file a request with the networking site or service to suspend the privileges of the student and to have the material removed.

Discipline/Corrective Actions:

Corrective actions for a student who commits an act of bullying of any type may include counseling, behavioral intervention and education, and, if the behavior is severe or pervasive as defined in Education Code 48900, may include suspension or expulsion in accordance with district policies and regulations.

When appropriate based on the severity or pervasiveness of the bullying, the Superintendent or designee shall notify the parents/guardians of victims and perpetrators and may contact law enforcement.

The Superintendent, principal, or principal's designee may refer a victim, witness, perpetrator, or other student affected by an act of bullying to a school counselor, school psychologist, social worker, child welfare attendance personnel, school nurse, or other school support service personnel for case management, counseling, and/or participation in a restorative justice program as appropriate.

(Education Code 48900.9)

If any student involved in bullying exhibits warning signs of suicidal thought or intention or of intent to harm another person, the Superintendent or designee shall, as appropriate, implement district intervention protocols which may include, but are not limited to, referral to district or community mental health services, other health professionals, and/or law enforcement.

Emergency Contact Numbers

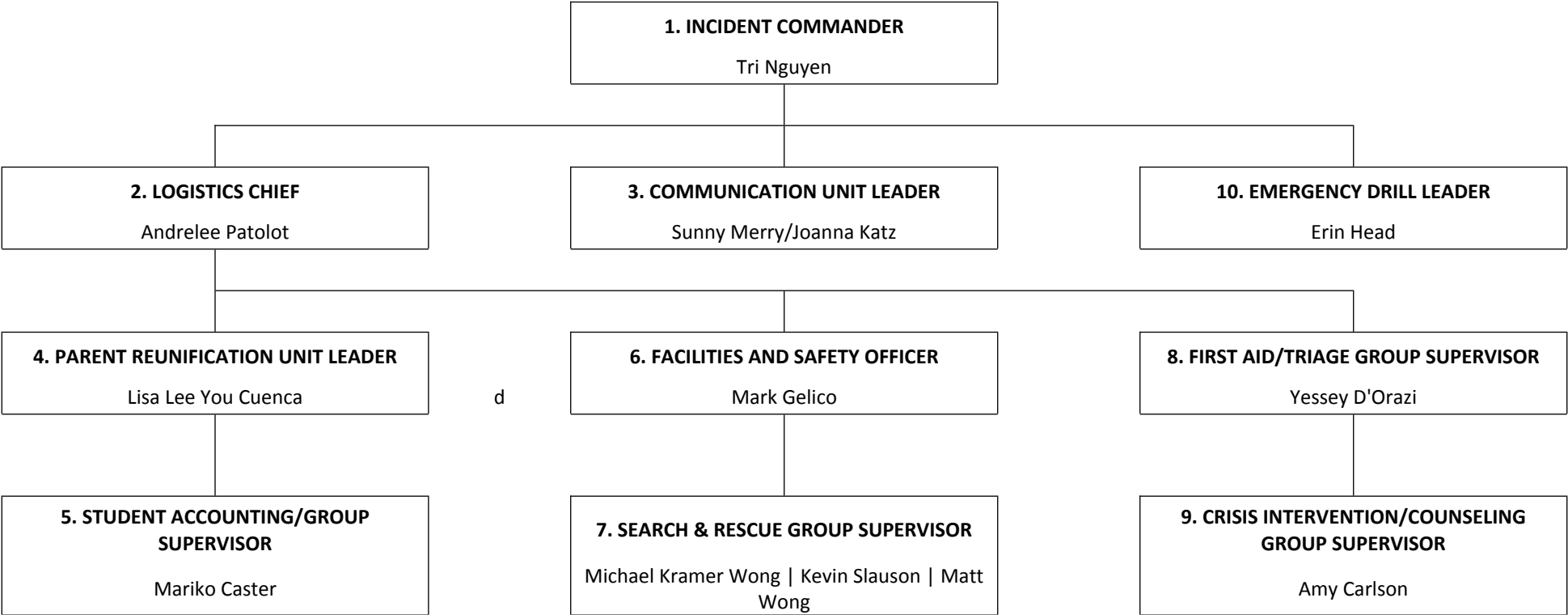
Utilities, Responders and Communication Resources

Type	Vendor	Number	Comments
City Services	City of Alameda	510-747-7400	Pascual Scuderi
Other	County of Alameda	510-208-9770	Kirsten Zazo
Law Enforcement/Fire/Paramedic	APD Non-Emergency	510-337-8340	Tanya Harris
Law Enforcement/Fire/Paramedic	Police Department	911	Monty Patterson
Other	Hazardous Materials Unit	510-567-6702	Susan Davis
Other	Health Department - Alameda County	510-267-8000	
Local Hospitals	Alameda Hospital (Emergency Room)	510-522-3700	
American National Red Cross	Red Cross	510-595-4400	
City Services	City of Alameda	510-749-5885	
City Services	County of Alameda	925-803-7800	

Safety Plan Review, Evaluation and Amendment Procedures

Activity Description (i.e. review steps, meetings conducted, approvals, etc)	Date and Time	Attached Document (description and location)
Faculty Meeting	August 2023	Emergency response training with all staff
Safety Committee Meeting	August 2023	Review of Safety Plan and procedures, roles and responsibilities, maps and evacuation routes
Faculty Meeting	September 2023	Safety Committee share out
Safety Committee Meeting	September 2023	Table top drill and training planning
Faculty Meeting	September 2023	Review of REMS roles and responsibilities
Safety Committee Meeting	October 2023	Update Safety plan with revisions
Public Hearing	February 2024	Safety plan review with community
School Community Meeting	February 2024	SSC approval of plan

William G. Paden Elementary School Incident Command System



Incident Command Team Responsibilities

Standardized Emergency Response Management System Overview

The California Standardized Emergency Management System (SEMS) is designed to centralize and coordinate emergency response through the use of standardized terminology and processes. This greatly facilitates the flow of information and resources among the agencies participating in response to an emergency. SEMS consists of five functions:

SITE ORGANIZATION DURING A DECLARED EMERGENCY COMMAND POST PERSONNEL AND DUTIES

If notified of a Declared Emergency from the Superintendent's Office, OR if the site suffers a severe disaster, the Site Manager shall immediately implement the plans and procedures in the Site Emergency Plan.

The Site Manager or Incident Commander shall:

- A. Activate alarm/Broadcast Alert on Share911 and PA to notify staff
- B. Activate Command Post and 2-way radio
- C. Activate Emergency Teams
- D. Assess total school situation
- E. Make initial site assessment report on Share911 to District Emergency Operations Center.
- F. Check to see that Site Emergency Teams are operating
- G. Assign messengers to needed areas
- H. Request help from 911 or Emergency Operations Center as required
- I. Secure information from Emergency Teams Update Site Status Reports - Report to the Emergency Operations Center
- J. Reassign team members to other duties as required when they finish initial assignment duties
- K. Personally address these items:
 - 1. Is campus secure?
 - 3. Are utilities off or secure?
 - 4. Are signs directing adults to release area up?
 - 5. Are traffic controllers needed?
 - 6. Is First Aid Center functioning?
 - 7. Have buildings been searched for victims?
 - 8. Is the student release program set up and operational?

Logistics Chief: The Site Office Manager shall:

- A. Report immediately to the Command Post with:

1. Master keys
2. Current roster of students and staff
3. Emergency forms and documents
4. Office supplies to assist unit leads

B. Assume responsibilities as directed by Site Manager

The Site Clerical Staff shall:

A. Team up with other personnel as a member of a Site Emergency Team, otherwise:

B. Report to the Site Command Post and assume responsibilities as directed by the Site Manager

The Attendance Clerk shall:

A. Keep a current file of all students release information from forms parents are required to fill out authorizing listed persons to pick up their children in case of a severe emergency. The Attendance Clerk will take these records to the Student Release Area in the Cafeteria and give them to the Student Release Team to use.

The Site Custodians shall:

A. Check the condition of the utilities and connecting pipes and lines and if necessary, turn them off.

B. Check the site completely for:

1. Fire and electrical hazards
2. Chemical hazards (Chlorine storage)
3. Other hazards

C. Notify Site Manager of hazards and services needed

D. Barricade hazardous areas using whatever materials handy

E. When site is secure, report to the Command Post for direction

F. Open emergency container and provide emergency sanitation areas if toilets are unavailable

Directions for the Instructional Staff During a Declared Emergency

Teachers and Para Professionals shall:

A. Respond immediately to emergency signals requiring specific actions and check in on Share911

B. If signal is one to Leave Building, know if signal is for:

1. Fire evacuation

2. Earthquake evacuation
3. Chemical spill evacuation

Evacuate Accordingly!

A. When leaving building:

1. Take emergency backpack
2. Require students to be silent in order to hear instructions
3. Close doors to classroom
4. Go directly to pre-assigned location

B. Check with nearby classrooms when evacuating. If there are seriously injured persons who cannot be moved, assign one teacher to remain and the other to evacuate the rest of the students. Report on Share911

C. Teachers shall provide First Aid to the best of their ability to students under their supervision until the emergency First Aid station is activated. Students with major injuries are to remain in the classroom supervised by a teacher or aide. Students with minor injuries are to be cared for after evacuation.

D. Upon reaching evacuation destination, teachers shall:

1. Take roll
2. List missing students on Share 911 and on paper
3. Give list to Assembly Area Team members
4. Calm students. Remind them of District policies about remaining at school
5. Monitor warmth and protection of students. Move if necessary

E. If assigned to a Site Emergency Team, transfer your students to paired teacher to supervise, report immediately to the Command Post for supplies and begin implementation of Team responsibilities.

USE REMS TO ESTABLISH YOUR EMERGENCY SITE TEAM

Note: Contact listing is intended to be shared with team members to enhance communication in the event of a critical incident. It is recommended that the Principal and Designee establish an intranet list server to further enhance communications. The personal information listed is intended for team members. Please type name and number under each assignment.

REMS Team Members

Incident Commander:

Establishes an Incident Command Center, lists incident objectives and designates the following positions to perform the following duties.

Logistics Chief:

Supports each unit leader with where to find the necessary tools to support the team fulfilling their duties.

Report immediately to the Command Post with:

- Master keys
- Current roster of students and staff
- Emergency forms and documents
- Office supplies to assist unit leads
- Computers and walkie talkies
- Assume responsibilities as directed by Site Manager

Communication Unit Leader:

Works with the incident commander to communicate out important information to all supervisors and the public.

Report immediately to the Command Post with:

- Computer
- Office supplies

Parent Reunification Unit Leader:

Reunification refers to getting students reunited with their parents or guardians in an efficient and orderly manner. Reunification can be an enormous challenge and takes a lot of planning.

The Student Release Team is responsible for:

- Setting up secure reunion area
- Checking student emergency cards for authorized releases
- Completing release logs
- Coordinating with the Public Information Office on external messages

Student Accounting/Group Supervisor:

Evacuation, shelter, and student care in an emergency is one of the most important tasks faced by schools. It includes student accounting, protection from weather, providing for sanitation needs, and providing for food and water and releasing of students to their guardians.

The Evacuation/Shelter/Care Team is responsible for:

- Accounting for the whereabouts of all students, staff, and volunteers
- Setting up secure assembly area
- Managing sheltering and sanitation operations
- Managing student feeding and hydration
- Coordinating with the Student Release Team
- Coordinating with the Logistics Section to secure the needed space and supplies

Search & Rescue Group Supervisor:

Search & Rescue Teams search the entire school facility, entering only after they have checked the outside for signs of structural damage and determined that it is safe to enter. Search & Rescue Teams are responsible for ensuring that all students and staff evacuate the building (or, if it is unsafe to move the persons, that their locations are documented so that professional responders can locate them easily and extricate them).

Search & Rescue Teams are also responsible for:

- Using Share 911 to identify where injuries may exist
- Obtaining injury and missing student reports from teachers
- Moving injured members from building if emergency responders are unable to do so
- Identifying and marking unsafe areas
- Conducting initial damage assessment

First Aid/Triage Group Supervisor:

First Aid Teams provide triage and treatment for students and other disaster victims. First Aid Teams are responsible for setting up first aid area for students, assessing and treating injuries, and completing master injury report.

First Aid Teams are responsible for:

- Setting up a first aid area for students
- Assessing and treating injuries
- Completing master injury report

Note: The Logistics Section Medical Unit provides care to responders. The Operations Section First Aid Team is dedicated to students or other disaster victims.

Crisis Intervention/ Counseling Group Supervisor:

The Crisis Intervention Team is responsible for assisting students and school personnel who are unable to cope with the fears and psychological trauma associated with emergencies and disasters.

This includes:

- Assessing need for onsite mental health support
- Determining need for outside agency assistance
- Providing onsite intervention/counseling
- Monitoring well-being of school emergency team, staff, and students, and reporting all findings to the Operations Section Chief

Facilities and Safety Officer:

The Facilities & Security Response Team is responsible for:

- Locating all utilities and turning them off, if necessary
- Securing and isolating fire/HazMat
- Opening Emergency Trailer
- Assessing and notifying officials of fire/HazMat
- Conducting perimeter control

Emergency Drill Leader:

The Emergency Drill Leader is responsible for:

- Training staff
- Coordinating and running all required drills
- Monitoring participations
- Reviewing after action reports
- Reporting to the incident commander

LIST SEARCH TEAM DUTY DESCRIPTIONS

SEARCH TEAM #1

Michael Kramer Wong
 Kevin Slauson
 Matt Wong
 Jessica Florey
 Jenny Zippin
 Ben Torres
 Robert Chapelle

LIST FIRST AID FUNCTION

EXAMPLE: Minimize injuries and loss of life: provide temporary care of injured students.

Set up desk at picnic tables behind multipurpose room (or if unsafe here, on blacktop near multipurpose room).

Organize supplies and treatment area.

Help with wounded.

Keep Check Out Station informed.

Request additional help (ambulances, etc.) through Check Out Station.

Look up emergency information if necessary.

LIST WHO WILL BE:

TREATMENT

Mr. Roberti

TRIAGE

Eva Cohen

RECORDER

Serena Kielty

List the things you will have to accomplish and assign to operations section or logistics section.

Examples:

Set up table, chairs and sign "Incident Command Center"

Set up operations table, logistics table.

Set up a first aid station

Put traffic cones in the street, blocking off access to the parking lot entry drive

Set up people to handle the check out of students. Display signs A-L, M-Z. Have emergency card information forms out.

Record finding of search teams

List any unaccounted for students and those in First Aid or in need of first aid.

Keep track of the walkie-talkies

Listen to radio

Use runners as necessary to retrieve information and students

Organize parent line-up and announce using bullhorn to parents that students have been evacuated

Assist in calming and organizing parents

Provide pen and paper for non-English speaking students to write their name

Communicate to District Personnel

INCIDENT COMMAND POST – Located

The Site Manager or designee is the final authority at each school. He/she must be available for all decisions, information and authority during the time the schools are isolated.

Therefore, the Site Manager and the Command Post should be housed in a central area, i.e., the front of the school, where the manager is available to radio, telephone, emergency equipment or personnel and parents.

The Command Post will begin to operate immediately after a disaster.

This is where the record keeping, communication, and major decision making will take place. The Site Manager or Incident commander will be here.

In addition, a separate Student Release Area will be established to coordinate the release of students to authorized adults. Student

release area will be in the bike cage (if inaccessible at the end of the parking lot behind the second gate.

Emergency Release Information Forms are needed at the Release Area to document the release of all students.

While the Command Post is functioning, The First Aid and Search/Assessment Teams will carry out their functions and provide information to the Incident commander about the:

1. Condition of students
2. Condition of staff
3. Condition of facilities

Management

During an emergency, the Incident Commander directs response actions from a designated Command Post. To effectively do this, the Incident Commander must constantly assess the situation, and develop and implement appropriate strategies. The Incident Commander must be familiar with the available resources, accurately document all response actions, and effectively communicate response strategies to others participating in the response. This function is typically filled by the school principal. The principal is assisted in carrying out this function by a Public Information & Liaison Officer and Safety Officer.

Planning & Intelligence

Planning and Intelligence involves the use of various methods to efficiently gather information, weigh and document the information for significance, and actively assess the status of the emergency. This understanding and knowledge about the situation at hand is vital to the effective management of a response. These activities are performed by a single person who reports directly to the Incident Commander.

Operations

All response actions are implemented under by Operations. This includes staff performing first aid, crisis intervention, search and rescue, site security, damage assessment, evacuations, and the release of students.

Logistics

Logistics supports the response by coordinating personnel; assembling and deploying volunteers; providing supplies, equipment, and services; and facilitating communications among emergency responders.

Finance & Administration

Finance & Administration involves the purchasing of all necessary materials, tracking financial records, timekeeping for emergency responders, and recovering school records following an emergency. These activities are performed by a single person who reports directly to the Incident Commander.

Types of Emergencies & Specific Procedures

Aircraft Crash

FALLEN AIRCRAFT

DEFINITION/DESCRIPTION

If an aircraft falls near the school, the principal will determine which emergency action, if any, will be taken. Local fire and police departments will be responding also. All students and staff should be kept at a safe distance to protect them from possible explosions and/or fire.

IMMEDIATE ACTION

Principal

- Determine which Action, if any, should be implemented.
- Where necessary, tell teachers they may need to take immediate action for the safety of students without waiting for directions from the principal.
- Determine, if possible, whether the aircraft is military, commercial or private. Contact the local police to determine appropriate action and refer all members of the press to the Emergency Operations Center.

Principal's Secretary

- Respond to calls.
- Assist principal as needed.
- Refer all members of the press to the Emergency Operations Center.

Teachers

- Follow principal's direction as to appropriate Action.
- Depending on the nature of the accident you may need to take Action DROP or Action TAKE COVER to protect students from a possible explosion and/or fire.

FOLLOW UP ACTION

Principal

- Provide up-to-date information to staff and students as it becomes available and arrange school site meetings to make assignments and determine plans.
- Coordinate activities of the school site team.
- Maintain contact with Emergency Operations Center and Superintendent's office.
- Arrange after-school staff meetings to debrief and clarify events.

Teachers

- Read bulletins/announcements as provided by the principal.
- Refer all media to the principal's office.
- Cooperate with the school site team to provide follow-up as appropriate.
- Refer for counseling students who may be at risk.
- Return to normal instructional activities as soon as possible.

Animal Disturbance

If a rabid or vicious animal is at or in the vicinity of the school, the Animal Control Center should be notified immediately. Teachers shall be notified Shelter In Place. Students outside of the building will be quietly and cautiously sent into the nearest building and secured in a room behind closed doors. Notify the Superintendent's Office.

Armed Assault on Campus

Follow A.L.I.C.E Procedures

Biological or Chemical Release

CHEMICAL SPILL

1. An announcement will be made to either Shelter in Place or evacuate the building and gather in the Assembly Area, depending on the situation.
2. The announcement will be made by the P.A. system, or if this fails to operate, messenger will alert classes.
3. If the Assembly Area is not safe, students will be evacuated to Lincoln Park, depending on the area of the spill and direction of the wind.

CHEMICAL ACCIDENT

1. DEFINITION/DESCRIPTION

Chemical accidents of disaster magnitude would include tank truck accidents involving large quantities of toxic gases or toxic liquids. This type of accident will likely be reported by an outside source unless the accident has occurred immediately adjacent to the school site.

2. IMMEDIATE ACTION

Principal

- a) Receive information about/review situation to determine if evacuation routes are safe (move crosswind to avoid fumes).
- b) Determine which action should be implemented.
- c) Sound alarm for appropriate action.
- d) Notify/maintain contact with Superintendent/Emergency Operations Center.
- e) Determine what further action to take.

Teachers

- a) Implement appropriate action, using alternate evacuation route if required.
- b) Maintain control of students.
- c) Take roll. Report students who are absent.
- d) Notify principal of any problems in/around area
- e) Notify principal of need for first aid, as appropriate.

Custodian

- a) Review situation to assess extent of spill, wind direction and proximity to building.
- b) Report findings to principal.
- c) Be prepared to direct fire/police department to spill site.
- d) Assist in spill clean-up or containment, as appropriate.

3. FOLLOW UP ACTION

Principal

- a) Determine, in coordination with M.O.F./Fire Department, whether buildings are habitable.
- b) Notify staff/students of any modification in schedule.
- c) Work with Emergency Operations Center to publicize information regarding accident.
- d) Arrange school site meeting to provide information to staff.

Principal's Secretary

- a) Screen all calls. Refer public to Emergency Operations Center.
- b) Refer media to Emergency Operations Center.
- c) Prepare necessary bulletins.

Teachers

- a) Read bulletins/announcements as provided by principal.
- b) Refer all media to principal's office.
- c) Cooperate with school site team to provide follow-up, as appropriate.
- d) Refer for counseling students who may be at risk.
- e) Return to normal instructional activities as soon as possible.

Bomb Threat/ Threat Of violence

1. DEFINITION/DESCRIPTION

A bomb threat will typically be received in writing or by telephone call. Responses will generally be the same with the initial exception of a person receiving a telephone threat. A copy of the Bomb Threat Checklist should be readily available for every administrative phone responder.

2. IMMEDIATE ACTION – Telephone Threat

Person Receiving Call

- a) Keep the caller on the line. Delay the caller with such statements as: “I’m sorry, I did not understand you. What did you say?”
- b) Use Bomb Threat Checklist (see form at the end of this “Bomb Threat” section). Get as much information as possible from the caller.
- c) Immediately after caller hangs up, report all information to principal.

All Office Personnel

Immediately search your work area for foreign or suspicious objects or packages. If one is found, DO NOT TOUCH OR MOVE IT!!

IMMEDIATE ACTION – Written Threat

Person Receiving Written Message

Give the message to the principal immediately upon identification.

Principal

- a) Receive/review all information about bomb threat.
- b) Determine which action should be taken.
- c) Initiate non-electronic evacuation procedure; i.e. runner or bullhorn, since electronic warnings could activate any device, being sure all evacuation routes are clear.
- d) Notify Superintendent/Police/Fire Department.
- e) Direct search of office complex, evacuation site and classrooms.
- f) Determine what further action should be taken.

Teachers

- a) Implement appropriate action, using alternate evacuation route if required.
- b) Maintain control of students.
- c) Take roll. Report students who are absent.
- d) Notify principal of any problems in or around area.
- e) Hold students until designated evacuation area has been searched and declared safe, and then conduct students to the cleared area.

Teachers assigned to the designated evacuation area will remain with the pupils; personnel who are assigned to search teams will report to the principal for briefing.

If notification of a threat is received and immediate evacuation is not ordered, teachers will search their classrooms for any unidentifiable objects. If nothing is found, resume instruction until the evacuation order is received.

Custodians

- a) Under the direction of the principal, immediately proceed with a thorough search of designated evacuation area (or other area large enough to contain the students) to provide a safe place for students evacuated from the buildings.
- b) Search, as required, to determine that no explosive is hidden in a book, clothes locker or restroom.

3. FOLLOW UP ACTION

Principal

- a) Determine, in coordination with M.O.F. and Fire Department, whether buildings are habitable.
- b) Notify staff/students of any modification in schedule, via special bulletin or telephone tree.
- c) Work with Emergency Operations Center to put messages on TV, radio and telephone system regarding any modifications in schedule.
- d) Arrange school site meeting to discuss plan.

Principal’s Secretary

- a) Screen all calls. Refer calls to Emergency Operations Center.
- b) Prepare necessary bulletins.

Teachers

- a) Read bulletins/announcements as provided by principal.
- b) Refer all media to principal's office.
- c) Cooperate with school site team to provide follow-up as appropriate.
- d) Refer for counseling students who may be at risk.
- e) Return to normal instructional activities as soon as possible.

EXPLOSION OR THREAT OF EXPLOSION

1. DEFINITION/DESCRIPTION

An explosion at the school, or the threat of an explosion, may be caused by leaking gas or a faulty boiler within a school building.

2. IMMEDIATE ACTION – EXPLOSION

Principal

- Sound the school alarm.
- Notify the Superintendent or Assistant Superintendent.
- Notify utility companies of a break or suspected break.
- Notify fire and police departments and direct further action as required.
- Notify teachers of proper action (DROP or LEAVE BUILDING).

Teachers

- Command DROP is given. Instruct students to react in the same manner on their own to this type of catastrophe in case it occurs when the teacher is temporarily not present.
- If the explosion occurred within the building, or threatened the building, immediately implement Action LEAVE BUILDING.
- Move to an area of safety and maintain control of students.
- Notify principal of students needing first aid as necessary.
- Fight incipient fires without endangering life.
- Take roll. Report absent students to principal.
- Students and staff should not return to the school until Fire Department officials declare the area safe.

IMMEDIATE ACTION - THREAT OF EXPLOSION:

Principal

- Sound the school fire alarm, or silent evacuation if electronic means could set off explosion. This will automatically implement Action LEAVE BUILDING.
- Follow procedures for principal -- 'c' and 'd' above.

Teacher

- Follow procedures for teachers -- 'c' through 'g' above.

Disorderly Conduct

CIVIL DISOBEDIENCE/MENACING INDIVIDUALS

1. DEFINITION/DESCRIPTION

Civil disobedience is defined as any assemblage on the school premises by unauthorized persons whose purpose and conduct is inimical to the orderly conduct of the school and the laws relating to the conduct of schools and the welfare of students.

WARNING: The presence of unauthorized individuals or an alert of an impending visitation. When this condition has been reported to the principal or authority in charge, he shall transmit the warning to all classes by the public address system. If the PA system is inoperable, a messenger will be sent to each classroom.

2. IMMEDIATE ACTION

The major plan of action will be to protect all personnel from undue exposure to danger. Every effort must be made to keep classes within their rooms. The following specific steps will be taken to implement the plan of action:

Principal or Designee

- a) Transmit a Shelter in Place alert to all staff members.

- b) Call the local law enforcement agencies to provide protection and to handle arrests.
- c) Make certain that a specific crime is committed before requesting arrests.
- d) School civil disobedience crimes involving arrest are listed in the Criminal Code Procedure and include the following:
 - 1. Disturbing the Peace
 - 2. Trespassing
 - 3. Loitering Around the School Grounds
- e) The principal should make an announcement to the demonstrators similar to the following:
 "I am the principal of this school. You are interfering with the orderly process of education in this school. I request that you leave. If you do not leave, I shall ask for your arrest. You are causing a disturbance."

Teachers

- a) Keep students within their locked classrooms until further notice, regardless of the bells and schedules.
- b) Lock classroom doors.
- c) Remain in charge of your class, utilizing the best judgment in occupying the students within the classroom.
- d) Precaution should be taken to protect personnel from flying glass in case of broken windows. Drapes, venetian blinds, or jalousies should be closed.
- e) Where there is evidence of a potential problem, all P.E. classes will immediately return to the locker rooms.

Custodians

Lock and secure all exterior doors.

3. FOLLOW UP ACTION

Principal

- a) Determine, in coordination with M.O.F., whether building(s) is/are habitable.
- b) Notify staff/students of any modification in schedule, via special bulletin or telephone tree.
- c) Work with Communications director to put messages regarding any modifications in schedule.
- d) Arrange school site meeting to discuss plan.

Principal's Secretary

- a) Screen all calls. Refer public to Director of Communications
- b) Refer media to Director of Communications
- c) Prepare necessary communication to community.

Teachers

- a) Read announcements as provided by principal.
- b) Refer all media to principal's office.
- c) Cooperate with school site team to provide follow-up, as appropriate.
- d) Refer for counseling students who may be at risk.
- e) Return to normal instructional activities as soon as possible.

Earthquake

Although the probability of an earthquake occurring is lower than most other emergency types, the potential for injuries and damage from one is high. It is essential that students and staff remain aware of the following basic actions:

This section removed from posted plan for security purposes. If you wish to see the full plan, contact the school principal for an appointment.

If an earthquake or other situation warrants, drop to the floor, take protective position under desks or furniture with backs to windows and hands covering head and face. Stay in position until directed to evacuate or take other protective action. If outside, move away from buildings and trees and take protective position. When situation permits, proceed to the designated assembly point. Standby: Alert students in your area to stand by for further information. Make whatever assessment of the situation is possible. Render emergency first aid as required. If inside, stay inside during ground shaking. In classrooms or offices, move away from windows, shelves and heavy objects or furniture that may fall. Take cover under a safe table, desk or counter. At the teacher's command, students should take the DROP position.

If a "shelter" (table, desk, etc.) is not available, move to an inside wall or corner, turn away from windows, kneel alongside wall, and bend head close to knees, with elbows firmly behind neck protecting face. If notebooks or jackets are handy, hold these overhead for added protection from flying glass and ceilings debris. Remain in sheltered position for at least 60 seconds or until directed to move by an adult. If in halls, on stairways, or other areas where no cover is available, students must follow the directions of the nearest teacher or school employee.

If in the library, immediately move away from windows and bookshelves and take appropriate cover. In the science lab or shops, all burners should be extinguished (if possible) before taking cover. Stay clear of hazardous chemicals that may spill. The duration of ground shaking depends on a number of factors, including the severity of the earthquake. Advise students to anticipate shorter or longer episodes of ground shaking during actual earthquakes and their aftershocks.

EARTHQUAKE HAZARDS COMMONLY FOUND IN SCHOOL BUILDINGS:

- Glass that shatters or flies around
- Objects stored above head-level on shelves, walls, and ceilings (such as unused projectors, books, science equipment, boxes)
- Objects that block movement to safe places (books on floors, tipped desks and bookcases)
- Cabinets without latches
- Objects stored on wheels
- Open shelving without a lip or restraining wire
- Free standing cabinets
- Blocked exits
- Objects in hallways that block movement (glass, tables, locker contents)

SETTLING DOWN AFTER THE FIRST SHOCK:

- After the first shock, teachers will evacuate the classrooms, being alert to the possibility of aftershocks.
- When leaving the classroom, teachers should make every effort to take with them the roll book and emergency supplies.
- Announce that no student is to return to the room unless directed to do so.
- Teachers will take classes to pre-arranged places on the campus.
- Teachers and students will remain in designated areas until re-entry to the building has been approved or they are directed to move elsewhere.
- School will remain open indefinitely until every student has been released to parents or to an authorized person.
- Do not light any fires after the earthquake because of possible gas leaks.
- If possible, notify utility companies of any break or suspected breaks in service.

THE GREAT SHAKEOUT EARTHQUAKE DRILLS

All AUSD schools are encouraged to participate in the annual Great ShakeOut Earthquake Drills. See <https://www.shakeout.org/index.html> for more information.

Explosion or Risk Of Explosion

EXPLOSION OR THREAT OF EXPLOSION

DEFINITION/DESCRIPTION

An explosion at the school, or the threat of an explosion, may be caused by leaking gas or a faulty boiler within a school building.

IMMEDIATE ACTION – EXPLOSION

Principal

- a) Sound the school alarm and report on Share911.
- b) Notify teachers of proper action (DROP or LEAVE BUILDING).

Teachers

- a) Command DROP is given. Instruct students to react in the same manner on their own to this type of catastrophe in case it occurs when the teacher is temporarily not present.
- b) If the explosion occurred within the building, or threatened the building, immediately implement Action LEAVE BUILDING.
- c) Move to an area of safety, and maintain control of students.
- d) Use Share911 to report students absent, found or needing first aid as necessary.
- e) Fight incipient fires without endangering life.
- g) Students and staff should not return to the school until Fire Department officials declare the area safe.

IMMEDIATE ACTION - THREAT OF EXPLOSION:

Principal

Sound the school fire alarm, or silent evacuation if electronic means could set off explosion. This will automatically implement Action LEAVE BUILDING.

Follow procedures for principal -- 'c' and 'd' above.

Teacher

Follow procedures for teachers -- 'c' through 'g' above.

Fire in Surrounding Area

Follow shelter in place procedures

Fire on School Grounds

DEFINITION/DESCRIPTION: A fire detected in or adjacent to any building at the school site.

IMMEDIATE ACTION

Principal or Site Safety Coordinator

- View fire or take report to determine that evacuation routes are safe.
- Notify teachers of alternate route if necessary.
- Sound school fire alarm and report on Share911.
- Determine what further action to take (i.e. send students/staff home).

Teachers

- Implement Action LEAVE BUILDING, using alternate route in necessary.
- Maintain control of students at a safe distance from the fire and fire fighting equipment.
- Take roll upon arrival at designated area. students.
- Remain with students in designated area until notified of next action.
- Notify principal of any hazards observed in/around area through Share911.
- Notify principal of need for first aid as appropriate through Share911.

Custodians

- View fire to identify location and extent.
- Report findings to principal.
- Fight incipient fire without endangering life.
- Be prepared to direct fire department to fire site.
- Shut off gas/water as appropriate.
- Shut off electricity after all necessary use of P.A. system is complete.

FOLLOW-UP ACTION

Principal

- Determine, in coordination with M.O.F. and Fire Department whether buildings) is/are habitable.
- Notify staff/students of any modification in schedule, via Share911 and special bulletin or telephone tree.
- Work with Director of Communications to put messages on TV, radio and communication system regarding any modifications in schedule
- Arrange school site meeting to discuss plan.

Principal's Secretary

- Screen all calls.
- Refer media to Director of Communication.
- Prepare necessary communications to community.

Teachers

- Read announcements as provided by principal.
- Refer all media to principal's office.
- Cooperate with school site team to provide follow-up as appropriate.
- Refer for counseling students who may be at risk.
- Return to normal instructional activities as soon as possible.

Flooding

DESCRIPTION/DEFINITION

There should be some thought and preparation for this eventuality should any sources around the school create flooding. Flooding may be the secondary effect of another disaster, such as an earthquake.

IMMEDIATE ACTION

Principal

- View flood or take report to determine that evacuation routes are safe.
- Broadcast Alert on Share911 and PA as appropriate.
- Determine what further action to take.

Teachers

- Implement appropriate Action in response to principal direction.
- Take roll upon arrival at evacuation area. Report absent students, needs for first aid and any hazards observed in/around area to principal through Share911.
- Maintain control of students at evacuation area.

Custodians

- View flood to identify location and extent.
- Report findings to principal.
- Be prepared to direct M.O.F./City to flood site/source.
- If flooding is result of school site damage, turn off water.

Follow up Plan

Principal

- Determine, in coordination with M.O.F. and Fire Department whether buildings) is/are habitable.
- Notify staff/students of any modification in schedule, via Share911 and special bulletin or telephone tree.
- Work with Director of Communications to put messages on TV, radio and communication system regarding any modifications in schedule
- Arrange school site meeting to discuss plan.

Principal's Secretary

- Screen all calls.
- Refer media to the Director of Communication.
- Prepare necessary communications to the community.

Teachers

- Read announcements as provided by the principal.
- Refer all media to the principal's office.
- Cooperate with the school site team to provide follow-up as appropriate.
- Refer for counseling students who may be at risk.
- Return to normal instructional activities as soon as possible.

Loss or Failure Of Utilities

UTILITIES LOSS OR FAILURE

CALL MOF - They will call the appropriate public works system based on the loss or failure.

LOSS OF ELECTRICAL POWER:

Consult Alameda Power

LOSS of GAS

PG&E

WATER EMERGENCY:

East Bay Municipal Utility District, colloquially referred to as "East Bay Mud"

PHONE ISSUES:

Contact Technology Information Services to report phone issues.

ADDITIONAL INFORMATION:

Contact Maintenance, Operations & Facilities at extension if any utility will be off for an extended period of time.

Notify the superintendent of the situation.

If necessary, make appropriate arrangements with Maintenance and Operations for temporary communications, water delivery and portable rest rooms.

In the event of an extended outage, consult with the cafeteria manager. The cafeteria manager will consult with Food and Nutritional Services.

If an extended outage is likely, provide an update to keep parents/guardians informed.

Motor Vehicle Crash

Step 1: Assess the injured party's condition and determine if first aid or CPR is necessary.

Step 2: If 911 needs to be contacted, delegate another individual to make the call while you administer first aid or CPR.

Step 3: Assign someone to inform others and gather any necessary emergency equipment or information.

Step 4: Once it is safe, activate the 911 alert system to notify staff that an ambulance is en route.

Step 5: Allocate staff to designated gates or entrances to assist emergency services in reaching the injured party quickly.

Step 6: All staff members must complete and submit an Accident Report to the administration for any on-campus injuries.

Step 7: Ensure that Accident Report forms are forwarded to the business office promptly.

Psychological Trauma

The sudden death, serious injury to a student or staff member either through natural causes, accidents or as the result of an act of violence, such as school shooting, missing students (known or suspected abduction), physical assault, sexual assault, non-natural or non-accidental causes or other unexpected events are, without question, a crisis. Responding to these kinds of crisis situations in a timely and effective manner is as critical as dealing with an earthquake or a fire.

1. Contact Student Services to request the District Crisis Intervention Team immediately following a serious injury, accident or death of a student or staff member.

2. Work with your school psychologist and or counselors to determine identification of short- and long-term interventions for students or staff

traumatized by the event.

3. Work with the Superintendent's office to formulate a public statement.
4. Discuss the crisis in a factual manner in follow up meetings and/or communications.
5. Be sensitive to latent behavior problems that are trauma-related.

A general message will be prepared and whenever possible parents will be contacted first in order to be the first adults to provide the information and support their children. All staff will be debriefed and supported. Activities to best meet the needs of the community will be provided aimed at providing counseling, a way for all to process (writing, drawing, and sharing). Activities such as games, music and reading may be planned over a short period of time to reduce anxiety and work demands. Follow and close monitoring for students and staff to insure latent reactions and responses.

Opioid Overdose

Step (1) Call 911 An overdose is a medical emergency. It is important to have trained medical professionals assess the condition of the overdose victim. Even though Naloxone can reverse the overdose, there may be other health problems of which the responder may not be aware. In addition, people who survive any type of overdose are at risk of experiencing other health complications because of the overdose. Getting someone examined by a medical professional is an important part of reducing the harms associated with overdosing.

It is important for trained staff to remember that Naloxone only works if there are opioids involved with the overdose. It cannot reverse an overdose from benzodiazepines, meth, cocaine, or alcohol.

Step (2) Administer Naloxone (Narcan)

Open the Naloxone blister pack; do not push the plunger.

With the victim's head tilted slightly back, place two (2) fingers over the top of the medication with your thumb securing it from the bottom.

Insert the atomizer fully and gently into their nostril

Push the plunger forward with the thumb and deliver spray of medication. (There is no need to plug the opposing nostril).

Place the person to their side (recovery position).

If the individual is still not responding within two (2) minutes, give a second dose in the opposite nostril.

Follow Up

If the victim is a student, contact parent/guardian per school policy.

Complete an Accident/Injury Report

Facilitate a debriefing with responding staff

Consider a plan of care for the students' safe return to school

Emergency Evacuation Map

[See Attachments](#)

Comprehensive School Safety Plan

**2023-24
School Year**

School: Ruby Bridges Elementary School
CDS Code: 01 61119 0111765
District: Alameda Unified School District
Address: 351 Jack London Ave.
Alameda, CA 94501
Date of Adoption:
Date of Update: 3/7/24
Date of Review:
- with Staff
- with Law Enforcement
- with Fire Authority

Table of Contents

Comprehensive School Safety Plan Purpose.....	4
Safety Plan Vision.....	4
Components of the Comprehensive School Safety Plan (EC 32281).....	5
(A) Child Abuse Reporting Procedures (EC 35294.2 [a] [2]; PC 11166).....	5
(B) Disaster Procedures (EC 35295-35297; GC 8607 and 3100).....	7
(C) School Suspension, Expulsion and Mandatory Expulsion Guidelines	10
(D) Procedures to Notify Teachers of Dangerous Pupils (EC 49079).....	30
(E) Sexual Harassment Policies (EC 212.6 [b]).....	31
(F) School-wide Dress Code Relating to Gang-Related Apparel (EC 35183).....	34
(G) Procedure for Safe Ingress and Egress of Pupils, Parents, and Staff to and from School (EC 35294.2)	37
(H) A Safe and Orderly School Environment Conducive to Learning (EC 35294.2)	39
(I) School Discipline Rules and Consequences (EC 35291 and EC 35291.5)	40
(K) Hate Crime Reporting Procedures and Policies	40
(J) Procedures to Prepare for Active Shooters.....	42
Procedures for Preventing Acts of Bullying and Cyber-bullying.....	43
Emergency Contact Numbers	47
Safety Plan Review, Evaluation and Amendment Procedures	48
Ruby Bridges Elementary School Incident Command System	49
Incident Command Team Responsibilities.....	50
Types of Emergencies & Specific Procedures.....	57
Aircraft Crash	57
Animal Disturbance.....	57
Armed Assault on Campus	57
Biological or Chemical Release.....	57
Bomb Threat/ Threat Of violence	58
Disorderly Conduct	60
Earthquake	62
Explosion or Risk Of Explosion	62

Fire in Surrounding Area63

Fire on School Grounds63

Flooding65

Loss or Failure Of Utilities66

Motor Vehicle Crash66

Psychological Trauma.....66

Opioid Overdose67

Emergency Evacuation Map.....68

Comprehensive School Safety Plan Purpose

Effective January 1, 2019, Assembly Bill 1747 (Rodriguez), School Safety Plans, became law. This bill requires that during the writing and development of the comprehensive school safety plan (CSSP), the school site council or safety committee consult with a fire department and other first responder entities in addition to currently required entities. It requires the CSSP and any updates made to the plan to be shared with the law enforcement agency, the fire department, and the other first responder entities.

The California Education Code (sections 32280-32288) outlines the requirements of all schools operating any kindergarten and any grades 1 to 12, inclusive, to write and develop a school safety plan relevant to the needs and resources of that particular school.

In 2004, the Legislature and Governor recast and renumbered the Comprehensive School Safety Plan provisions in SB 719 and AB 115. It is the intent of the Legislature in enacting the provisions to support California public schools as they develop their mandated comprehensive safety plans that are the result of a systematic planning process, that include strategies aimed at the prevention of, and education about, potential incidents involving crime and violence on school campuses.

The historical requirement of the Comprehensive School Safety Plan was presented in Senate Bill 187, which was approved by the Governor and chaptered in 1997. This legislation contained a sunset clause that stated that this legislation would remain in effect only until January 1, 2000. Senate Bill 334 was approved and chaptered in 1999 and perpetuated this legislation under the requirement of the initial legislation.

Comprehensive School Safety Plans are required under SB 719 & AB 115 and contains the following elements:

Assessment of school crime committed on school campuses and at school-related functions

- Child abuse reporting procedures
- Disaster procedures
- Suspension and expulsion policies
- Procedures to notify teachers of dangerous pupils
- Discrimination and harassment policies
- School wide dress code policies
- Procedures for safe ingress and egress
- Policies enacted to maintain a safe and orderly environment
- Rules and procedures on school discipline
- Hate crime reporting procedures

The Comprehensive School Safety Plan will be reviewed and updated by March 1st every year. In July of every year, the school will report on the status of its school safety plan including a description of its key elements in the annual school accountability report card.

A copy of the Comprehensive School Safety Plan is available for review at .

Safety Plan Vision

The Alameda Unified School District is committed to providing a quality educational environment that is safe, secure, and peaceful. The primary goal of the District is to help each student develop to the maximum of his/her capacity and function as a responsible member of a democratic society. When parents, students and staff are aware of our mutual responsibilities to keep our community safe, we can effectively promote positive student participation in all of our schools.

The School Site Emergency Plan is designed for use as a school resource for prevention/mitigation, preparedness, response, and recovery planning and training as well as functioning as a template for meeting the requirements for the annual Safety Plan Process under Senate Bill 187, Education Code Section 35294, Statutes of 1998, and the National Incident Management System. It is designed to be a living document that is updated as necessary to meet site, District, and community needs, forms, and/or requirements—therefore, it should be maintained in hard copy and electronic form.

This document is NOT intended to be a “grab and go” guide in an actual emergency.

Components of the Comprehensive School Safety Plan (EC 32281)

Ruby Bridges Elementary School Safety Committee

Juan Flores

Jessica Siebert

Glenda Machrus

Loni Carrasco

Assessment of School Safety

Current Status of School Crime. Each school is required to assess the current status of school crime committed on the school campus and at schoolrelated functions. You may accomplish this by reviewing the following type of information: Local law enforcement crime data; suspension/expulsion data; behavior referrals; counseling referrals; attendance rates; SART/SARB data; CHK Survey data; SPSA data; property damage/vandalism data; or any other data pertinent to your assessment. Insert Aeries data here.

Strategies and Programs to Provide and Maintain a High Level of Safety (EC 32281(a)1, items A-J)

Positive School Culture

Follow the 4b's

Use the 12 Tools

Student wellness and connectedness to school

(A) Child Abuse Reporting Procedures (EC 35294.2 [a] [2]; PC 11166)

Child Abuse Reporting Procedures

With concern for the total well-being of each student, employees of the district shall report known or suspected incidences of child abuse in accordance with state law and district regulations. Our employees cooperate with the child protective agencies responsible for reporting, investigating and prosecuting cases of child abuse.

A. Definition of Child Abuse

"Child Abuse," as defined by law, pursuant to Penal Code 273 and 11165, includes:

1. Physical abuse resulting in a non-accidental physical injury.
2. Physical neglect, including both severe and general neglect, resulting in negligent treatment or maltreatment of a child.
3. Sexual abuse including both sexual assault and sexual exploitation.
4. Emotional abuse and emotional deprivation including willful cruelty or unjustifiable punishment.
5. Severe corporal punishment.

B. Legal Duty to Report

Mandated child abuse reporting is governed by the Child Abuse and Neglect Reporting Act, P.C. 11164. The intent and purpose of the law is to protect children from abuse. The definition of a child is any person under 18 years of age.

Within the scope of his or her employment, any childcare custodian who has knowledge of, observes, or reasonably suspects a child is a victim of child abuse, shall report the known or suspected abuse to a child protective agency by telephone and written report. Additionally, any suspicion of mental suffering inflicted on a child where his or her well-being is endangered in any way, will also be reported.

"Mandated Reporters" are those people defined by law as "childcare custodians," "medical practitioners" and "non-medical practitioners" and include virtually all school employees.

(Penal Code 11165.7 and 11165.8) The following school personnel are required to report: teachers, administrators, supervisors of child welfare and attendance, certificated student personnel employees, employees of a child care programs, preschool teachers, school psychologists, licensed nurses, counselors, para-educators instructional aides or other classified employees trained in child abuse reporting. Employees do not need to have their employer's permission to make a child abuse report.

"Child Protective Agencies" are those law enforcement and child protective services responsible for investigating child abuse reports, including the local police or sheriff's department, county welfare or juvenile probation department and child protective services (CPS).

"Reasonable Suspicion" means that it is objectively reasonable for a person to entertain such a suspicion, based upon facts that could cause a reasonable person in a like position, drawing when appropriate on his/her training and experience, to suspect child abuse. (Penal Code 11166)

3. Employees will report known or suspected child abuse to a child protective agency by telephone immediately or as soon as practically possible and in writing within 36 hours. The reporting duties are individual and cannot be delegated to another individual.

4. When two or more persons who are required to report and both have knowledge of suspected child abuse, and when there is agreement among them, the telephone report may be made by any one of them who is selected by mutual agreement, and a single report may be made and signed by the person selected. However, if any person who knows or should know that the person designated to report failed to do so, that person then has a duty to make the report.

5. The duty to report child abuse is an individual duty and no supervisor or administrator may impede or inhibit such reporting duties. Furthermore, no person making such a report shall be subject to any sanction. Any supervisor or administrator in violation (Section 11166) is guilty of an infraction punishable by a fine not to exceed five thousand dollars (\$5000).

C. Legal Responsibility and Liability

1. Mandated reporters have absolute immunity. School employees required to report are not civilly or criminally liable for filing a required or authorized report of known or suspected child abuse.

2. Any mandated reporter who fails to report an incident of known reasonably suspected child abuse or neglect as required by this section is guilty of a misdemeanor punishable by up to six months confinement in a county jail or by fine of one thousand dollars (\$1000) or by both that fine and punishment. The mandated reporter may also be held civilly liable for damages of any injury to the child after a failure to report.

D. Reporting Procedures

The person who first observes or learns about the abuse is to complete the "Suspected Child Abuse Report" form (BCIA 8572) and call the Child Abuse Reporting phone number Call our hotline now at 510-259-1800, available 24 hours a day, 7 days a week or if it is an emergency call:

OR Immediately telephone the appropriate law enforcement agency (based upon where the abuse is suspected to have occurred). Jurisdiction, as to whether the county or the city responds, is determined by where the abuse took place.

a. City: Call the Alameda Police Department (510) 337-8340

3. Employees are not required to identify themselves to their employer when they make a child abuse report. If an employee wishes to waive his/her confidentiality rights he/she may wish to make photocopies of the "Suspected Child Abuse Report" form (SS8572) and forward a copy to the principal and to the Executive Director of Student and Family Support Services.

E. Victim Interviews

Upon request, a child protective agency representative may interview a suspected victim of child abuse, during school hours and on school premises, concerning a report of suspected child abuse that occurred within the child's home. The child shall be given the choice of being interviewed in private or in the presence of any adult school employee or volunteer aide selected by the child. A staff member or volunteer aide selected by a child may decline to present at the interview. If the selected person accepts, the principal or designee shall inform him/her, before the interview takes place, of the following legal requirements:

1. The purpose of the selected person's presence at the interview is to lend support to the child and enable him/her to be as comfortable as possible.
2. The selected person shall not participate in the interview.
3. The selected person shall not discuss the facts or circumstances of the case with the child.
4. The selected person is subject to the confidentiality requirements of Article 2.5 (Penal Code 11165 et seq.), a violation of which is punishable as specified by 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)

F. Release of Child to Peace Officer or to a Child Protective Services Worker

When a child is released to a peace officer and taken into custody as a victim of suspected child abuse, the principal or other school staff shall not notify the parent/guardian as required in other instances of removal of a child from school, but rather shall provide the peace officer with the address and telephone number of the child's parent/guardian. It is the responsibility of the peace officer to notify the parent/guardian of the situation

G. Staff Training

The Principal or designee shall provide training in child abuse identification and reporting for all certificated personnel, instructional and teacher aides, teacher assistants, para-educators and other classified employees. (Penal Code 11165.7) All employees trained in child abuse identification and reporting shall be given, as a part of that training, written notice of the child abuse reporting requirements and the employees' confidentiality rights. (Penal Code 11165.7). The absence of training does not excuse a mandated reporter from the duties imposed by the penal code.

(B) Disaster Procedures (EC 35295-35297; GC 8607 and 3100)

Disaster Plan (See Appendix C-F)

Purpose of the Plan

This response plan is designed to assist school staff, students, parents and local agencies organize resources of the school and community to respond to a crisis situation while school is in session. Regulatory Authority State laws and regulations require school districts develop emergency plans and train staff in emergency response procedures. These include laws applicable to school staff and students as well as Cal/OSHA regulations specifically addressing the safety of district employees. The Katz Act [California Education Code, §35295-35297] requires schools plan for earthquakes and other emergencies. It also requires training in earthquake preparedness procedures for both certificated and classified staff. The Petris Bill [Government Code, §8607] requires school districts be prepared to utilize the Standardized Emergency Management System (SEMS) when responding to emergencies. This requires that principles of SEMS are incorporated in District plans; that the Incident Command System (ICS) are used at school sites; that all school personnel are trained in how the respective systems work and correlate; and that schools have drills and exercises in order to practice using the systems. This plan is designed and structured to ensure compliance with the mandates of state law as well as with Cal/OSHA's Emergency Action Plan Standard Title 8, California Code of Regulations §3220. This regulation requires each employer facility have an Emergency Action Plan which focuses on specific emergency contingencies, response personnel roles, and evacuation plans of each employer's site where employees work. Schools and school districts are included in this mandate. School Site Emergency Preparedness and Response Coordination Each principal shall supervise the planning, operating and testing of their respective school's Emergency Preparedness and Crisis Response Plan. Each principal will also ensure that all school staff and students are familiar with the basic elements of the District's Emergency Operations Plan, which will be utilized at the district office in the event of a major emergency or district-wide disaster. The principal must ensure that the Incident Command System are utilized by all staff personnel in the event of an emergency incident and shall serve as the Incident Commander at all school crises or emergencies.

Campus and Facility Site Preparedness Duties

This school and the District have designated specific persons to assume emergency position responsibilities in the event of a site emergency or District-wide disaster. The following information provides a breakdown of these responsibilities:

All School Staff:

- Become familiar with the school's emergency and evacuation procedures.
- Participate in First Aid and CPR training, as appropriate.

Annually each principal shall:

- Designate Staff Incident Command Structure Assignments.
- Update this site Emergency Preparedness and Crisis Response Plan.
- Ensure personnel are properly trained in their respective assignments.
- Conduct survey of personnel to determine CPR/First Aid/Disaster Preparedness/Medical Training.
- Survey parents to determine who may wish to volunteer during an extended emergency or disaster.
- Ensure needs of students and staff with disabilities are provided for in the event of an emergency.
- Designate primary and alternate locations for command post, evacuation, first aid, student release, and morgue.
- See that parents are informed of the plan and its effect upon students.
- Compile/maintain list of local emergency agencies including telephone numbers and addresses.
- Practice building evacuation plans including testing of warning systems, alarm signals, and communications methods.
- With Maintenance and Operations, complete a site and building hazard survey.
- Ensure all emergency equipment and supplies are in usable condition at all times.

Teachers:

- Teachers are responsible for the supervision of students in their charge.
- Understand emergency response procedures.
- Have planned activities for use during disasters to lessen possible tension.

School Office Managers or Designee:

- Organize and maintain the emergency first aid supplies and distribute back-up supplies.
- Assist principal in developing procedures to protect essential records.
- Ensure battery-operated AM/FM radio is available in working condition; know the call number and frequency of disaster information station.
- Maintain an up-to-date list of students and staff who require life sustaining medication.

School Custodians or designee:

- Assist principal in planning control procedures for different types of building damage.
 - Routinely check that battery-operated equipment is in working condition.
- Directions for the Instructional Staff During a Declared Emergency

Crisis Response

The primary goals of crisis response are to:

- Prevent a potentially chaotic situation from escalating into a catastrophic event.
- Help those affected to return, as quickly as possible, to a normal level of functioning.
- Decrease the potential long-term effects of the crisis.

Incident Command System (ICS)

The Incident Command System is an emergency response system used to manage an emergency incident at a specific facility or site. The ICS, as designated by the AUSD, will be used by this school as the formal emergency response structure. This is in contrast to the Standardized Emergency Management System (SEMS) which is used to manage resources at a district-wide level.

Foundations of Crisis Response

The primary foundation for any emergency or crisis response system is to ensure, as much as is humanly possible, the application of the three C's at all times.

These three C's are:

- Control – Control is the cornerstone of every crisis/emergency response. In emergency response this is initiated and maintained through the effective use of the Incident Command System.
- Communication - Communication is essential to maintaining effective coordination of all response actions. Ongoing communication must be maintained between response persons, school staff, and the command team.
- Coordination - Coordination is essential to ensure that the most effective and appropriate response actions are used throughout a response operation. Proper utilization of the Incident Command System will ensure that all response operations are coordinated from a central point and that no response action is taken at cross purposes to any other.

Insert link to REMS packet here

Public Agency Use of School Buildings for Emergency Shelters

If the Superintendent declares a District emergency during the school day, the District has a clear statement of policy governing its actions.

Alameda Unified School District Policy is as follows:

IN CASE OF A DECLARED EMERGENCY BY THE SUPERINTENDENT DURING SCHOOL HOURS, ALL STUDENTS WILL BE REQUIRED TO REMAIN AT SCHOOL OR AN ALTERNATE, SAFE SITE UNDER THE SUPERVISION OF DISTRICT PERSONNEL:

1. Until regular dismissal time and then released only if it is considered safe, OR
2. Until released to an adult authorized by the parent or legal guardian whose name appears on District records.
 - a) If students are on their way to school they should proceed to school.
 - b) If students are on their way home from school they are to continue home.
3. To provide this supervision and care, Alameda Unified School District personnel will be utilized under Title 1, Division 4, Chapter 8 Government Code and other legal statutes. The statute states that all public employees are designated disaster service workers when an emergency is declared. The District Superintendent, or designee, has the legal authority to declare an emergency in this District. The authority also extends to Alameda County to declare an emergency and impress public employees into service as disaster service workers.

4. Alameda Unified School District encourages the utilization of a buddy system at District sites wherein staff responsibilities for specific emergency functions are assigned to pairs of employees who could, with approval of the Site Manager, carry on legally required supervision and care requirements while allowing emergency home visits to assure welfare of their own families.

(C) School Suspension, Expulsion and Mandatory Expulsion Guidelines

Definitions

Suspension from school means removal of a student from ongoing instruction for adjustment purposes.

The teacher of any class from which a student is suspended pursuant to Section 48910 shall require the student to complete any assignments and tests missed during the suspension. The school will monitor and address the educational needs of the student that arise due to the loss of instructional time. (Education Code 48913). However, suspension does not mean any of the following: (Education Code 48925)

- Reassignment to another education program or class at the same school where the student will receive continuing instruction for the length of day prescribed by the Governing Board for students of the same grade level.
- Referral to a certificated employee designated by the principal to advise students.
- Removal from the class, but without reassignment to another class or program, for the remainder of the class period without sending the student to the principal or designee as provided in Education Code 48910. Removal from a particular class shall not occur more than once every five school days.

Referral means removal from classroom instruction for discipline reasons.

Expulsion means removal of a student from the immediate supervision and control, or the general supervision, of school personnel. (Education Code 48925)

Day means a calendar day unless otherwise specifically provided. (Education Code 48925)

School day means a day upon which the schools of the district are in session or weekdays during the summer recess. (Education Code 48925)

Student includes a student's parent/guardian or legal counsel. (Education Code 48925)

Principal's designee means one or more administrators or, if there is not a second administrator at one school site, a certificated person specifically designated by the principal, in writing, to assist with disciplinary procedures. Only one such person may be designated at any time as the principal's primary designee, and only one such person may be designated as secondary designee for the school year. The names of such persons shall be on file in the principal's office. (Education Code 48911)

School property, for the purposes described in Education Code 48900, includes, but is not limited to, electronic files and databases. (Education Code 48900(u))

The District database is the Aeries Student Information System.

Restorative Practices (RP) is a continuum of practices by which schools build community through circles and other activities, where students learn to use affective statements and the process where all stakeholders affected by an injustice have an opportunity to discuss how they have been affected by the injustice and to decide what should be done to repair the harm.

Positive Behavioral Interventions and Supports (PBIS) is a framework for providing a range of systemic and individualized strategies for achieving important academic and behavioral outcomes while preventing problem behaviors.

Social and Emotional Learning (SEL) is a process through which children and adults develop the fundamental skills for life effectiveness. The five SEL competencies are: self-awareness, self-management, social awareness, relationship skills, and responsible decision-making.

Multi Tiered System of Support (MTSS) is a way of organizing instruction and intervention to help all students. The goal of the multi-tiered framework is to provide high-quality instruction and supports based on student need. This framework helps educators by providing information (data) to identify students needing additional support (academic and behavioral) and also identify students who may need special education services. MTSS includes three levels (or tiers) of instruction. Each tier has a set of evidence-based practices to meet the instructional goals.

Tier 1

For MTSS, a school must first establish its Tier 1 or universal supports. Universal supports are the instructional practices that help all students in a school. Once the universal supports are in place, staff can use assessment data to determine which students need additional supports.

Tiers 2 and 3

The intensity and duration of supports increase for Tiers 2 and 3. The appropriate level of support for each student is determined by assessment data.

Grounds for Suspension and Expulsion

The following is a list of grounds for which suspension and expulsion may be permitted or shall be imposed subject to the

restrictions and requirements herein:

- Caused, attempted to cause, or threatened to cause physical injury to another person or willfully used force or violence upon another person, except in self-defense (Education Code 48900(a))
- A student who aids or abets the infliction or attempted infliction of physical injury on another person, as defined in Penal Code 31, may be suspended, but not expelled. However, such a student may be suspended or expelled pursuant to Education Code 48900(a) when he/she has been adjudged by a juvenile court to have committed, as an aider or abettor, a crime of physical violence in which the victim suffered great or serious bodily injury. (Education Code 48900(t))
- 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))
- 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))
- 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))
- Committed or attempted to commit robbery or extortion (Education Code 48900(e))
- Caused or attempted to cause damage to school property or private property (Education Code 48900(f))
- Stole or attempted to steal school property or private property (Education Code 48900(g))
- 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))
- Committed an obscene act or engaged in habitual profanity or vulgarity (Education Code 48900(i))
- Unlawfully possessed, offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Health and Safety Code 11014.5 (Education Code 48900(j))

As provided in California Education Code section 48900(k), no student enrolled in grades T-Kindergarten through third grade may be suspended or expelled for disrupting school activities or willfully defying the authority of school personnel ("disruption and willful defiance") and no student in TK-12 may be expelled for willful disruption or defiance.

Effective July 1, 2019, no student enrolled in grades T-Kindergarten through twelve (TK-12) grades may be suspended or expelled for disrupting school activities or willfully defying the authority of school personnel. The Board will review data regarding suspensions for defiance in Grades 4 through 12 in August 2019 and January 2020. If, based on review of the data, it appears further steps should be undertaken to meet the goal of eliminating suspensions for defiance by July 1, 2019, the Board will direct the Superintendent to implement such additional measures to achieve the goal of no suspensions for defiance by July 1, 2020.

- Knowingly received stolen school property or private property (Education Code 48900(l))
- 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))

- 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))
- 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))
- Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma (Education Code 48900(p))
- 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.

- 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.

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 (items #20-22 below), that has any of the effects described above on a reasonable student.

Electronic act means the transmission of a communication, 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.

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))

- 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)

A student in grades 4-12 is also subject to suspension or recommendation for expulsion when it is determined that he/she:

- 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)

- 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)

- 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)

A student may be suspended or expelled for any of the acts listed above if the act is related to school activity or school attendance occurring at any district school or within any other school district, at any time, including, but not limited to, the following: (Education Code 48900(s))

- While on school grounds
- While going to or coming from school
- During the lunch period, whether on or off the school campus
- During, going to, or coming from a school-sponsored activity

Teacher-Initiated Suspensions Pursuant to Section 48910

The Board desires the adoption of a Multi-Tiered System of Support which includes Positive Behavior Intervention Supports to facilitate a consistent approach for positive, pro-social behavior management (BP 5144). The District expects teachers to attempt interventions prior to initiating a suspension pursuant to Section 48910 except where suspension for a first offense is permitted or mandated by law, as described on pp. 8-9 below.

When removing a student from his/her class pursuant to Section 48910, 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 removed. (Education Code 48910)

The site administrator or designee shall ensure that site staff completed the following:

- The teacher completed the Teacher-Initiated Pupil Suspension Report and, starting in the 2019-20 school year, the office referral form.
- The teacher contacted the parent/guardian to request their participation in a parent-teacher conference regarding the suspension within 24 hours. 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)
- The site administrator or designee reviewed the office referral form and completed the in-school suspension form if warranted.
- The site administrator or designee contacted parent/guardian regarding the suspension.
- The site administrator or designee recorded the classroom interventions and referral in the District database.

A student suspended from class pursuant to Section 48910 shall not be returned to class during the period of suspension without the approval of the teacher of the class and the principal. (Education Code 48910)

A student suspended from class pursuant to Section 48910 shall not be placed in another regular class during the period of suspension. However, if a student is assigned to more than one class per day, he/she may be placed in any other regular classes except those held at the same time as the class from which the student was removed. (Education Code 48910)

The teacher of any class from which a student is suspended pursuant to Section 48910 shall require the student to complete any assignments and tests missed during the suspension. The school will monitor and address the educational needs of the student that arise due to the loss of instructional time. (Education Code 48913)

When suspending a student in Grades TK-3 from class for committing an obscene act or engaging in habitual profanity or vulgarity, the teacher of the class may require any parent/guardian who lives with the student to attend a portion of the school day in the class from which the student is being suspended, to assist in resolving the classroom behavior problems. (Education Code 48900.1) The teacher of the class may also require any parent/guardian who lives with the student to attend a portion of the school day in the class to assist in resolving classroom behavior problems.

When suspending a student in Grades 4-12 from class for committing an obscene act or engaging in habitual profanity or vulgarity, disrupting school activities, or otherwise willfully defying valid staff authority, the teacher of the class may require any parent/guardian who lives with the student to attend a portion of the school day in the class from which the student is being suspended, to assist in resolving the classroom behavior problems. (Education Code 48900.1)

When suspending a student in any grade from class for committing an obscene act, engaging in habitual profanity or vulgarity, the teacher of the class may require any parent/guardian who lives with the student to attend a portion of the school day in the class from which the student is being suspended, to assist in resolving the classroom behavior problems. (Education Code 48900.1) The teacher of the class may also require any parent/guardian who lives with the student to attend a portion of the school day in the class to assist in resolving classroom behavior problems.

Teachers should reserve the option of required parental attendance for cases in which they have determined that it is the best strategy to promote positive interaction between the teacher and the student and his/her parents/guardians and to improve the student's behavior.

Any teacher requiring parental attendance pursuant to this policy shall apply the policy uniformly to all students within the classroom. (Education Code 48900.1)

When a teacher makes this request, the principal shall send the parent/guardian a written notice that the parent/guardian's attendance is requested pursuant to law. (Education Code 48900.1)

The notice shall specify that the attendance may be on either the date the student is scheduled to return to class or within one week thereafter.

This notice shall also:

- Inform the parent/guardian when his/her presence is expected and by what means he/she may arrange an alternate date
- Ask the parent/guardian to meet with the principal after the visit and before leaving school, as required by Education Code 48900.1

At the meeting with the student's parent/guardian, the principal or designee shall explain the district's and school's discipline policies, including the disciplinary strategies that may be used to achieve proper student conduct.

When a parent/guardian does not respond to the request to attend school, the principal or designee shall contact him/her by telephone, mail, or other method that maintains the confidentiality of the student's records.

District regulations shall include procedures for implementing parental attendance requirements. Parents/guardians shall be notified of this policy prior to its implementation. (Education Code 48900.1)

Suspensions by Superintendent, Principal, or Designee

The Board does not support a zero tolerance approach to discipline except where mandated by law. Schools may not adopt zero tolerance policies that conflict with District discipline policies. The Board desires that schools will adopt, engage, and implement positive approaches to addressing problem behavior prior to initiating the suspension of a student.

Suspension for a first time offense is limited to certain serious offenses (listed below in permissible and mandatory categories) or where it can be documented that the presence of a student causes a danger to persons.

Defiance

As provided in California Education Code section 48900(k), no student enrolled in grades T-Kindergarten through third grade may be suspended or expelled for disrupting school activities or willfully defying the authority of school personnel ("disruption and willful defiance") and no student regardless of grade may be expelled for willful defiance or disruption.

Effective July 1, 2019, no student enrolled in grades T-Kindergarten through twelve (TK-12) grades may be suspended or expelled for disrupting school activities or willfully defying the authority of school personnel. Suspension and expulsion shall not be imposed for a violation of Education Code section 48900(k), including disruption of school activities or willful defiance. The District expects schools to develop appropriate interventions, for example, behavioral plans, restorative circles, or SEL groups for students who engage in a pattern of defiant behavior.

Defiance is when a student continues to disobey a school official, teacher, or administrator after having been taught the rules and expectations of the school and the student displays behavior that directly interferes with the rights of others to learn.

The Board will review data regarding suspensions for defiance in Grades 4 through 12 in August and January. If, based on review of the data, it appears further steps should be undertaken to meet the goal of eliminating suspensions for defiance, the Board will direct the Superintendent to implement such additional measures to achieve the goal of no suspensions for defiance by July 1, 2020.

Discipline and Intervention Matrix for Administrators

Attached to this Administrative Regulation is the discipline and intervention matrix aligned to the District's Multi-Tiered System of Support framework that models a progressive and holistic approach to discipline. As provided in the Board Policy, each school is responsible for adopting strategies, programs, and interventions within this framework to facilitate a positive approach to behavior management. Even if suspension is appropriate, administrators must first consider whether other interventions should be used.

Except where suspension for a first offense is permitted or mandatory (as described above), in-school and out-of-school suspension and other sanctions that result in a student's loss of instruction shall only be imposed when the principal or designee has determined that other means of correction that are consistent with District policies and procedures have failed to bring about proper conduct. (Education Code 48900.5)

As described in AR 5144, interventions and other alternatives to suspension should be attempted and evaluated prior to referral from the classroom. In addition, the principal or designee shall document the other means of correction used and retain them in the student's record. (Education Code 48900.5)

The Principal or designee shall complete the suspension form and record the suspension in the District's database.

The Superintendent, principal, or designee may suspend a student from school for not more than five consecutive school days unless the suspension is extended pending expulsion. (Education Code 48911)

A student may be suspended from school for not more than 20 school days in any school year unless, for purposes of adjustment, the student enrolls in or is transferred to another regular school, an opportunity school, or continuation school or class, in which case suspension shall not exceed 30 days in any school year. However, this restriction on the number of days of suspension does not apply when the suspension is extended pending an expulsion. (Education Code 48903, 48911, 48912)

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)

Suspensions shall be initiated according to the following procedures:

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 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. 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)

Administrative Actions: All requests for student suspension are to be processed by the principal or designee. All suspensions shall be recorded in the District database. 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)

Notice to Parents/Guardians: At the time of the suspension, a school employee shall make a reasonable effort to contact the parent/guardian by telephone or in person. Whenever a student is suspended, the parent/guardian shall be notified in writing of the suspension. (Education Code 48911)

This notice shall state the specific offense committed by the student. (Education Code 48900.8)

In addition, the notice may state the date and time when the student may return to school. If school officials wish to ask the parent/guardian to confer regarding matters pertinent to the suspension, the notice may add that state law requires the parent/guardian to respond to such requests without delay.

Parent/Guardian Conference: Whenever a student is suspended, school officials may meet 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)

Although the parent/guardian is required to respond without delay to a request for a conference about his/her child's behavior, 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 readmission solely because the parent/guardian failed to attend the conference. (Education Code 48911)

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 Principal may, in writing, extend the suspension until such time as the Board has made a decision. (Education Code 48911)

Any extension of the original period of suspension shall be preceded by notice of such extension with an offer to hold a conference concerning the extension, giving the student an opportunity to be heard. This conference may be held in conjunction with a meeting requested by the student or parent/guardian to challenge the original suspension. Extension of the suspension may be made only if

the Superintendent or Principal determines, following a meeting in which the student and the student's parent/guardian were invited to participate, that the student's presence at the school or at an alternative school would endanger persons or property or threaten to disrupt the instructional process. (Education Code 48911)

If the student involved is a foster youth, the Superintendent or designee shall notify the district liaison for foster youth of the need to invite the student's attorney and a representative of the appropriate county child welfare agency to attend the meeting. (Education Code 48853.5, 48911, 48918.1)

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.

The student shall be responsible for contacting the school to receive assignments to be completed during the period of the suspension. The school shall make available all assignments and tests that the student will miss while suspended.

Suspension by the Board

The Board may suspend a student for any of the acts listed in "Grounds for Suspension and Expulsion" above and within the limits specified in "Suspensions by Superintendent, Principal, or Designee" above. (Education Code 48912)

The Board may suspend a student enrolled in a continuation school or class for a period not longer than the remainder of the semester if any of the acts listed in "Grounds for Suspension and Expulsion" occurred. The suspension shall meet the requirements of Education Code 48915. (Education Code 48912.5)

When the Board is considering a suspension, disciplinary action, or any other action (except expulsion) against any student, it shall hold a closed session if a public hearing would lead to disclosure of information violating a student's right to privacy under Education Code 49073-49079. (Education Code 35146, 48912)

The Board shall provide the student and his/her parent/guardian with written notice. Upon receiving this notice, the student or parent/guardian may request a public meeting, and this request shall be granted if made in writing within 48 hours after receipt of the Board's notice. However, any discussion that conflicts with any other student's right to privacy still shall be held in closed session. (Education Code 35146, 48912)

Supervised Suspension Classroom

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 a supervised suspension classroom in a separate classroom, building, or site for the entire period of suspension. The following conditions shall apply: (Education Code 48911.1)

The supervised suspension classroom shall be staffed in accordance with law and by certificated employees.

The student shall have access to appropriate counseling services.

The supervised suspension classroom shall promote completion of schoolwork and tests missed by the student during the suspension.

The student shall be responsible for contacting his/her teacher(s) to receive assignments to be completed in the supervised suspension classroom except where otherwise set out in the student's Individualized Education Program (IEP) or Section 504 plan. 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.

The Principal or designee shall complete the in-school suspension form and record the suspension in the District's database.

At the time a student is assigned to a supervised suspension classroom, the principal or designee shall notify the student's parent/guardian in person or by telephone. When the assignment is for longer than one class period, this notification shall be made in writing. (Education Code 48911.1)

Involuntary Transfer

The District may not involuntarily transfer a student in Grades TK- 3rd grade to another school based on a finding of disruption of school activities or willful defiance of the authority of school personnel (California Education Code section 48900(k)).

Effective July 1, 2019, the District may not involuntarily transfer a student to another school based on a finding of disruption of school activities or willful defiance of the authority of school personnel (California Education Code section 48900(k)).

Involuntary transfers may only occur following a recommendation for expulsion and after a hearing before the District's Disciplinary Hearing Panel (DHP) consistent with the requirements in Education Code section 48918 and the notice and hearing procedures set forth below for expulsions. In addition, an involuntary transfer to a continuation school must be made pursuant to Education Code section 48432.5.

Expulsions

The Board shall expel, as required by law, any student found to have committed any offense listed below under "Mandatory Recommendation and Mandatory Expulsion" (see page 13). (Education Code 48915)

For all other grounds listed under "Grounds for Suspension and Expulsion," the Board shall order a student expelled upon the recommendation of the Superintendent, principal, or designee only if the Board makes a finding of either or both of the following: (Education Code 48915(b) and (e))

- That other means of correction have repeatedly failed to bring about proper conduct
- 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

Authority to Expel

A student may be expelled only by the Board. (Education Code 48918(j))

The Board shall expel, as required by law, any student found to have committed any offense listed below under "Mandatory Recommendation and Mandatory Expulsion." (Education Code 48915)

For all other grounds listed above under "Grounds for Suspension and Expulsion," the Board shall order a student expelled upon the recommendation of the Superintendent, principal, or designee, only if the Board makes a finding of either or both of the following: (Education Code 48915(b) and (e))

- That other means of correction are not feasible or have repeatedly failed to bring about proper conduct
- 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

Recommendation for Expulsion Expected Unless It Is Not Appropriate or Alternative Means of Correction Would Address the Conduct

Unless the Superintendent, principal, or designee 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(a))

- Causing serious physical injury to another person, except in self-defense

- Possession of any knife as defined in Education Code 48915(g), explosive, or other dangerous object of no reasonable use to the student
- 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
- Robbery or extortion
- 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)

Mandatory Recommendation and Mandatory Expulsion

The Superintendent, principal, or designee shall recommend that the Board expel any student found at school or at a school activity to be: (Education Code 48915(c))

Possessing, as verified by a district employee, selling, or otherwise furnishing a firearm.

Possession of an imitation firearm, as defined in Education Code 48900(m), shall not be regarded as an offense requiring a mandatory recommendation for expulsion and mandatory expulsion. However, an administrator shall have discretion on a case-by-case basis to recommend expulsion for the possession of an imitation firearm.

Brandishing a knife as defined in Education Code 48915(g) at another person

Unlawfully selling a controlled substance listed in Health and Safety Code 11053-11058

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

Possessing an explosive as defined in 18 USC 921

Upon finding that the student committed any of the above acts, the Board shall expel the student. (Education Code 48915)

Student's Right to Expulsion Hearing

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 one of the acts listed above under "Grounds for Suspension and Expulsion." (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))

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)

Receive five days' notice of his/her scheduled testimony at the hearing

Have up to two adult support persons of his/her choosing present at the hearing at the time he/she testifies

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)

The rights of a complaining witness are further outlined in Administrative Regulation 5145.7 (Sexual Harassment).

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))

- The date and place of the hearing.
- A statement of the specific facts, charges, and offense upon which the proposed expulsion is based.
- A copy of district disciplinary rules which relate to the alleged violation.
- 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).
- 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 advisor.

Legal counsel means an attorney or lawyer who is admitted to the practice of law in California and is an active member of the State Bar of California.

Nonattorney advisor means an individual who is not an attorney or lawyer, but who is familiar with the facts of the case and has been selected by the student or student's parent/guardian to provide assistance at the hearing.

- The right to inspect and obtain copies of all documents to be used at the hearing.
- The opportunity to confront and question all witnesses who testify at the hearing.
- 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

At least 10 days prior to a hearing to determine if a student who is a foster youth as defined under Education Code 48853.5 should be expelled for an offense not requiring a mandatory recommendation for expulsion, the Superintendent or designee shall notify the student's attorney and a representative of an appropriate county child welfare agency. If the hearing is pursuant to an offense requiring a mandatory expulsion recommendation, the Superintendent or designee may provide the same notification. The notice shall be provided by the most cost-effective method possible, including by email or a telephone call. (Education Code 48918.1)

Conduct of Expulsion Hearing

Closed Session: Notwithstanding the provisions of Government Code 54953 and Education Code 35145, the Board shall conduct a hearing to consider the expulsion of the student in a session closed to the public unless the student requests in writing at least five days prior to the hearing that the hearing be a public meeting. If such a request is made, the meeting shall be public unless another student's privacy rights would be violated. (Education Code 48918(c))

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))

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))

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))

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" 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.

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)

- Any complaining witness shall be given five days' notice before being called to testify.
- Any complaining witness shall be entitled to have up to two adult support persons, including, but not limited to, a parent/guardian or legal counsel, present during his/her testimony.
- Before a complaining witness testifies, support persons shall be admonished that the hearing is confidential.
- The person presiding over the hearing may remove a support person whom he/she finds is disrupting the hearing.
- If one or both support persons are also witnesses, the hearing shall be conducted in accordance with Penal Code 868.5.

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.

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.

The district shall provide a room separate from the hearing room for the use of the complaining witness before and during breaks in testimony.

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.

The person conducting the hearing may:

- Arrange the seating within the hearing room so as to facilitate a less intimidating environment for the complaining witness
- 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
- Permit one of the support persons to accompany the complaining witness to the witness stand

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. Alternatively, the Board may appoint an impartial administrative panel composed of three or more certificated personnel, none of whom shall be members of the Board or on the staff of the school in which the student is enrolled. (Education Code 48918(d))

A hearing conducted by the hearing officer or administrative panel shall conform to the same procedures applicable to a hearing conducted by the Board as specified above in "Conduct of Expulsion Hearing," including the requirement to issue its 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 expulsion referral was made, unless the parent, guardian, or responsible adult of the pupil requests another school placement in writing. Before the placement decision is made by the parent, guardian, or responsible adult, the superintendent of schools or the superintendent's designee shall consult with school district personnel, including the pupil's teachers, and the parent, guardian, or responsible adult regarding any other school placement options for the pupil in addition to the option to return to his or her classroom instructional program from which the expulsion referral was made. If the hearing officer or administrative panel finds that the pupil committed any of the acts specified in subdivision (c) of Section 48915, but does not recommend expulsion, the pupil shall be immediately reinstated and may be referred to his or her prior school or another comprehensive school, or, pursuant to the procedures set forth in Section 48432.5, a continuation school of the school district. The decision not to 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 for a period of one year. (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, the final action to expel shall be taken by the Board at a public meeting. (Education Code 48918(j))

If the Board conducts the hearing and reaches a decision not to expel, this decision shall be final and the student shall be reinstated immediately.

Upon ordering an expulsion, the Board shall set a date when the student shall be reviewed for readmission to a school within the district. For a student expelled for 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)

- Periodic review, as well as assessment at the time of review, for readmission
- 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:

- The specific offense committed by the student for any of the causes for suspension or expulsion listed above under "Grounds for Suspension and Expulsion" (Education Code 48900.8)
- The fact that a description of readmission procedures will be made available to the student and his/her parent/guardian (Education Code 48916)
- Notice of the right to appeal the expulsion to the County Board of Education (Education Code 48918)
- Notice of the alternative educational placement to be provided to the student during the time of expulsion (Education Code 48918)
- Notice of the student's or parent/guardian's obligation to inform any new district in which the student seeks to enroll of the student's status with the expelling district, pursuant to Education Code 48915.1 (Education Code 48918)

Decision Not to Enforce Expulsion Order

In accordance with Board policy, when deciding whether to suspend the enforcement of an expulsion order, the Board shall take into account the following criteria:

- The student's pattern of behavior
- 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:

- 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)
- During the period when enforcement of the expulsion order is suspended, the student shall be on probationary status. (Education Code 48917)
- The suspension of the enforcement of an expulsion order may be revoked by the Board if the student commits any of the acts listed under "Grounds for Suspension and Expulsion" above or violates any of the district's rules and regulations governing student conduct. (Education Code 48917)
- 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)

- 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)

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))

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)

Right to 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)

The student shall submit 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 furnishment 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)

Post-Expulsion Placements

The Board shall refer expelled students to a program of study that is: (Education Code 48915, 48915.01)

- Appropriately prepared to accommodate students who exhibit discipline problems
- Not provided at a comprehensive middle, junior, or senior high school or at any elementary school, unless the program is offered at a community day school established at such a site
- Not housed at the school site attended by the student at the time of suspension

When the placement described above is not available and when the County Superintendent so certifies, students expelled for acts described in items #6-13 and #20-22 under "Grounds for Suspension and Expulsion" 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

Readmission procedures shall be as follows:

- On the date set by the Board when it ordered the expulsion, the district shall consider readmission of the student. (Education Code 48916)
- 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.
- The Superintendent or designee shall transmit to the Board his/her recommendation regarding readmission. The Board shall consider this recommendation in closed session if information would be disclosed in violation of Education Code 49073-49079. If a written request for open session is received from the parent/guardian or adult student, it shall be honored.
- 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.

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)

If the Board denies the readmission of a student, the Board shall determine either to continue the student's placement in the alternative educational program initially selected or to place the student in another program that serves expelled students, including placement in a county community school. (Education Code 48916)

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 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)

Outcome Data

The Superintendent or designee shall maintain the following data and report such data annually to the California Department of Education, using forms supplied by the California Department of Education: (Education Code 48900.8, 48916.1)

- The number of students recommended for expulsion
- The specific grounds for each recommended expulsion
- Whether the student was subsequently expelled
- Whether the expulsion order was suspended
- The type of referral made after the expulsion
- The disposition of the student after the end of the expulsion period

Public Reporting of Discipline Data

The Superintendent or designee shall ensure that the following data is publicly available on the District's public website twice annually, within 60 days after the completion of each semester:

- The aggregate number and rates of office referrals, teacher suspensions, supervised in-school and out-of-school suspensions, involuntary transfers, expulsion referrals, expulsions, on-campus citations, school-based arrests, and four-year graduation and drop-out rates, disaggregated by all subgroups, including race, gender, ethnicity, English Language Learner status, socio-economic status, foster youth, homeless youth, and disability and by offense for the district and by school-site.
- The number of instructional days and ADA funding lost to suspensions, transfers, and expulsions.
- The school sites to which students were transferred after the Disciplinary Review Hearing procedure or through any involuntary transfer process, whether they enrolled subsequently, and the outcomes for such students, including, but not limited to, graduation and drop-out rates.

In reporting such data, the privacy of individual students and teachers shall be protected. Data will not be disaggregated in any manner that could reveal student identity to the public or to knowledgeable members of the school community. The data shall be reported for the district as a whole and for each school-site.

The procedures shall also include requirements that appropriate district and school officials regularly review this data and take action to address disparities or disproportionate use of punitive discipline measures for particular subgroups.

Expungement of Student Disciplinary Records

As provided in Board Policy 5144.3, a student, parent, guardian, appointed advocate on behalf of the student, or Superintendent on behalf of a student may apply for expungement of student disciplines record which meet the criteria set forth in BP 5144.3.

(D) Procedures to Notify Teachers of Dangerous Pupils (EC 49079)

Notice Regarding Student Offenses

When a student commits certain offenses that may endanger staff or others, the following procedures shall be implemented to notify staff members as appropriate:

Acts That Are Grounds for Suspension or Expulsion

The Superintendent or designee shall inform the teacher(s) of each student who, during the previous three school years, has engaged in or is reasonably suspected to have engaged in any act, except the possession or use of tobacco products, that would constitute a ground for suspension or expulsion as specified in AR 5144.1 - Suspension and Expulsion/Due Process. This information shall be based upon district records maintained in the ordinary course of business or records received from a law enforcement agency. (Education Code 49079)

Upon receiving a transfer student's record regarding acts committed by the student that resulted in suspension or expulsion, the Superintendent or designee shall inform the student's teacher(s) that the student was suspended from school or expelled from the former district and of the act that resulted in the suspension or expulsion. (Education Code 48201)

Information received by teacher(s) shall be received in confidence for the limited purpose for which it was provided and shall not be further disseminated by the teacher. (Education Code 48201, 49079)

Offenses Reported to the District by a Court

When informed by a court that a minor student has been found by the court to have committed any felony or any misdemeanor involving curfew, gambling, alcohol, drugs, tobacco products, carrying of weapons, a sex offense listed in Penal Code 290, assault or battery, larceny, vandalism, or graffiti, the Superintendent or designee shall expeditiously notify the school principal. (Welfare and Institutions Code 827)

The principal shall expeditiously disseminate this information to any counselor who directly supervises or reports on the student's behavior or progress and to any teacher or administrator directly supervising or reporting on the student's behavior or progress whom the principal thinks may need the information in order to work with the student appropriately, avoid being needlessly vulnerable, or protect others from vulnerability. (Welfare and Institutions Code 827)

Any court-initiated information that a teacher, counselor, or administrator receives shall be kept confidential and used only to rehabilitate the student and protect other students and staff. The information shall be further disseminated only when communication with the student, parent/guardian, law enforcement staff, and probation officer is necessary to rehabilitate the student or to protect students and staff. (Welfare and Institutions Code 827)

When a student is removed from school as a result of an offense, the Superintendent shall hold the court's information in a separate confidential file until the student is returned to the district. If the student is returned to a different district, the Superintendent shall transmit the information provided by the student's parole or probation officer to the superintendent of the new district of attendance. (Welfare and Institutions Code 827)

Any confidential file of court-initiated information shall be kept until the student becomes 18, graduates from high school, or is released from juvenile court jurisdiction, whichever occurs first, and shall then be destroyed. (Welfare and Institutions Code 827)

In order to maintain confidentiality when providing information about student offenses to a counselor or teacher, the principal or designee shall send the staff member a written notification that a student has committed an offense that requires review of a student's file in the school office. This notice shall not name or otherwise identify the student. The staff member shall initial the notification and shall also initial the student's file when reviewing it in the school office.

(E) Sexual Harassment Policies (EC 212.6 [b])

Definitions

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, regardless of whether or not the conduct is motivated by sexual desire. Conduct is considered to be sexual harassment when made against another person of the same or opposite sex in the work or educational setting under any of the following conditions: (Education Code 212.5; Government Code 12940; 2 CCR 11034)

- Submission to the conduct is made explicitly or implicitly a term or condition of the individual's employment.
- Submission to or rejection of the conduct is used as the basis for an employment decision affecting the individual.
- The conduct has the purpose or effect of having a negative impact upon the individual's work performance or of creating an intimidating, hostile, or offensive work environment.
- 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. For purposes of applying the complaint procedures specified in Title IX of the Education Amendments of 1972, sexual harassment is defined as any of the following forms of conduct that occurs in an education program or activity in which a district school exercises substantial control over the context and respondent: (34 CFR 106.30, 106.44)
- A district employee conditioning the provision of a district aid, benefit, or service on the student's participation in unwelcome sexual conduct
- Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the district's education program or activity

Sexual assault, dating violence, domestic violence, or stalking as defined in 20 USC 1092 or 34 USC 12291

Examples of Sexual Harassment

Examples of actions that might constitute sexual harassment under state or federal law in accordance with the definitions above, in the work or educational setting, whether committed by a supervisor, a co-worker, or a non-employee, include, but are not limited to:

- 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
- Unwelcome visual conduct such as drawings, pictures, graffiti, or gestures; sexually explicit emails; displaying sexually suggestive objects
- 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

Title IX Coordinator/Compliance Officer

The district designates the following individual(s) as the responsible employee(s) to coordinate its efforts to comply with Title IX of the Education Amendments of 1972 in accordance with AR 4119.12/4219.12/4319.12 - Title IX Sexual Harassment Complaint Procedures, as well as to oversee, investigate, and resolve sexual harassment complaints processed under AR 4030 - Nondiscrimination in Employment.

The Title IX Coordinator(s) may be contacted at:

Asst. Superintendent of Educational Services
2060 Challenger Drive
Alameda, CA 94501
(510) 337-7095
kzazo@alamedaunified.org

Training

Every two years, the Superintendent or designee shall ensure that supervisory employees receive at least two hours, and nonsupervisory employees receive at least one hour, of classroom or other effective interactive training and education regarding sexual harassment. All newly hired employees and employees promoted to a supervisory position 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)

Such training may be completed by employees individually or as part of a group presentation, may be completed in shorter segments as long as the applicable hourly requirement is met, and may be provided in conjunction with other training provided to the employees. The training shall be presented by trainers or educators with knowledge and expertise in the prevention of harassment, discrimination, and retaliation. (Government Code 12950.1)

The district's sexual harassment training and education program shall include, but is not limited to, the following: (Government Code 12950.1; 2 CCR 11024)

- Information and practical guidance regarding federal and state laws concerning the prohibition, prevention, and correction of sexual harassment
- The types of conduct that constitute sexual harassment
- Remedies available for victims in civil actions, and potential employer/individual exposure/liability
- Strategies to prevent harassment in the workplace

- Supervisors' obligation to report sexual harassment, discrimination, and retaliation of which they become aware
- 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
- The limited confidentiality of the complaint process
- Resources for victims of unlawful harassment, such as to whom they should report any alleged harassment
- Steps necessary to take appropriate remedial measures to correct harassing behavior, which includes the district's obligation to conduct an effective workplace investigation of a harassment complaint
- What to do if the supervisor is personally accused of harassment
- The essential elements of the district's anti-harassment policy, and how to use the policy if a harassment complaint is filed

Employees shall receive a copy of the district's sexual harassment policy and administrative regulations, which they shall read and acknowledge that they have received. Information, including practical examples, of harassment based on gender identity, gender expression, and sexual orientation. Prevention of abusive conduct, including a review of the definition and elements of abusive conduct pursuant to Government Code 12950.1, the negative effects that abusive conduct has on the victim and other in the workplace, the detrimental consequences of this conduct on employee productivity and morale, and that a single act does not constitute abusive conduct unless the act is severe or egregious.

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

The Superintendent or designee shall notify employees that the district does not discriminate on the basis of sex as required by Title IX, that the Title IX nondiscrimination requirement extends to employment, and that inquiries about the application of Title IX to the district may be referred to the district's Title IX Coordinator and/or to the Assistant Secretary for Civil Rights, U.S. Department of Education. (34 CFR 106.8)

The district shall notify employees, bargaining units, and applicants for employment of the name or title, office address, email address, and telephone number of the district's Title IX Coordinator. (34 CFR 106.8)

A copy of the Board policy and this administrative regulation shall:

- 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 (Education Code 231.5)
- 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 (Education Code 231.5)
- Appear in any school or district publication that sets forth the school's or district's comprehensive rules, regulations, procedures, and standards of conduct (Education Code 231.5)
- Be posted, along with the name or title and contact information of the Title IX Coordinator, in a prominent location on the district's web site (34 CFR 106.8)

- Be included, along with the name or title and contact information of the Title IX Coordinator, in any handbook provided to employees or employee organizations (34 CFR 106.8)

All employees shall receive a copy of an information sheet prepared by the California Department of Fair Employment and Housing (DFEH) or the district that contains, at a minimum, components on: (Government Code 12950)

- The illegality of sexual harassment
- The definition of sexual harassment under applicable state and federal law
- A description of sexual harassment, with examples
- The district's complaint process available to the employee
- The legal remedies and complaint process available through DFEH and the Equal Employment Opportunity Commission (EEOC)
- Directions on how to contact DFEH and the EEOC

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, the DFEH poster on discrimination in employment and the illegality of sexual harassment and the DFEH poster regarding transgender rights. (Government Code 12950)

Complaint Procedures

All complaints and allegations of sexual harassment by and against employees shall be investigated and resolved in accordance with law and district procedures. The Title IX Coordinator shall review the allegations to determine the applicable procedure for responding to the complaint. All complaints that meet the definition of sexual harassment under Title IX shall be investigated and resolved in accordance with AR 4119.12/4219.12/4319.12 - Title IX Sexual Harassment Complaint Procedures. Other sexual harassment complaints shall be investigated and resolved pursuant to AR 4030 - Nondiscrimination in Employment.

If sexual harassment is found following an investigation, the Title IX Coordinator, or designee in consultation with the Coordinator, shall take prompt action to stop the sexual harassment, prevent recurrence, and address any continuing effects.

(F) School-wide Dress Code Relating to Gang-Related Apparel (EC 35183)

Basic Principles:

All students are encouraged to dress in a manner that is comfortable and conducive to an active school day.

Students should be able to wear clothing without fear of or actual unnecessary discipline or body shaming.

The student dress code should serve to support all students to develop a body-positive self-image.

All items listed in the "must wear" and "may wear" categories below must meet these basic principles.

Students MUST Wear:

- Top
- Bottom
- Shoes

Clothing that covers specific body parts (genitals, buttocks, and areolae/nipples) with opaque material. Courses or specific class activities that include attire as part of the curriculum may include assignment-specific dress, but should not focus on covering students' bodies or promoting culturally-specific attire. Activity specific shoe requirements are permitted (Examples include but are not limited to physical education and shop class).

Students MAY Choose to Wear:

- Sun-protective clothing, including but not limited to hats, for outdoor use during the school day. (Education Code 35183.5)
- Hats, including religious headwear
- Hooded shirts/jackets (over head is allowed)*

Teachers may direct students to remove/adjust the position of hats/hoods over the head in class during the administration of a test/exam, to address headphone/earbud use issues, or to enable visual identification of a student's face. This does NOT apply to any headwear worn for religious reasons.

Students CANNOT Wear:

- Clothing that includes violent language or images
- Clothing that includes images or language depicting drugs or alcohol (or any illegal item or activity) or the use of same
- Clothing that includes hate speech, profanity, pornography
- Clothing that includes images or language that create a hostile or intimidating environment based on any protected class
- Visible underwear or bathing suits of similar design - Visible waistbands or straps on undergarments worn under other clothing are not a violation
- Helmets, hoods, or other headgear that obscures a student's identity (except as a religious observance).

A student's face must be clearly visible when taking their school photo for identification purposes. This may require the removal of a hood and/or hat. No grade of a student participating in a physical education class shall be adversely affected if the student does not wear standardized physical education apparel because of circumstances beyond the student's control. (Education Code 49066)

Training and Enforcement:

- All staff should be trained to understand the purpose/spirit of the code, the actual code, and how to enforce with the least impact on student learning and self-confidence.
- All staff must enforce the district dress code consistently, once it is adopted. All staff should not have discretion to vary the requirements in ways that lead to discriminatory enforcement.
- All staff should be trained and able to use student/body-positive language to explain the code and to address code violations.
- Enforcement should be consistent with a school's overall discipline plan. Failure to comply with the student dress code should be enforced consistently with comparable behavior and conduct violations, including access to a student advocate or ombudsperson and appeals process.

- Enforcement for students should be limited to safety and non-violence/non-discrimination and will not include messages based on body maturity.
- Violations should be treated as minor on the continuum of school rule violations.
- Students should never be removed from a classroom for a dress code violation unless they are violating the 'Students Cannot Wear' and 'Students MUST Wear' sections of the dress code. Loss of class time should be avoided or kept to a minimum.
- Students should never be forced to wear extra school clothing (that isn't their own) when they are in violation of the code. Students should be presented with a variety of options to rectify the situation. This could include but is not limited to: personal on-site clothing, school-offered clothing, and delivery of alternate clothing.
- Parents/guardians should never be called during the school day to bring alternative clothing for the student to wear for the remainder of the day unless by student request.
- No student should be disproportionately affected by dress code enforcement because of gender, race, body size, or body maturity.
- Students should not be shamed or required to display their body in front of others (students, parents, or staff) in school. "Shaming" includes but is not limited to kneeling or bending over to check attire fit, measuring/commenting on straps, skirt length, or cleavage, asking students to account for their attire in the classroom, and directing students to correct a dress code violation during instructional time.

Evaluation:

The Superintendent or designee shall annually review the effectiveness of this policy and determine, as appropriate, if any further review or revision is required.

Gang-Related Apparel

At individual schools that have a dress code prohibiting gang-related apparel at school or school activities, the principal, staff, and parents/guardians participating in the development of the school safety plan shall define "gang-related apparel" and shall limit this definition to apparel that reasonably could be determined to threaten the health and safety of the school environment if it were worn or displayed on a school campus. (Education Code 32282)

Because gang-related symbols are constantly changing, definitions of gang-related apparel shall be reviewed at least once each semester and updated whenever related information is received. As necessary, the school shall collaborate with law enforcement agencies to update definitions of gang-related apparel.

Uniforms

In schools that require a schoolwide uniform, the principal, staff, and parents/guardians of the school shall jointly select the specific uniform to be worn. (Education Code 35183)

At least six months before a school uniform policy is implemented, the principal or designee shall notify parents/guardians of this policy. (Education Code 35183)

Parents/guardians shall also be informed of their right to have their child exempted.

The Superintendent or designee shall establish criteria for determining student eligibility for financial assistance when purchasing uniforms.

Students who participate in a nationally recognized youth organization shall be allowed to wear organization uniforms on days when the organization has a scheduled meeting. (Education Code 35183)

(G) Procedure for Safe Ingress and Egress of Pupils, Parents, and Staff to and from School (EC 35294.2)

EVACUATION PROCEDURES

EVACUATION ALARM SYSTEM

A crisis or emergency may warrant an evacuation of the school building(s). Once notified of an emergency situation, the Incident Commander, will carry out the initial response actions delineated in the Emergency Preparedness and Crisis Response Plan. In consultation with members of the Incident Command Team, the principal will determine whether an evacuation is warranted or is the safest action given the character of the emergency. Incident Command Team members will immediately assume their designated response duties as activated by the Incident Commander. The Disaster Response Officer will ensure, during the evacuation itself, that all evacuation assistance personnel are operative and performing their respective duties as assigned. When a decision is made to evacuate, the Assembly /Shelter and Care Team leader will immediately report to the assembly area and inspect the area for hazards. The Assembly /Shelter and Care Team leader will notify the Disaster Response Officer immediately if the area is safe. If not, the Assembly /Shelter and Care Team will advise that the evacuation be done to the alternate assembly location. This evacuation may be a partial evacuation of only portions of the building in a localized emergency [e.g., a small chemical spill] or it may be a general evacuation of all building. When an evacuation is ordered, students and staff will be notified according to the site's Preparedness and Crisis Response REMS packet. If deemed appropriate and safe, the school's fire alarm will sound in the event of a general building evacuation. If neither mechanical system is operable, the Incident Commander will utilize office, custodial or student personnel to notify classrooms of the need to evacuate.

COORDINATING THE EVACUATION

Upon receiving the order to evacuate, staff will assume their designated positions in the school. They will then monitor the evacuation procedures and assure that all persons have left the building. Staff are also responsible to ensure that all disabled persons in the building are assisted as necessary.

1. Take emergency backpack, and attendance information.
2. Teachers evacuate with current class. If evacuation occurs outside of a class period: Return to previous class
3. Upon exit lock door to indicate room is all clear and lock door. Keep unlocked if victim is inside.
4. Check with buddy teacher. Assist/evacuate both classes if needed.
5. If on prep or don't have a class: move to nearest evacuation area and assist
6. Check common areas while evacuating.
7. Evacuate to primary location via assigned route, adjust as needed.
8. At evacuation location, line up, and take attendance.
9. List missing students on Share 911
10. Stay with class unless you are released to assume other duties.
11. Release from drill will be PA announcement/bell
12. Communicate with your students and maintain control.

EVACUATION ASSEMBLY AREAS

When ordered to evacuate, students and staff will follow the evacuation route prescribed for their respective areas and exit the building in an orderly and controlled manner. Any volunteers or visitors to the classroom should be advised to go with the classroom to the assembly area. ALL students and staff must report to the assembly area and remain there until the Incident Command Team, via the Assembly/Shelter and Care Team, notifies them it is clear to return to the building. Under no circumstances are students to leave the area unless released by the teacher in strict accordance with the school's Student Release Procedures as outlined in the site's Preparedness and Crisis Response Cliff Notes. This will not be done unless it is authorized by the Incident Command Team. Teachers MUST take a head count of all persons under their care to ensure that all students, volunteers and visitors are present. This will be reported to the Assembly /Shelter and Care Team as outlined in the site's Preparedness and Crisis Response Cliff Notes.. If someone is deemed missing, the teacher is to immediately report this fact to the Assembly /Shelter and Care Team as outlined in the site's Preparedness and Crisis REMS packet.

ACCESS CONTROL PERSONNEL

Whenever an evacuation is called, the designated Security/Traffic response team (designated prior to an emergency) will automatically assume duties as traffic controllers to prevent unauthorized public vehicles or persons access to the school campus and building(s). They will function according to the duties delineation shown in the Emergency Preparedness and Crisis Response Plan.

STUDENT EARLY DISMISSAL AND EMERGENCY SCHOOL CLOSURE

During school hours, all students are considered under the care and supervision of school staff. In all circumstances, and especially in the event of emergency incidents or circumstances, the safety of the students and the school staff is of paramount importance. All actions taken shall bear in mind the safety and well-being of both students and school employees. Thus, in the event of a major emergency incident or disaster during school hours, school will not be dismissed without the expressed and clear authorization of the District Superintendent or a designee, and children will remain under the supervision of school authorities. Students will only be released from school and District responsibility in strict accordance with the procedures outlined in the District's Early Release Policy as described below. Parents/guardians or designated emergency contacts who come to the school to pick up students must properly identify themselves in order for their children to be released.

RELEASE OF STUDENTS FROM SCHOOL

AUSD and this school want to reunite parents with their children at the earliest time possible after an emergency situation or major disaster event. However, if it is not possible for parents to pick up their children or make arrangements for others to do so, students will be held at the school or other area until such time as they can be safely released. Each year the school will notify all parents of the procedure for reuniting parents with children in the event of an emergency at school. Parents are encouraged to print out and complete data confirmation each year and update thier emergency contacts. In the event students are held at a school, they may be released only to the student's own parent(s) or a person authorized beforehand by the parent. As a part of annual registration, sites collect emergency contact information in AERIES. From AERIES, Emergency Cards shall be printed and used for this purpose. It is recommended sites print copies for teachers to have on hand in their emergency packs along with roll information. Office shall also print out the Emergency Student List or Emergency Cards and Parents or others must check with this school's Student Release team at the emergency Student Release Location prior to pick up of their children. Teachers will release students according to the procedure outlined under the Emergency Student Release Procedures described below.

EMERGENCY RELEASE PLAN PROCEDURES

Teachers will utilize the following procedures to properly release students from their care to a parent, legal guardian or person authorized in writing to pick up the student:

1. At time of emergency, students remain with their current classes. Teacher takes roll on an Accountability Form and await direction from Incident Commander via Student Release team.
2. Incident Command will communicate with district office for dismissal directive. Students will report to (first period or other) classes, upon Student Release team directive.
3. Students will be released only to authorized adults listed on the Emergency Card or Emergency Student List. Adults picking up students must sign Student Release Log and indicate destination. Unless otherwise directed by Incident Commander via Student Release officer, a runner takes message to teacher with name of student being released and name of adult picking up student. Teacher double-checks sign-out sheet, stamps/marks student and releases.
4. Students may go home with people listed on Emergency Card or Emergency Student List if parent can't be reached.
5. Periodically, as students are released, remaining students will be consolidated.
7. Teacher takes attendance after each consolidation, informs Assembly/Shelter and Care team as well as the Student Release team, and keeps all documentation.

(H) A Safe and Orderly School Environment Conducive to Learning (EC 35294.2)

Component:

Component I: The Social Climate, People, and Programs

Element:

Identify proposed changes to or the addition of curriculum, strategies and programs that ensure a safe and orderly environment.

Opportunity for Improvement:

Goal: School wide of implementation and reteach of 4Bs

Objectives	Action Steps	Resources	Lead Person	Evaluation
Reinforce School Rules	PBIS Rotations and School Assemblies	Student Led - Student Council	PBIS team/Culture team and Admin	District Wellness Survey Results/TFI
	Weekly Messaging around 4B's	Morning Assembly	Juan Flores /Brian Cooper	District Wellness Survey Results/TFI

Component:

Component II: Physical Environment

Element:

Identify proposed changes to or the addition of strategies and programs that ensure a safe and orderly environment.

Opportunity for Improvement:

Goal: Reduce the size of play area to increase supervision

Objectives	Action Steps	Resources	Lead Person	Evaluation
Maximize available supervision	Supervision Stations	Assigned areas of supervision	Admin	Reduction of major yard discipline
	Minimize play area by sections of play ground	Physical Barriers	Admin	Reduction of major yard discipline
	Ongoing training of supervision techniques	Weekly bulletins	Admin	Reduction of major yard discipline
		Periodic meeting with noon duty staff	Admin	Staff knowledge of roles and areas

(I) School Discipline Rules and Consequences (EC 35291 and EC 35291.5)**Ruby Bridges Elementary School Student Conduct Code****ALAMEDA UNIFIED SCHOOL DISTRICT DISCIPLINE AND INTERVENTION PROTOCOL**

Alameda Unified School District is committed to creating a safe and positive school culture in which all students feel included, supported, and respected. We want to help eliminate inequality in the use of punitive consequences and provide each child with excellent teachers who are equipped to promote academic and social emotional growth in all students. AUSD takes a positive approach to student behavior and the use of restorative practices to minimize the need for punitive consequences and maximize instructional time for every student. We recognize the importance of developing the social and emotional health of all youth and adults in our organization.

The following chart indicates the types of disciplinary action that may apply to each type of infraction. In each instance, an opportunity to teach appropriate behavior through the use of intervention, restorative practices and a corrective action is stated. Each situation or violation involving student conduct should be individualized and the least punitive action based on the violation should be taken. The administrator shall, however, determine whether a specific infraction warrants the corrective action described on the chart. Corrective action taken by the administrator shall take place after progressive discipline interventions by the school fail to bring about proper conduct. These corrective measures are intended to assist in teaching appropriateness and responsibility, while maintaining consistent student discipline on campus.

See Link to discipline matrix: <https://docs.google.com/document/d/1YyzYC48Eq5WsTycFdS35jhrGP4G3nALhYghgdznwzuQ/edit#>

Conduct Code Procedures**(K) Hate Crime Reporting Procedures and Policies**

Hate-motivated behavior is any behavior intended to cause emotional suffering, physical injury, or property damage through intimidation, harassment, bigoted slurs or epithets, force or threat of force, or vandalism motivated in part or in whole by bias or hostility toward the victim's real or perceived race, color, ancestry, nationality, national origin, immigration status, ethnic group identification, ethnicity, age, religion, marital status, pregnancy, parental status, physical or mental disability, medical condition, sex, sexual orientation, gender, gender identity, gender expression, or genetic information, or any other characteristic identified in Education Code 200 or 220, Government Code 11135, or Penal Code 422.55.

The Superintendent or designee shall design strategies to promote harmonious relationships among students, prevent incidents of hate-motivated behavior to the extent possible, and address such incidents in a timely manner when they occur.

The Superintendent or designee shall collaborate with regional programs and community organizations to promote an environment where diversity is celebrated and hate-motivated behavior is not tolerated. Such collaborative efforts shall focus on the development of effective prevention strategies and response plans, provision of assistance to students affected by hate-motivated behavior, and/or education of students who have perpetrated hate-motivated acts.

The district shall provide students with age-appropriate instruction that:

1. Includes the development of social-emotional learning
2. Promotes an understanding, awareness, appreciation, and respect for human rights, human relations, diversity, and acceptance in a multicultural society
3. Explains the harm and dangers of explicit and implicit biases
4. Discourages discriminatory attitudes and practices
5. Provides strategies to manage conflicts constructively

As necessary, the district shall provide counseling, guidance, and support to students who are victims of hate-motivated behavior and to students who exhibit such behavior.

When appropriate, students who engage in hate-motivated behavior shall be disciplined.

The Superintendent or designee shall provide staff with training that:

1. Promotes an understanding of diversity, equity, and inclusion
2. Discourages the development of discriminatory attitudes and practices
3. Includes social-emotional learning and nondiscriminatory instructional and counseling methods
4. Supports the prevention, recognition, and response to hate-motivated behavior
5. Raises the awareness and sensitivity of staff to potentially prejudicial and discriminatory behavior
6. Includes effective enforcement of rules for appropriate student conduct

Employees who engage in hate-motivated behavior shall be subject to disciplinary action, up to and including dismissal.

Rules prohibiting hate-motivated behavior and procedures for reporting a hate-motivated incident shall be provided to students, staff, and parents/guardians.

This policy shall be posted in a prominent location on the district's website in a manner that is readily and easily accessible to parents/guardians and students. (Education Code 234.6)

Complaints

Any staff member who is notified that hate-motivated behavior has occurred, observes such behavior, or otherwise becomes aware of an incident shall immediately contact the compliance officer responsible for coordinating the district's response to complaints and complying with state and federal civil rights laws. As appropriate, the staff member shall also contact law enforcement.

A student or parent/guardian who believes the student is a victim of hate-motivated behavior is encouraged to report the incident to a teacher, the principal, the district's compliance officer, or other staff member.

Any complaint of hate-motivated behavior shall be investigated and, if determined to be discriminatory, shall be resolved in accordance with law and the district's uniform complaint procedures specified in AR 1312.3 - Uniform Complaint Procedures or other applicable procedure. If, during the investigation, it is determined that a complaint is about nondiscriminatory behavior, the principal or designee shall inform the complainant and shall take all necessary actions to resolve the complaint.

(J) Procedures to Prepare for Active Shooters

When responding to a situation that requires our school to go into lockdown (this may include, but is not limited to, an active shooter in the building), the ALICE (Alert, Lockdown, Inform, Counter, Evacuate) protocol will be followed.

ALERT

Purpose: To use clear, concise language to indicate presence and location of active shooter or other harmful individual.

Indicate lockdown and the harmful presence and/or location of threat. For example, "LOCKDOWN, There is an active shooter in the Computer Lab," or "LOCKDOWN, an armed gunman is walking through the first floor long hallway."

Anyone can alert the school community to such a situation. Do not wait for or rely on Administration or the front office staff to make the announcement. If a staff or faculty member undoubtedly sees or is notified of a harmful individual inside the school building, he or she has the authority to alert the rest of the school community of a lockdown. Some ways to alert include: the PA system, Using the classroom phone to activate LOCKDOWN, yelling, using share 911. Faculty and staff must use any means available to them to alert the school community and to spread the word. This may be a team effort where a group of individuals work together to inform everyone. If the opportunity to escape presents itself, you should do so and report to the predetermined Rally Point.

LOCKDOWN

Purpose: To allow for an aggressive use of current technology and procedures.

A traditional lockdown procedure is the first best option when in a high-risk area (or near the harmful individual). If you do not know if you are in a high-risk area, assume you are high risk and proceed to lockdown. If remaining in lockdown remains the best option, all members of the school community should work together to protect themselves.

First, close and lock classroom doors. Use belt or backpack strap to secure door handle if possible.

Create a barricade between you and students in the classroom and the intruder on the outside; use desks, chairs, shelves, cabinets and other pieces of furniture to block entry and to provide more time for survival (have smaller items near at hand in event intruder enters the room)

Gather in the area furthest from the entry point to the room; greater distance means greater safety.

Taking attendance and maintaining order are not the priority.

INFORM

Purpose: To continually communicate the shooter's whereabouts using direct and clear language. (Use Share 911 and the PA system)

By communicating with the school community, all members can make well-informed judgment calls and can be aggressive in protecting themselves. Students, faculty and staff should use every opportunity to alert others and to communicate the whereabouts of the harmful individual.

The use of share 911, phones (school or cell), yelling, and PA system are encouraged to communicate the whereabouts and will keep the intruder off balance. Working together to make informed decisions will put the intruder at a disadvantage.

COUNTER

Purpose: To apply skills to distract, confuse and gain control.

Counter is an absolute last resort. If one finds himself in close proximity to the intruder (no chance to flee or safely get away), he should apply the following counter movements to increase chances of survival:

- Throw objects at the intruder
- Distract the intruder by noise and/or movement
- Run away in a zig zag pattern
- Swarm the intruder
- Flight or fight but do not freeze
- Turn chaos into an advantage
- Use body weight and gravity to gain control

EVACUATE

Purpose: To remove as many people as possible from the danger zone to minimize targets of opportunity.

If you know the intruder's whereabouts and you are not in a high-risk area, you should Evacuate to the school's Rally Point. Only people on the first floor should exit through the windows if necessary. People on the 2nd and 3rd floors should not evacuate through windows as this may cause harm and use the safest stairwell then exit the school to the Rally Point.

REUNIFICATION

Purpose: To reunify students with their parent/guardians in a safe location

Procedures for Preventing Acts of Bullying and Cyber-bullying

Definitions:

Bullying is an unwanted, aggressive behavior that involves a real or perceived imbalance of power between individuals with the intent to cause emotional or physical harm. Bullying can be physical, verbal, or social/relational and involves repetition or potential repetition of a deliberate act.

Cyberbullying includes the electronic creation or transmission of harassing communications, direct threats, or other harmful texts, sounds, or images. Cyberbullying also includes breaking into another person's electronic account or assuming that person's online identity in order to damage that person's reputation.

Examples of the types of conduct that may constitute bullying and are prohibited by the district include, but are not limited to:

- Physical bullying that inflicts harm upon a person's body or possessions, such as hitting, kicking, pinching, spitting, tripping, pushing, taking or breaking someone's possessions, or making cruel or rude hand gestures
- Verbal bullying that includes saying or writing hurtful things, such as teasing, name-calling, inappropriate sexual comments, taunting, or threats to cause harm
- Social/relational bullying that harms a person's reputation or relationships, such as leaving a person out of an activity on purpose, influencing others not to be friends with someone, spreading rumors, or embarrassing someone in public
- Cyberbullying, such as sending demeaning or hateful text messages or emails, sending rumors by email or by posting on social networking sites, or posting embarrassing photos, videos, web site, or fake profiles

Measures to Prevent Bullying:

The Superintendent or designee shall implement measures to prevent bullying in district schools, including, but not limited to, the following:

- Ensuring that each school establishes clear rules for student conduct and implements strategies to promote a positive, collaborative school climate
- Providing to students, through student handbooks and other age-appropriate means, information about district and school rules related to bullying, mechanisms available for reporting incidents or threats, and the consequences for engaging in bullying
- Encouraging students to notify school staff when they are being bullied or when they suspect that another student is being bullied, and providing means by which students may report threats or incidents confidentially and anonymously

- Conducting an assessment of bullying incidents at each school and, if necessary, increasing supervision and security in areas where bullying most often occurs, such as classrooms, playgrounds, hallways, restrooms, and cafeterias
- Annually notifying district employees that, pursuant to Education Code 234.1, any school staff who witnesses an act of bullying against a student has a responsibility to immediately intervene to stop the incident when it is safe to do so

Staff Development:

The Superintendent or designee shall make the California Department of Education's online training module on the dynamics of bullying and cyberbullying, which includes the identification of bullying and cyberbullying and the implementation of strategies to address bullying, available annually to all certificated staff and to other employees who have regular interaction with students. (Education Code 32283.5)

The Superintendent or designee shall provide training to teachers and other school staff to raise their awareness about the legal obligation of the district and its employees to prevent discrimination, harassment, intimidation, and bullying of district students. Such training shall be designed to provide staff with the skills to:

- Discuss the diversity of the student body and school community, including their varying immigration experiences
- Discuss bullying prevention strategies with students, and teach students to recognize the behavior and characteristics of bullying perpetrators and victims
- Identify the signs of bullying or harassing behavior
- Take immediate corrective action when bullying is observed
- Report incidents to the appropriate authorities, including law enforcement in instances of criminal behavior

Student Instruction:

As appropriate, the district shall provide students with instruction, in the classroom or other educational settings, that promotes social-emotional learning, effective communication and conflict resolution skills, character/values education, respect for cultural and individual differences, self-esteem development, assertiveness skills, and appropriate online behavior.

The district shall also educate students about the negative impact of bullying, discrimination, intimidation, and harassment based on actual or perceived immigration status, religious beliefs and customs, or any other individual bias or prejudice.

Students should be taught the difference between appropriate and inappropriate behaviors, how to advocate for themselves, how to help another student who is being bullied, and when to seek assistance from a trusted adult. As role models for students, staff shall be expected to demonstrate effective problem-solving and anger management skills.

To discourage cyberbullying, teachers may advise students to be cautious about sharing passwords, personal data, or private photos online and to consider the consequences of making negative comments about others online.

Reporting and Filing of Complaints:

Any student, parent/guardian, or other individual who believes that a student has been subjected to bullying or who has witnessed bullying may report the incident to a teacher, the principal, a compliance officer, or any other available school employee.

When a report of bullying is submitted, the principal or a district compliance officer shall inform the student or parent/guardian of the right to file a formal written complaint in accordance with AR 1312.3 - Uniform Complaint Procedures. The student who is the alleged victim of the bullying shall be given an opportunity to describe the incident, identify witnesses who may have relevant information, and provide other evidence of bullying.

Within one business day of receiving such a report, a staff member shall notify the principal of the report, whether or not a uniform complaint is filed. In addition, any school employee who observes an incident of bullying involving a student shall, within one business day, report such observation to the principal or a district compliance officer, whether or not the alleged victim files a complaint.

Within two business days of receiving a report of bullying, the principal shall notify the district compliance officer identified in AR 1312.3.

When the circumstances involve cyberbullying, individuals with information about the activity shall be encouraged to save and print any electronic or digital messages that they feel constitute cyberbullying and to notify a teacher, the principal, or other employee so that the matter may be investigated. When a student uses a social networking site or service to bully or harass another student, the Superintendent or designee may file a request with the networking site or service to suspend the privileges of the student and to have the material removed.

Discipline/Corrective Actions:

Corrective actions for a student who commits an act of bullying of any type may include counseling, behavioral intervention and education, and, if the behavior is severe or pervasive as defined in Education Code 48900, may include suspension or expulsion in accordance with district policies and regulations.

When appropriate based on the severity or pervasiveness of the bullying, the Superintendent or designee shall notify the parents/guardians of victims and perpetrators and may contact law enforcement.

The Superintendent, principal, or principal's designee may refer a victim, witness, perpetrator, or other student affected by an act of bullying to a school counselor, school psychologist, social worker, child welfare attendance personnel, school nurse, or other school support service personnel for case management, counseling, and/or participation in a restorative justice program as appropriate.

(Education Code 48900.9)

If any student involved in bullying exhibits warning signs of suicidal thought or intention or of intent to harm another person, the Superintendent or designee shall, as appropriate, implement district intervention protocols which may include, but are not limited to, referral to district or community mental health services, other health professionals, and/or law enforcement.

Emergency Contact Numbers

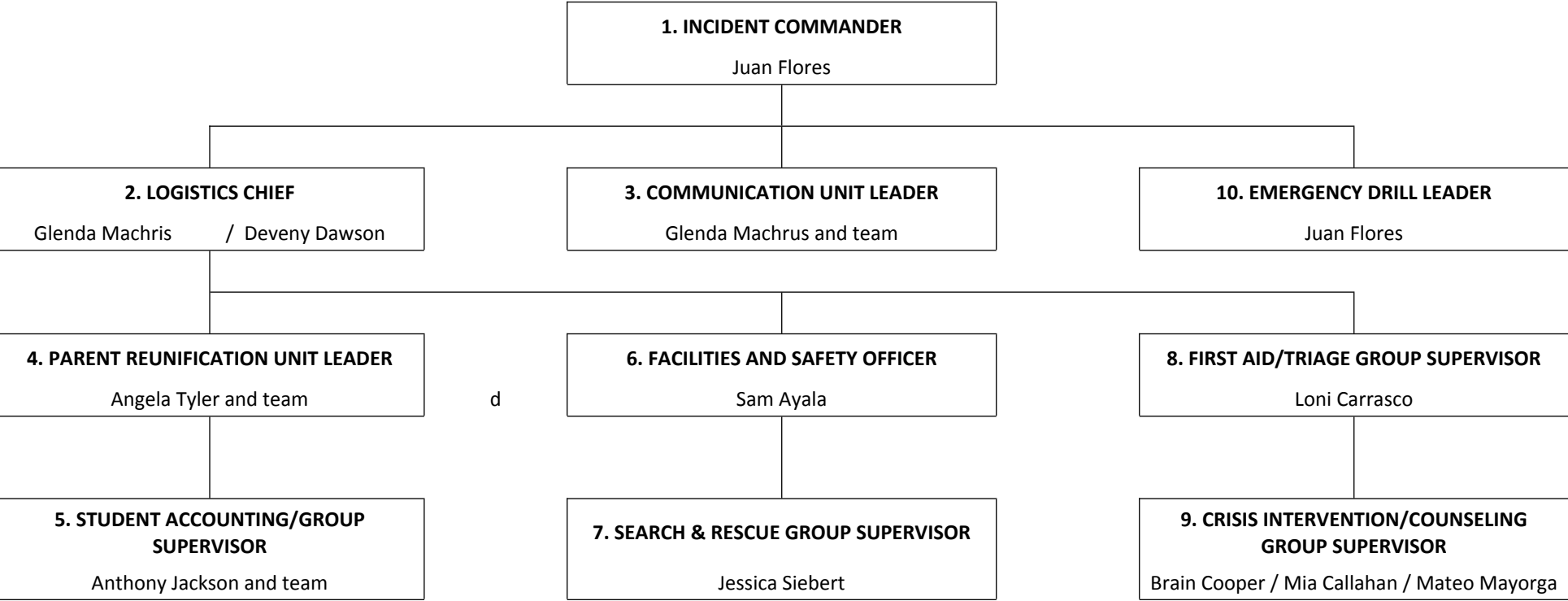
Utilities, Responders and Communication Resources

Type	Vendor	Number	Comments
City Services	City of Alameda	510-747-7400	
Other	County of Alameda	510-208-9770	
Law Enforcement/Fire/Paramedic	APD Non-Emergency	510-337-8340	
Law Enforcement/Fire/Paramedic	POLICE DEPARTMENT 911	911	
Other	Hazardous Materials Unit	510-567-6702	
Other	HEALTH DEPARTMENT - Alameda County	510-267-8000	
Local Hospitals	Alameda Hospital (Emergency Room)	510-522-3700	
American National Red Cross	RED CROSS	510-595-4400	

Safety Plan Review, Evaluation and Amendment Procedures

Activity Description (i.e. review steps, meetings conducted, approvals, etc)	Date and Time	Attached Document (description and location)
Faculty Meeting	8/28	Emergency response training with all staff
Safety Committee Meeting	10/25	Review of Safety Plan and procedures, roles and responsibilities, maps and evacuation routes
Faculty Meeting	10/30	Safety Committee share out
Safety Committee Meeting	12/12	Table top drill and training planning
Faculty Meeting	1/8	Review of REMS roles and responsibilities
Safety Committee Meeting	2/28/24	Update Safety plan with revisions
School Community Meeting	3/7/24	SSC Review and approval of plan

Ruby Bridges Elementary School Incident Command System



Incident Command Team Responsibilities

Standardized Emergency Response Management System Overview

The California Standardized Emergency Management System (SEMS) is designed to centralize and coordinate emergency response through the use of standardized terminology and processes. This greatly facilitates the flow of information and resources among the agencies participating in response to an emergency. SEMS consists of five functions:

SITE ORGANIZATION DURING A DECLARED EMERGENCY COMMAND POST PERSONNEL AND DUTIES

If notified of a Declared Emergency from the Superintendent's Office, OR if the site suffers a severe disaster, the Site Manager shall immediately implement the plans and procedures in the Site Emergency Plan.

The Site Manager or Incident Commander shall:

- A. Activate alarm/Broadcast Alert on Share911 and PA to notify staff
- B. Activate Command Post and 2-way radio
- C. Activate Emergency Teams
- D. Assess total school situation
- E. Make initial site assessment report on Share911 to District Emergency Operations Center.
- F. Check to see that Site Emergency Teams are operating
- G. Assign messengers to needed areas
- H. Request help from 911 or Emergency Operations Center as required
- I. Secure information from Emergency Teams Update Site Status Reports - Report to the Emergency Operations Center
- J. Reassign team members to other duties as required when they finish initial assignment duties
- K. Personally address these items:
 - 1. Is campus secure?
 - 3. Are utilities off or secure?
 - 4. Are signs directing adults to release area up?
 - 5. Are traffic controllers needed?
 - 6. Is First Aid Center functioning?
 - 7. Have buildings been searched for victims?
 - 8. Is the student release program set up and operational?

Logistics Chief: The Site Office Manager shall:

- A. Report immediately to the Command Post with:

1. Master keys
2. Current roster of students and staff
3. Emergency forms and documents
4. Office supplies to assist unit leads

B. Assume responsibilities as directed by Site Manager

The Site Clerical Staff shall:

A. Team up with other personnel as a member of a Site Emergency Team, otherwise:

B. Report to the Site Command Post and assume responsibilities as directed by the Site Manager

The Attendance Clerk shall:

A. Keep a current file of all students release information from forms parents are required to fill out authorizing listed persons to pick up their children in case of a severe emergency. The Attendance Clerk will take these records to the Student Release Area in the Cafeteria and give them to the Student Release Team to use.

The Site Custodians shall:

A. Check the condition of the utilities and connecting pipes and lines and if necessary, turn them off.

B. Check the site completely for:

1. Fire and electrical hazards
2. Chemical hazards (Chlorine storage)
3. Other hazards

C. Notify Site Manager of hazards and services needed

D. Barricade hazardous areas using whatever materials handy

E. When site is secure, report to the Command Post for direction

F. Open emergency container and provide emergency sanitation areas if toilets are unavailable

Directions for the Instructional Staff During a Declared Emergency

Teachers and Para Professionals shall:

A. Respond immediately to emergency signals requiring specific actions and check in on Share911

B. If signal is one to Leave Building, know if signal is for:

1. Fire evacuation

2. Earthquake evacuation
3. Chemical spill evacuation

Evacuate Accordingly!

A. When leaving building:

1. Take emergency backpack
2. Require students to be silent in order to hear instructions
3. Close doors to classroom
4. Go directly to pre-assigned location

B. Check with nearby classrooms when evacuating. If there are seriously injured persons who cannot be moved, assign one teacher to remain and the other to evacuate the rest of the students. Report on Share911

C. Teachers shall provide First Aid to the best of their ability to students under their supervision until the emergency First Aid station is activated. Students with major injuries are to remain in the classroom supervised by a teacher or aide. Students with minor injuries are to be cared for after evacuation.

D. Upon reaching evacuation destination, teachers shall:

1. Take roll
2. List missing students on Share 911 and on paper
3. Give list to Assembly Area Team members
4. Calm students. Remind them of District policies about remaining at school
5. Monitor warmth and protection of students. Move if necessary

E. If assigned to a Site Emergency Team, transfer your students to paired teacher to supervise, report immediately to the Command Post for supplies and begin implementation of Team responsibilities.

USE REMS TO ESTABLISH YOUR EMERGENCY SITE TEAM

Note: Contact listing is intended to be shared with team members to enhance communication in the event of a critical incident. It is recommended that the Principal and Designee establish an intranet list server to further enhance communications. The personal information listed is intended for team members. Please type name and number under each assignment.

REMS Team Members Primary Contact/Cell number Secondary Contact/Cell number

Incident Commander: Juan Flores 510-259-8427 Jessica Siebert 415-948-9635

Establishes an Incident Command Center, lists incident objectives and designates the following positions to perform the following duties.

Logistics Chief: Glenda Machrus 510-846-1029 Deveny Dawson 805-338-8044

Supports each unit leader with where to find the necessary tools to support the team fulfilling their duties.

Report immediately to the Command Post with:

- Master keys
- Current roster of students and staff
- Emergency forms and documents
- Office supplies to assist unit leads
- Computers and walkie talkies
- Assume responsibilities as directed by Site Manager

Communication Unit Leader: Glenda Machrus

Works with the incident commander to communicate out important information to all supervisors and the public.

Report immediately to the Command Post with:

- Computer
- Office supplies

Parent Reunification Unit Leader: Angela Tyler

Reunification refers to getting students reunited with their parents or guardians in an efficient and orderly manner. Reunification can be an enormous challenge and takes a lot of planning.

The Student Release Team is responsible for:

- Setting up secure reunion area
- Checking student emergency cards for authorized releases
- Completing release logs
- Coordinating with the Public Information Office on external messages

Student Accounting/Group Supervisor: Anthony Jackson

Evacuation, shelter, and student care in an emergency is one of the most important tasks faced by schools. It includes student accounting, protection from weather, providing for sanitation needs, and providing for food and water and releasing of students to their guardians.

The Evacuation/Shelter/Care Team is responsible for:

- Accounting for the whereabouts of all students, staff, and volunteers
- Setting up secure assembly area
- Managing sheltering and sanitation operations
- Managing student feeding and hydration
- Coordinating with the Student Release Team
- Coordinating with the Logistics Section to secure the needed space and supplies

Search & Rescue Group Supervisor: Jessica Siebert

Search & Rescue Teams search the entire school facility, entering only after they have checked the outside for signs of structural damage and determined that it is safe to enter. Search & Rescue Teams are responsible for ensuring that all students and staff evacuate the building (or, if it is unsafe to move the persons, that their locations are documented so that professional responders can locate them easily and extricate them).

Search & Rescue Teams are also responsible for:

- Using Share 911 to identify where injuries may exist
- Obtaining injury and missing student reports from teachers
- Moving injured members from building if emergency responders are unable to do so
- Identifying and marking unsafe areas
- Conducting initial damage assessment

First Aid/Triage Group Supervisor: Loni Carrasco

First Aid Teams provide triage and treatment for students and other disaster victims. First Aid Teams are responsible for setting up first aid area for students, assessing and treating injuries, and completing master injury report.

First Aid Teams are responsible for:

- Setting up a first aid area for students
- Assessing and treating injuries
- Completing master injury report

Note: The Logistics Section Medical Unit provides care to responders. The Operations Section First Aid Team is dedicated to students or other disaster victims.

Crisis Intervention/ Counseling Group Supervisor: Brian Cooper / Mia Callahan / Mateo Mayorga

The Crisis Intervention Team is responsible for assisting students and school personnel who are unable to cope with the fears and psychological trauma associated with emergencies and disasters.

This includes:

- Assessing need for onsite mental health support
- Determining need for outside agency assistance
- Providing onsite intervention/counseling
- Monitoring well-being of school emergency team, staff, and students, and reporting all findings to the Operations Section Chief

Facilities and Safety Officer: Sam Ayala

The Facilities & Security Response Team is responsible for:

- Locating all utilities and turning them off, if necessary
- Securing and isolating fire/HazMat
- Opening Emergency Trailer
- Assessing and notifying officials of fire/HazMat
- Conducting perimeter control

Emergency Drill Leader: Juan Flores / Jessica Siebert

The Emergency Drill Leader is responsible for:

- Training staff
- Coordinating and running all required drills
- Monitoring participations
- Reviewing after action reports
- Reporting to the incident commander

LIST SEARCH TEAM DUTY DESCRIPTIONS

Take heavy gloves, flashlight, hard hat and masking tape (no entry) from Emergency Backpack.

Leave Emergency Backpack and students with designated teacher (see previous page).

Report to INCIDENT COMMAND CENTER near gate in lower yard meet with search team partner(s).

Receive directions for search instructions from Search team supervisor.

LIST WHO WILL BE:

SEARCH TEAM #1 Search team will be delegated by Jessica Siebert

Marie Ratto - PE

Julie Kwan teacher

Anthony Manalisay - teacher

Douglas Heim - teacher

Kelly Robertson -teacher

Mark Grody-teacher

LIST FIRST AID FUNCTION

Minimize injuries and loss of life: provide temporary care of injured students.

Set up desk at picnic tables behind multipurpose room (or if unsafe here, on blacktop near multipurpose room).

Organize supplies and treatment area.

Help with wounded.

Keep Check Out Station informed.

Request additional help (ambulances, etc.) through Check Out Station.

Look up emergency information if necessary.

LIST WHO WILL BE:

TREATMENT

Loni Carrasco - Health Clerk

Susan Maiden - teacher

Jana Harvey - teacher

rest of team below

TRIAGE

Deveny Dawson - teacher

Kelly Robertson - teacher

RECORDER

Lani Phan - teacher

Sally Billheimer -teacher

List the things you will have to accomplish and assign to operations section or logistics section.

Examples:

Set up table, chairs and sign "Incident Command Center"

Set up operations table, logistics table.

Set up a first aid station

Put traffic cones in the street, blocking off access to the parking lot entry drive

Set up people to handle the check out of students. Display signs A-L, M-Z. Have emergency card information forms out.

Record finding of search teams

List any unaccounted for students and those in First Aid or in need of first aid.

Keep track of the walkie-talkies

Listen to radio

Use runners as necessary to retrieve information and students

Organize parent line-up and announce using bullhorn to parents that students have been evacuated

Assist in calming and organizing parents

Provide pen and paper for non-English speaking students to write their name

Communicate to District Personnel

INCIDENT COMMAND POST – Located

The Site Manager or designee is the final authority at each school. He/she must be available for all decisions, information and authority during the time the schools are isolated.

Therefore, the Site Manager and the Command Post should be housed in a central area, i.e., the front of the school, where the manager is available to radio, telephone, emergency equipment or personnel and parents.

The Command Post will begin to operate immediately after a disaster.

This is where the record keeping, communication, and major decision making will take place. The Site Manager or Incident commander will be here.

In addition, a separate Student Release Area will be established to coordinate the release of students to authorized adults. Student release area will be in the bike cage (if inaccessible at the end of the parking lot behind the second gate).

Emergency Release Information Forms are needed at the Release Area to document the release of all students.

While the Command Post is functioning, The First Aid and Search/Assessment Teams will carry out their functions and provide information to the Incident commander about the:

1. Condition of students
2. Condition of staff
3. Condition of facilities

Management

During an emergency, the Incident Commander directs response actions from a designated Command Post. To effectively do this, the Incident Commander must constantly assess the situation, and develop and implement appropriate strategies. The Incident Commander must be familiar with the available resources, accurately document all response actions, and effectively communicate response strategies to others participating in the response. This function is typically filled by the school principal. The principal is assisted in carrying out this function by a Public Information & Liaison Officer and Safety Officer.

Planning & Intelligence

Planning and Intelligence involves the use of various methods to efficiently gather information, weigh and document the information for significance, and actively assess the status of the emergency. This understanding and knowledge about the situation at hand is vital to the effective management of a response. These activities are performed by a single person who reports directly to the Incident Commander.

Operations

All response actions are implemented under by Operations. This includes staff performing first aid, crisis intervention, search and rescue, site security, damage assessment, evacuations, and the release of students.

Logistics

Logistics supports the response by coordinating personnel; assembling and deploying volunteers; providing supplies, equipment, and services; and facilitating communications among emergency responders.

Finance & Administration

Finance & Administration involves the purchasing of all necessary materials, tracking financial records, timekeeping for emergency responders, and recovering school records following an emergency. These activities are performed by a single person who reports directly to the Incident Commander.

Types of Emergencies & Specific Procedures

Aircraft Crash

FALLEN AIRCRAFT

DEFINITION/DESCRIPTION

If an aircraft falls near the school, the principal will determine which emergency action, if any, will be taken. Local fire and police departments will be responding also. All students and staff should be kept at a safe distance to protect them from possible explosions and/or fire.

IMMEDIATE ACTION

Principal

- Determine which Action, if any, should be implemented.
- Where necessary, tell teachers they may need to take immediate action for the safety of students without waiting for directions from the principal.
- Determine, if possible, whether the aircraft is military, commercial or private. Contact the local police to determine appropriate action and refer all members of the press to the Emergency Operations Center.

Principal's Secretary

- Respond to calls.
- Assist principal as needed.
- Refer all members of the press to the Emergency Operations Center.

Teachers

- Follow principal's direction as to appropriate Action.
- Depending on the nature of the accident you may need to take Action DROP or Action TAKE COVER to protect students from a possible explosion and/or fire.

FOLLOW UP ACTION

Principal

- Provide up-to-date information to staff and students as it becomes available and arrange school site meetings to make assignments and determine plans.
- Coordinate activities of the school site team.
- Maintain contact with Emergency Operations Center and Superintendent's office.
- Arrange after-school staff meetings to debrief and clarify events.

Teachers

- Read bulletins/announcements as provided by the principal.
- Refer all media to the principal's office.
- Cooperate with the school site team to provide follow-up as appropriate.
- Refer for counseling students who may be at risk.
- Return to normal instructional activities as soon as possible.

Animal Disturbance

If a rabid or vicious animal is at or in the vicinity of the school, the Animal Control Center should be notified immediately. Teachers shall be notified Shelter In Place. Students outside of the building will be quietly and cautiously sent into the nearest building and secured in a room behind closed doors. Notify the Superintendent's Office.

Armed Assault on Campus

Follow A.L.I.C.E Procedures

Biological or Chemical Release

CHEMICAL SPILL

1. An announcement will be made to either Shelter in Place or evacuate the building and gather in the Assembly Area, depending on the situation.
2. The announcement will be made by the P.A. system, or if this fails to operate, messenger will alert classes.
3. If the Assembly Area is not safe, students will be evacuated to Lincoln Park, depending on the area of the spill and direction of the wind.

CHEMICAL ACCIDENT

1. DEFINITION/DESCRIPTION

Chemical accidents of disaster magnitude would include tank truck accidents involving large quantities of toxic gases or toxic liquids. This type of accident will likely be reported by an outside source unless the accident has occurred immediately adjacent to the school site.

2. IMMEDIATE ACTION

Principal

- a) Receive information about/review situation to determine if evacuation routes are safe (move crosswind to avoid fumes).
- b) Determine which action should be implemented.
- c) Sound alarm for appropriate action.
- d) Notify/maintain contact with Superintendent/Emergency Operations Center.
- e) Determine what further action to take.

Teachers

- a) Implement appropriate action, using alternate evacuation route if required.
- b) Maintain control of students.
- c) Take roll. Report students who are absent.
- d) Notify principal of any problems in/around area
- e) Notify principal of need for first aid, as appropriate.

Custodian

- a) Review situation to assess extent of spill, wind direction and proximity to building.
- b) Report findings to principal.
- c) Be prepared to direct fire/police department to spill site.
- d) Assist in spill clean-up or containment, as appropriate.

3. FOLLOW UP ACTION

Principal

- a) Determine, in coordination with M.O.F./Fire Department, whether buildings are habitable.
- b) Notify staff/students of any modification in schedule.
- c) Work with Emergency Operations Center to publicize information regarding accident.
- d) Arrange school site meeting to provide information to staff.

Principal's Secretary

- a) Screen all calls. Refer public to Emergency Operations Center.
- b) Refer media to Emergency Operations Center.
- c) Prepare necessary bulletins.

Teachers

- a) Read bulletins/announcements as provided by principal.
- b) Refer all media to principal's office.
- c) Cooperate with school site team to provide follow-up, as appropriate.
- d) Refer for counseling students who may be at risk.
- e) Return to normal instructional activities as soon as possible.

Bomb Threat/ Threat Of violence

1. DEFINITION/DESCRIPTION

A bomb threat will typically be received in writing or by telephone call. Responses will generally be the same with the initial exception of a person receiving a telephone threat. A copy of the Bomb Threat Checklist should be readily available for every administrative phone responder.

2. IMMEDIATE ACTION – Telephone Threat

Person Receiving Call

- a) Keep the caller on the line. Delay the caller with such statements as: “I’m sorry, I did not understand you. What did you say?”
- b) Use Bomb Threat Checklist (see form at the end of this “Bomb Threat” section). Get as much information as possible from the caller.
- c) Immediately after caller hangs up, report all information to principal.

All Office Personnel

Immediately search your work area for foreign or suspicious objects or packages. If one is found, DO NOT TOUCH OR MOVE IT!!

IMMEDIATE ACTION – Written Threat

Person Receiving Written Message

Give the message to the principal immediately upon identification.

Principal

- a) Receive/review all information about bomb threat.
- b) Determine which action should be taken.
- c) Initiate non-electronic evacuation procedure; i.e. runner or bullhorn, since electronic warnings could activate any device, being sure all evacuation routes are clear.
- d) Notify Superintendent/Police/Fire Department.
- e) Direct search of office complex, evacuation site and classrooms.
- f) Determine what further action should be taken.

Teachers

- a) Implement appropriate action, using alternate evacuation route if required.
- b) Maintain control of students.
- c) Take roll. Report students who are absent.
- d) Notify principal of any problems in or around area.
- e) Hold students until designated evacuation area has been searched and declared safe, and then conduct students to the cleared area.

Teachers assigned to the designated evacuation area will remain with the pupils; personnel who are assigned to search teams will report to the principal for briefing.

If notification of a threat is received and immediate evacuation is not ordered, teachers will search their classrooms for any unidentifiable objects. If nothing is found, resume instruction until the evacuation order is received.

Custodians

- a) Under the direction of the principal, immediately proceed with a thorough search of designated evacuation area (or other area large enough to contain the students) to provide a safe place for students evacuated from the buildings.
- b) Search, as required, to determine that no explosive is hidden in a book, clothes locker or restroom.

3. FOLLOW UP ACTION

Principal

- a) Determine, in coordination with M.O.F. and Fire Department, whether buildings are habitable.
- b) Notify staff/students of any modification in schedule, via special bulletin or telephone tree.
- c) Work with Emergency Operations Center to put messages on TV, radio and telephone system regarding any modifications in schedule.
- d) Arrange school site meeting to discuss plan.

Principal’s Secretary

- a) Screen all calls. Refer calls to Emergency Operations Center.
- b) Prepare necessary bulletins.

Teachers

- a) Read bulletins/announcements as provided by principal.
- b) Refer all media to principal's office.
- c) Cooperate with school site team to provide follow-up as appropriate.
- d) Refer for counseling students who may be at risk.
- e) Return to normal instructional activities as soon as possible.

EXPLOSION OR THREAT OF EXPLOSION

1. DEFINITION/DESCRIPTION

An explosion at the school, or the threat of an explosion, may be caused by leaking gas or a faulty boiler within a school building.

2. IMMEDIATE ACTION – EXPLOSION

Principal

- Sound the school alarm.
- Notify the Superintendent or Assistant Superintendent.
- Notify utility companies of a break or suspected break.
- Notify fire and police departments and direct further action as required.
- Notify teachers of proper action (DROP or LEAVE BUILDING).

Teachers

- Command DROP is given. Instruct students to react in the same manner on their own to this type of catastrophe in case it occurs when the teacher is temporarily not present.
- If the explosion occurred within the building, or threatened the building, immediately implement Action LEAVE BUILDING.
- Move to an area of safety and maintain control of students.
- Notify principal of students needing first aid as necessary.
- Fight incipient fires without endangering life.
- Take roll. Report absent students to principal.
- Students and staff should not return to the school until Fire Department officials declare the area safe.

IMMEDIATE ACTION - THREAT OF EXPLOSION:

Principal

- Sound the school fire alarm, or silent evacuation if electronic means could set off explosion. This will automatically implement Action LEAVE BUILDING.
- Follow procedures for principal -- 'c' and 'd' above.

Teacher

- Follow procedures for teachers -- 'c' through 'g' above.

Disorderly Conduct

CIVIL DISOBEDIENCE/MENACING INDIVIDUALS

1. DEFINITION/DESCRIPTION

Civil disobedience is defined as any assemblage on the school premises by unauthorized persons whose purpose and conduct is inimical to the orderly conduct of the school and the laws relating to the conduct of schools and the welfare of students.

WARNING: The presence of unauthorized individuals or an alert of an impending visitation. When this condition has been reported to the principal or authority in charge, he shall transmit the warning to all classes by the public address system. If the PA system is inoperable, a messenger will be sent to each classroom.

2. IMMEDIATE ACTION

The major plan of action will be to protect all personnel from undue exposure to danger. Every effort must be made to keep classes within their rooms. The following specific steps will be taken to implement the plan of action:

Principal or Designee

- a) Transmit a Shelter in Place alert to all staff members.

- b) Call the local law enforcement agencies to provide protection and to handle arrests.
- c) Make certain that a specific crime is committed before requesting arrests.
- d) School civil disobedience crimes involving arrest are listed in the Criminal Code Procedure and include the following:
 - 1. Disturbing the Peace
 - 2. Trespassing
 - 3. Loitering Around the School Grounds
- e) The principal should make an announcement to the demonstrators similar to the following:
 "I am the principal of this school. You are interfering with the orderly process of education in this school. I request that you leave. If you do not leave, I shall ask for your arrest. You are causing a disturbance."

Teachers

- a) Keep students within their locked classrooms until further notice, regardless of the bells and schedules.
- b) Lock classroom doors.
- c) Remain in charge of your class, utilizing the best judgment in occupying the students within the classroom.
- d) Precaution should be taken to protect personnel from flying glass in case of broken windows. Drapes, venetian blinds, or jalousies should be closed.
- e) Where there is evidence of a potential problem, all P.E. classes will immediately return to the locker rooms.

Custodians

Lock and secure all exterior doors.

3. FOLLOW UP ACTION

Principal

- a) Determine, in coordination with M.O.F., whether building(s) is/are habitable.
- b) Notify staff/students of any modification in schedule, via special bulletin or telephone tree.
- c) Work with Communications director to put messages regarding any modifications in schedule.
- d) Arrange school site meeting to discuss plan.

Principal's Secretary

- a) Screen all calls. Refer public to Director of Communications
- b) Refer media to Director of Communications
- c) Prepare necessary communication to community.

Teachers

- a) Read announcements as provided by principal.
- b) Refer all media to principal's office.
- c) Cooperate with school site team to provide follow-up, as appropriate.
- d) Refer for counseling students who may be at risk.
- e) Return to normal instructional activities as soon as possible.

Earthquake

Although the probability of an earthquake occurring is lower than most other emergency types, the potential for injuries and damage from one is high. It is essential that students and staff remain aware of the following basic actions:

This section removed from posted plan for security purposes. If you wish to see the full plan, contact the school principal for an appointment.

If an earthquake or other situation warrants, drop to the floor, take protective position under desks or furniture with backs to windows and hands covering head and face. Stay in position until directed to evacuate or take other protective action. If outside, move away from buildings and trees and take protective position. When situation permits, proceed to the designated assembly point. Standby: Alert students in your area to stand by for further information. Make whatever assessment of the situation is possible. Render emergency first aid as required. If inside, stay inside during ground shaking. In classrooms or offices, move away from windows, shelves and heavy objects or furniture that may fall. Take cover under a safe table, desk or counter. At the teacher's command, students should take the DROP position.

If a "shelter" (table, desk, etc.) is not available, move to an inside wall or corner, turn away from windows, kneel alongside wall, and bend head close to knees, with elbows firmly behind neck protecting face. If notebooks or jackets are handy, hold these overhead for added protection from flying glass and ceilings debris. Remain in sheltered position for at least 60 seconds or until directed to move by an adult. If in halls, on stairways, or other areas where no cover is available, students must follow the directions of the nearest teacher or school employee.

If in the library, immediately move away from windows and bookshelves and take appropriate cover. In the science lab or shops, all burners should be extinguished (if possible) before taking cover. Stay clear of hazardous chemicals that may spill. The duration of ground shaking depends on a number of factors, including the severity of the earthquake. Advise students to anticipate shorter or longer episodes of ground shaking during actual earthquakes and their aftershocks.

EARTHQUAKE HAZARDS COMMONLY FOUND IN SCHOOL BUILDINGS:

- Glass that shatters or flies around
- Objects stored above head-level on shelves, walls, and ceilings (such as unused projectors, books, science equipment, boxes)
- Objects that block movement to safe places (books on floors, tipped desks and bookcases)
- Cabinets without latches
- Objects stored on wheels
- Open shelving without a lip or restraining wire
- Free standing cabinets
- Blocked exits
- Objects in hallways that block movement (glass, tables, locker contents)

SETTLING DOWN AFTER THE FIRST SHOCK:

- After the first shock, teachers will evacuate the classrooms, being alert to the possibility of aftershocks.
- When leaving the classroom, teachers should make every effort to take with them the roll book and emergency supplies.
- Announce that no student is to return to the room unless directed to do so.
- Teachers will take classes to pre-arranged places on the campus.
- Teachers and students will remain in designated areas until re-entry to the building has been approved or they are directed to move elsewhere.
- School will remain open indefinitely until every student has been released to parents or to an authorized person.
- Do not light any fires after the earthquake because of possible gas leaks.
- If possible, notify utility companies of any break or suspected breaks in service.

THE GREAT SHAKEOUT EARTHQUAKE DRILLS

All AUSD schools are encouraged to participate in the annual Great ShakeOut Earthquake Drills. See <https://www.shakeout.org/index.html> for more information.

Explosion or Risk Of Explosion

EXPLOSION OR THREAT OF EXPLOSION

DEFINITION/DESCRIPTION

An explosion at the school, or the threat of an explosion, may be caused by leaking gas or a faulty boiler within a school building.

IMMEDIATE ACTION – EXPLOSION

Principal

- a) Sound the school alarm and report on Share911.
- b) Notify teachers of proper action (DROP or LEAVE BUILDING).

Teachers

- a) Command DROP is given. Instruct students to react in the same manner on their own to this type of catastrophe in case it occurs when the teacher is temporarily not present.
- b) If the explosion occurred within the building, or threatened the building, immediately implement Action LEAVE BUILDING.
- c) Move to an area of safety, and maintain control of students.
- d) Use Share911 to report students absent, found or needing first aid as necessary.
- e) Fight incipient fires without endangering life.
- g) Students and staff should not return to the school until Fire Department officials declare the area safe.

IMMEDIATE ACTION - THREAT OF EXPLOSION:

Principal

Sound the school fire alarm, or silent evacuation if electronic means could set off explosion. This will automatically implement Action LEAVE BUILDING.

Follow procedures for principal -- 'c' and 'd' above.

Teacher

Follow procedures for teachers -- 'c' through 'g' above.

Fire in Surrounding Area

Follow shelter in place procedures

Fire on School Grounds

DEFINITION/DESCRIPTION: A fire detected in or adjacent to any building at the school site.

IMMEDIATE ACTION

Principal or Site Safety Coordinator

- View fire or take report to determine that evacuation routes are safe.
- Notify teachers of alternate route if necessary.
- Sound school fire alarm and report on Share911.
- Determine what further action to take (i.e. send students/staff home).

Teachers

- Implement Action LEAVE BUILDING, using alternate route in necessary.
- Maintain control of students at a safe distance from the fire and fire fighting equipment.
- Take roll upon arrival at designated area. students.
- Remain with students in designated area until notified of next action.
- Notify principal of any hazards observed in/around area through Share911.
- Notify principal of need for first aid as appropriate through Share911.

Custodians

- View fire to identify location and extent.
- Report findings to principal.
- Fight incipient fire without endangering life.
- Be prepared to direct fire department to fire site.
- Shut off gas/water as appropriate.
- Shut off electricity after all necessary use of P.A. system is complete.

FOLLOW-UP ACTION

Principal

- Determine, in coordination with M.O.F. and Fire Department whether buildings) is/are habitable.
- Notify staff/students of any modification in schedule, via Share911 and special bulletin or telephone tree.
- Work with Director of Communications to put messages on TV, radio and communication system regarding any modifications in schedule
- Arrange school site meeting to discuss plan.

Principal's Secretary

- Screen all calls.
- Refer media to Director of Communication.
- Prepare necessary communications to community.

Teachers

- Read announcements as provided by principal.
- Refer all media to principal's office.
- Cooperate with school site team to provide follow-up as appropriate.
- Refer for counseling students who may be at risk.
- Return to normal instructional activities as soon as possible.

Flooding

DESCRIPTION/DEFINITION

There should be some thought and preparation for this eventuality should any sources around the school create flooding. Flooding may be the secondary effect of another disaster, such as an earthquake.

IMMEDIATE ACTION

Principal

- View flood or take report to determine that evacuation routes are safe.
- Broadcast Alert on Share911 and PA as appropriate.
- Determine what further action to take.

Teachers

- Implement appropriate Action in response to principal direction.
- Take roll upon arrival at evacuation area. Report absent students, needs for first aid and any hazards observed in/around area to principal through Share911.
- Maintain control of students at evacuation area.

Custodians

- View flood to identify location and extent.
- Report findings to principal.
- Be prepared to direct M.O.F./City to flood site/source.
- If flooding is result of school site damage, turn off water.

Follow up Plan

Principal

- Determine, in coordination with M.O.F. and Fire Department whether buildings) is/are habitable.
- Notify staff/students of any modification in schedule, via Share911 and special bulletin or telephone tree.
- Work with Director of Communications to put messages on TV, radio and communication system regarding any modifications in schedule
- Arrange school site meeting to discuss plan.

Principal's Secretary

- Screen all calls.
- Refer media to the Director of Communication.
- Prepare necessary communications to the community.

Teachers

- Read announcements as provided by the principal.
- Refer all media to the principal's office.
- Cooperate with the school site team to provide follow-up as appropriate.
- Refer for counseling students who may be at risk.
- Return to normal instructional activities as soon as possible.

Loss or Failure Of Utilities

UTILITIES LOSS OR FAILURE

CALL MOF - They will call the appropriate public works system based on the loss or failure.

LOSS OF ELECTRICAL POWER:

Consult Alameda Power

LOSS of GAS

PG&E

WATER EMERGENCY:

East Bay Municipal Utility District, colloquially referred to as "East Bay Mud

PHONE ISSUES:

Contact Technology Information Services to report phone issues.

ADDITIONAL INFORMATION:

Contact Maintenance, Operations & Facilities at extension if any utility will be off for an extended period of time.

Notify the superintendent of the situation.

If necessary, make appropriate arrangements with Maintenance and Operations for temporary communications, water delivery and portable rest rooms.

In the event of an extended outage, consult with the cafeteria manager. The cafeteria manager will consult with Food and Nutritional Services.

If an extended outage is likely, provide an update to keep parents/guardians informed.

Motor Vehicle Crash

Step1: Respond to the injured party and determine if first aid or CPR should be provided

Step 2: If 911 needs to be called have another person call while you deliver first aid or CPR

Step 3: Send another person to notify others and get any emergency equipment or information that would be helpful to the emergency

Step 4: When safe to do so, activate share 911 to communicate to staff if an ambulance is on its way

Step 5: Designate staff to the appropriate gate/entrance to help emergency services get in close proximity to injured party

Step 6: Staff are required to complete and turn in an Accident Report to administration for any injuries to any one on campus

Step 7: Accident forms need to be sent to the business office

Psychological Trauma

The sudden death, serious injury to a student or staff member either through natural causes, accidents or as the result of an act of violence, such as school shooting, missing students (known or suspected abduction), physical assault, sexual assault, non-natural or non-accidental causes or other unexpected events are, without question, a crisis. Responding to these kinds of crisis situations in a timely and effective manner is as critical as dealing with an earthquake or a fire.

1. Contact Student Services to request the District Crisis Intervention Team immediately following a serious injury, accident or death of a student or staff member.

2. Work with your school psychologist and or counselors to determine identification of short- and long-term interventions for students or staff traumatized by the event.
3. Work with the Superintendent's office to formulate a public statement.
4. Discuss the crisis in a factual manner in follow up meetings and/or communications.
5. Be sensitive to latent behavior problems that are trauma-related.

A general message will be prepared and whenever possible parents will be contacted first in order to be the first adults to provide the information and support their children. All staff will be debriefed and supported. Activities to best meet the needs of the community will be provided aimed at providing counseling, a way for all to process (writing, drawing, and sharing). Activities such as games, music and reading may be planned over a short period of time to reduce anxiety and work demands. Follow and close monitoring for students and staff to insure latent reactions and responses.

Opioid Overdose

Step (1) Call 911 An overdose is a medical emergency. It is important to have trained medical professionals assess the condition of the overdose victim. Even though Naloxone can reverse the overdose, there may be other health problems of which the responder may not be aware. In addition, people who survive any type of overdose are at risk of experiencing other health complications because of the overdose. Getting someone examined by a medical professional is an important part of reducing the harms associated with overdosing.

It is important for trained staff to remember that Naloxone only works if there are opioids involved with the overdose. It cannot reverse an overdose from benzodiazepines, meth, cocaine, or alcohol.

Step (2) Administer Naloxone (Narcan)

Open the Naloxone blister pack; do not push the plunger.

With the victim's head tilted slightly back, place two (2) fingers over the top of the medication with your thumb securing it from the bottom.

Insert the atomizer fully and gently into their nostril

Push the plunger forward with the thumb and deliver spray of medication. (There is no need to plug the opposing nostril).

Place the person to their side (recovery position).

If the individual is still not responding within two (2) minutes, give a second dose in the opposite nostril.

Follow Up

If the victim is a student, contact parent/guardian per school policy.

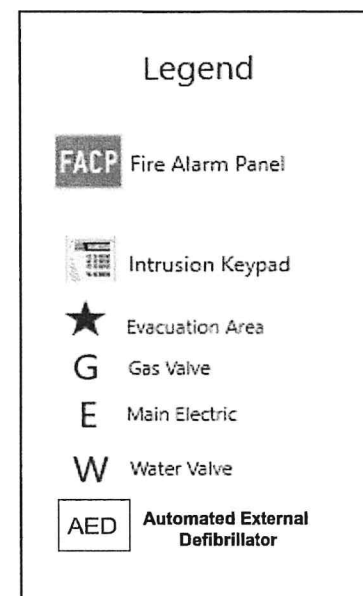
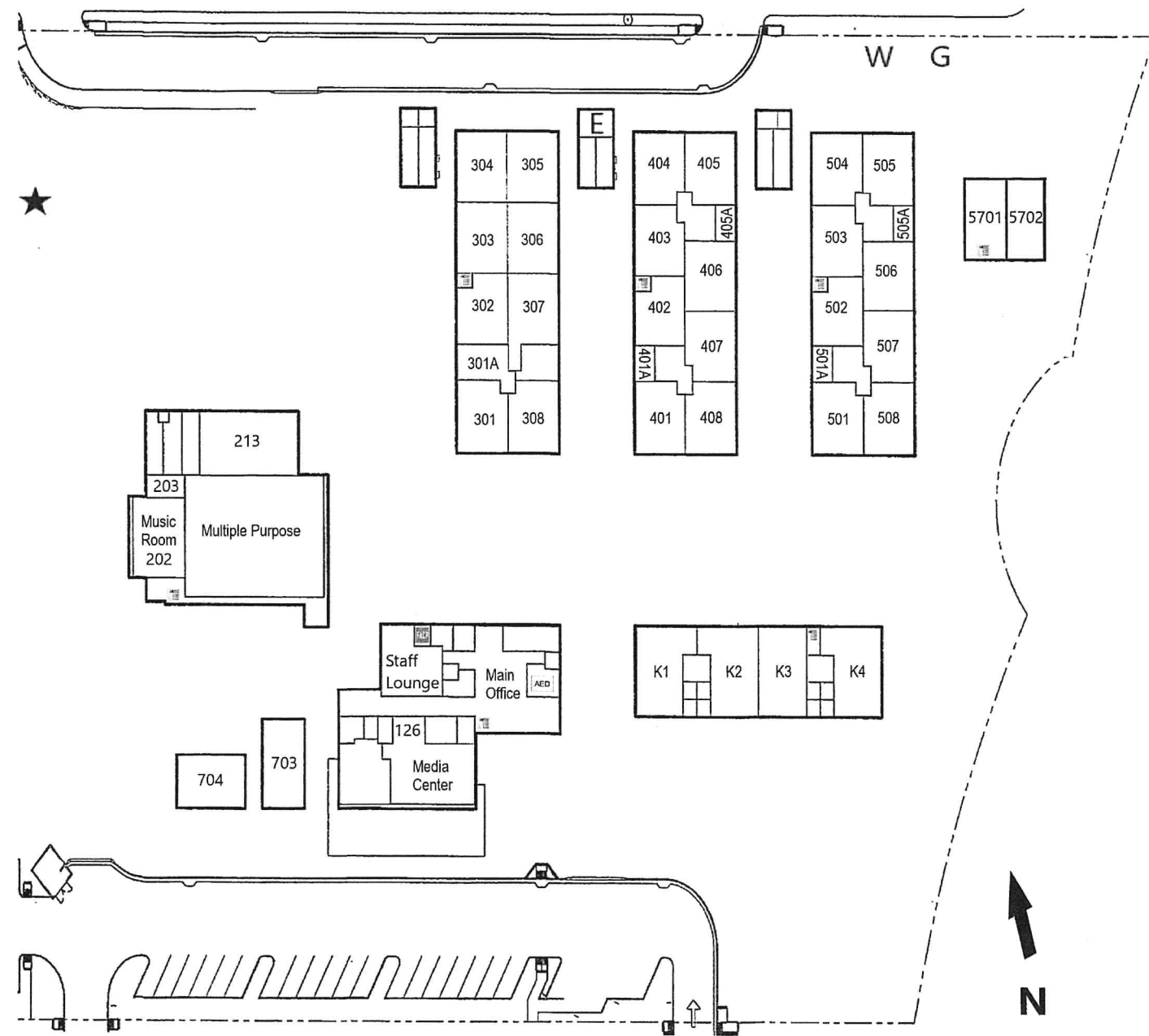
Complete an Accident/Injury Report

Facilitate a debriefing with responding staff

Consider a plan of care for the students' safe return to school

Emergency Evacuation Map

[See Attachments](#)



Ruby Bridges
351 Jack London Ave.
Alameda, CA 94501

Comprehensive School Safety Plan

**2023-24
School Year**

School: Will C. Wood Middle School
CDS Code: 01611196090112
District: Alameda Unified School District
Address: 420 Grand St.
Alameda, CA 94501
Date of Adoption:
Date of Update: 2/13/24
Date of Review:
- with Staff
- with Law Enforcement
- with Fire Authority

Table of Contents

Comprehensive School Safety Plan Purpose.....	4
Safety Plan Vision.....	4
Components of the Comprehensive School Safety Plan (EC 32281).....	5
(A) Child Abuse Reporting Procedures (EC 35294.2 [a] [2]; PC 11166).....	5
(B) Disaster Procedures (EC 35295-35297; GC 8607 and 3100).....	7
(C) School Suspension, Expulsion and Mandatory Expulsion Guidelines	10
(D) Procedures to Notify Teachers of Dangerous Pupils (EC 49079).....	30
(E) Sexual Harassment Policies (EC 212.6 [b]).....	31
(F) School-wide Dress Code Relating to Gang-Related Apparel (EC 35183).....	34
(G) Procedure for Safe Ingress and Egress of Pupils, Parents, and Staff to and from School (EC 35294.2)	37
(H) A Safe and Orderly School Environment Conducive to Learning (EC 35294.2)	39
(I) School Discipline Rules and Consequences (EC 35291 and EC 35291.5)	41
(K) Hate Crime Reporting Procedures and Policies	41
(J) Procedures to Prepare for Active Shooters.....	43
Procedures for Preventing Acts of Bullying and Cyber-bullying.....	44
Emergency Contact Numbers	48
Safety Plan Review, Evaluation and Amendment Procedures	49
Will C. Wood Middle School Incident Command System	50
Incident Command Team Responsibilities.....	51
Types of Emergencies & Specific Procedures.....	58
Aircraft Crash	58
Animal Disturbance.....	58
Armed Assault on Campus	58
Biological or Chemical Release.....	58
Bomb Threat/ Threat Of violence	59
Disorderly Conduct	61
Earthquake	63
Explosion or Risk Of Explosion	63

Fire in Surrounding Area64

Fire on School Grounds64

Flooding66

Loss or Failure Of Utilities67

Motor Vehicle Crash67

Psychological Trauma.....67

Opioid Overdose68

Emergency Evacuation Map.....69

Comprehensive School Safety Plan Purpose

Effective January 1, 2019, Assembly Bill 1747 (Rodriguez), School Safety Plans, became law. This bill requires that during the writing and development of the comprehensive school safety plan (CSSP), the school site council or safety committee consult with a fire department and other first responder entities in addition to currently required entities. It requires the CSSP and any updates made to the plan to be shared with the law enforcement agency, the fire department, and the other first responder entities.

The California Education Code (sections 32280-32288) outlines the requirements of all schools operating any kindergarten and any grades 1 to 12, inclusive, to write and develop a school safety plan relevant to the needs and resources of that particular school.

In 2004, the Legislature and Governor recast and renumbered the Comprehensive School Safety Plan provisions in SB 719 and AB 115. It is the intent of the Legislature in enacting the provisions to support California public schools as they develop their mandated comprehensive safety plans that are the result of a systematic planning process, that include strategies aimed at the prevention of, and education about, potential incidents involving crime and violence on school campuses.

The historical requirement of the Comprehensive School Safety Plan was presented in Senate Bill 187, which was approved by the Governor and chaptered in 1997. This legislation contained a sunset clause that stated that this legislation would remain in effect only until January 1, 2000. Senate Bill 334 was approved and chaptered in 1999 and perpetuated this legislation under the requirement of the initial legislation.

Comprehensive School Safety Plans are required under SB 719 & AB 115 and contains the following elements:

Assessment of school crime committed on school campuses and at school-related functions

- Child abuse reporting procedures
- Disaster procedures
- Suspension and expulsion policies
- Procedures to notify teachers of dangerous pupils
- Discrimination and harassment policies
- School wide dress code policies
- Procedures for safe ingress and egress
- Policies enacted to maintain a safe and orderly environment
- Rules and procedures on school discipline
- Hate crime reporting procedures

The Comprehensive School Safety Plan will be reviewed and updated by March 1st every year. In July of every year, the school will report on the status of its school safety plan including a description of its key elements in the annual school accountability report card.

A copy of the Comprehensive School Safety Plan is available for review at .

Safety Plan Vision

The Alameda Unified School District is committed to providing a quality educational environment that is safe, secure, and peaceful. The primary goal of the District is to help each student develop to the maximum of his/her capacity and function as a responsible member of a democratic society. When parents, students and staff are aware of our mutual responsibilities to keep our community safe, we can effectively promote positive student participation in all of our schools.

The School Site Emergency Plan is designed for use as a school resource for prevention/mitigation, preparedness, response, and recovery planning and training as well as functioning as a template for meeting the requirements for the annual Safety Plan Process under Senate Bill 187, Education Code Section 35294, Statutes of 1998, and the National Incident Management System. It is designed to be a living document that is updated as necessary to meet site, District, and community needs, forms, and/or requirements—therefore, it should be maintained in hard copy and electronic form.

This document is NOT intended to be a “grab and go” guide in an actual emergency.

Components of the Comprehensive School Safety Plan (EC 32281)

Will C. Wood Middle School Safety Committee

Yheng Carlisle, Connie Luong, Nga Nguyen, Rob Picciotto, Romeo Ponsaran

Assessment of School Safety

Based on the 2022-2023 TFI, there were a number of office referrals resulting from behavior in the classroom and outdoors (during lunch). The most common infractions were inappropriate physical contact, unsafe behavior, and inappropriate language. We have continued to incorporate reteaching the 4 B's--Be Safe, Be Responsible, Be Respectful, and Be an Ally--into our Lifeskills curriculum every trimester and after every long school break (e.g. Winter Break, President's Week etc.) The Principal and Assistant Principal have scheduled PBIS Assemblies each trimester to address patterns of student behavior which need improvement and to answer questions from students. With the addition of a full-time Intervention Lead, we have been able to increase the number of mediations and conflict resolution opportunities for our students to take responsibility for their words and actions and to repair harm within our community. There continue to be incidents of vandalism on campus, most often graffiti on exterior walls and in student restrooms. We have addressed this by contacting MOF and district painters to remove the graffiti when our site custodians have been unable to do so.

Strategies and Programs to Provide and Maintain a High Level of Safety (EC 32281(a)1, items A-J)

- Campus supervision before, during, and after school
- Student support provider and noon supervisor
- PBIS Assemblies (every trimester)
- Regular reteaching of the "4 B's"
- Counselor and Intervention Lead-led SEL groups & classroom visits
- District Wellness Survey
- Tobacco Use Prevention Education (TUPE)
- Student clubs
- Community feedback surveys
- Staff PD (Restorative Practices & supporting LGBTQ+ students)

(A) Child Abuse Reporting Procedures (EC 35294.2 [a] [2]; PC 11166)

Child Abuse Reporting Procedures

With concern for the total well-being of each student, employees of the district shall report known or suspected incidences of child abuse in accordance with state law and district regulations. Our employees cooperate with the child protective agencies responsible for reporting, investigating and prosecuting cases of child abuse.

A. Definition of Child Abuse

"Child Abuse," as defined by law, pursuant to Penal Code 273 and 11165, includes:

1. Physical abuse resulting in a non-accidental physical injury.
2. Physical neglect, including both severe and general neglect, resulting in negligent treatment or maltreatment of a child.
3. Sexual abuse including both sexual assault and sexual exploitation.
4. Emotional abuse and emotional deprivation including willful cruelty or unjustifiable punishment.
5. Severe corporal punishment.

B. Legal Duty to Report

Mandated child abuse reporting is governed by the Child Abuse and Neglect Reporting Act, P.C. 11164. The intent and purpose of the law is to protect children from abuse. The definition of a child is any person under 18 years of age.

Within the scope of his or her employment, any childcare custodian who has knowledge of, observes, or reasonably suspects a child is a victim of child abuse, shall report the known or suspected abuse to a child protective agency by telephone and written report. Additionally, any suspicion of mental suffering inflicted on a child where his or her well-being is endangered in any way, will also be reported.

"Mandated Reporters" are those people defined by law as "childcare custodians," "medical practitioners" and "non-medical practitioners" and include virtually all school employees.

(Penal Code 11165.7 and 11165.8) The following school personnel are required to report: teachers, administrators, supervisors of child welfare and attendance, certificated student personnel employees, employees of a child care programs, preschool teachers, school psychologists, licensed nurses, counselors, para-educators instructional aides or other classified employees trained in child abuse reporting. Employees do not need to have their employer's permission to make a child abuse report.

"Child Protective Agencies" are those law enforcement and child protective services responsible for investigating child abuse reports, including the local police or sheriff's department, county welfare or juvenile probation department and child protective services (CPS).

"Reasonable Suspicion" means that it is objectively reasonable for a person to entertain such a suspicion, based upon facts that could cause a reasonable person in a like position, drawing when appropriate on his/her training and experience, to suspect child abuse. (Penal Code 11166)

3. Employees will report known or suspected child abuse to a child protective agency by telephone immediately or as soon as practically possible and in writing within 36 hours. The reporting duties are individual and cannot be delegated to another individual.

4. When two or more persons who are required to report and both have knowledge of suspected child abuse, and when there is agreement among them, the telephone report may be made by any one of them who is selected by mutual agreement, and a single report may be made and signed by the person selected. However, if any person who knows or should know that the person designated to report failed to do so, that person then has a duty to make the report.

5. The duty to report child abuse is an individual duty and no supervisor or administrator may impede or inhibit such reporting duties. Furthermore, no person making such a report shall be subject to any sanction. Any supervisor or administrator in violation (Section 11166) is guilty of an infraction punishable by a fine not to exceed five thousand dollars (\$5000).

C. Legal Responsibility and Liability

1. Mandated reporters have absolute immunity. School employees required to report are not civilly or criminally liable for filing a required or authorized report of known or suspected child abuse.

2. Any mandated reporter who fails to report an incident of known reasonably suspected child abuse or neglect as required by this section is guilty of a misdemeanor punishable by up to six months confinement in a county jail or by fine of one thousand dollars (\$1000) or by both that fine and punishment. The mandated reporter may also be held civilly liable for damages of any injury to the child after a failure to report.

D. Reporting Procedures

The person who first observes or learns about the abuse is to complete the "Suspected Child Abuse Report" form (BCIA 8572) and call the Child Abuse Reporting phone number Call our hotline now at 510-259-1800, available 24 hours a day, 7 days a week or if it is an emergency call:

OR Immediately telephone the appropriate law enforcement agency (based upon where the abuse is suspected to have occurred). Jurisdiction, as to whether the county or the city responds, is determined by where the abuse took place.

a. City: Call the Alameda Police Department (510) 337-8340

3. Employees are not required to identify themselves to their employer when they make a child abuse report. If an employee wishes to waive his/her confidentiality rights he/she may wish to make photocopies of the "Suspected Child Abuse Report" form (SS8572) and forward a copy to the principal and to the Executive Director of Student and Family Support Services.

E. Victim Interviews

Upon request, a child protective agency representative may interview a suspected victim of child abuse, during school hours and on school premises, concerning a report of suspected child abuse that occurred within the child's home. The child shall be given the choice of being interviewed in private or in the presence of any adult school employee or volunteer aide selected by the child. A staff member or volunteer aide selected by a child may decline to present at the interview. If the selected person accepts, the principal or designee shall inform him/her, before the interview takes place, of the following legal requirements:

1. The purpose of the selected person's presence at the interview is to lend support to the child and enable him/her to be as comfortable as possible.
2. The selected person shall not participate in the interview.
3. The selected person shall not discuss the facts or circumstances of the case with the child.
4. The selected person is subject to the confidentiality requirements of Article 2.5 (Penal Code 11165 et seq.), a violation of which is punishable as specified by 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)

F. Release of Child to Peace Officer or to a Child Protective Services Worker

When a child is released to a peace officer and taken into custody as a victim of suspected child abuse, the principal or other school staff shall not notify the parent/guardian as required in other instances of removal of a child from school, but rather shall provide the peace officer with the address and telephone number of the child's parent/guardian. It is the responsibility of the peace officer to notify the parent/guardian of the situation

G. Staff Training

The Principal or designee shall provide training in child abuse identification and reporting for all certificated personnel, instructional and teacher aides, teacher assistants, para-educators and other classified employees. (Penal Code 11165.7) All employees trained in child abuse identification and reporting shall be given, as a part of that training, written notice of the child abuse reporting requirements and the employees' confidentiality rights. (Penal Code 11165.7). The absence of training does not excuse a mandated reporter from the duties imposed by the penal code.

(B) Disaster Procedures (EC 35295-35297; GC 8607 and 3100)

Disaster Plan (See Appendix C-F)

Purpose of the Plan

This response plan is designed to assist school staff, students, parents and local agencies organize resources of the school and community to respond to a crisis situation while school is in session. Regulatory Authority State laws and regulations require school districts develop emergency plans and train staff in emergency response procedures. These include laws applicable to school staff and students as well as Cal/OSHA regulations specifically addressing the safety of district employees. The Katz Act [California Education Code, §35295-35297] requires schools plan for earthquakes and other emergencies. It also requires training in earthquake preparedness procedures for both certificated and classified staff. The Petris Bill [Government Code, §8607] requires school districts be prepared to utilize the Standardized Emergency Management System (SEMS) when responding to emergencies. This requires that principles of SEMS are incorporated in District plans; that the Incident Command System (ICS) are used at school sites; that all school personnel are trained in how the respective systems work and correlate; and that schools have drills and exercises in order to practice using the systems. This plan is designed and structured to ensure compliance with the mandates of state law as well as with Cal/OSHA's Emergency Action Plan Standard Title 8, California Code of Regulations §3220. This regulation requires each employer facility have an Emergency Action Plan which focuses on specific emergency contingencies, response personnel roles, and evacuation plans of each employer's site where employees work. Schools and school districts are included in this mandate. School Site Emergency Preparedness and Response Coordination Each principal shall supervise the planning, operating and testing of their respective school's Emergency Preparedness and Crisis Response Plan. Each principal will also ensure that all school staff and students are familiar with the basic elements of the District's Emergency Operations Plan, which will be utilized at the district office in the event of a major emergency or district-wide disaster. The principal must ensure that the Incident Command System are utilized by all staff personnel in the event of an emergency incident and shall serve as the Incident Commander at all school crises or emergencies.

Campus and Facility Site Preparedness Duties

This school and the District have designated specific persons to assume emergency position responsibilities in the event of a site emergency or District-wide disaster. The following information provides a breakdown of these responsibilities:

All School Staff:

- Become familiar with the school's emergency and evacuation procedures.
- Participate in First Aid and CPR training, as appropriate.

Annually each principal shall:

- Designate Staff Incident Command Structure Assignments.
- Update this site Emergency Preparedness and Crisis Response Plan.
- Ensure personnel are properly trained in their respective assignments.
- Conduct survey of personnel to determine CPR/First Aid/Disaster Preparedness/Medical Training.
- Survey parents to determine who may wish to volunteer during an extended emergency or disaster.
- Ensure needs of students and staff with disabilities are provided for in the event of an emergency.
- Designate primary and alternate locations for command post, evacuation, first aid, student release, and morgue.
- See that parents are informed of the plan and its effect upon students.
- Compile/maintain list of local emergency agencies including telephone numbers and addresses.
- Practice building evacuation plans including testing of warning systems, alarm signals, and communications methods.
- With Maintenance and Operations, complete a site and building hazard survey.
- Ensure all emergency equipment and supplies are in usable condition at all times.

Teachers:

- Teachers are responsible for the supervision of students in their charge.
- Understand emergency response procedures.
- Have planned activities for use during disasters to lessen possible tension.

School Office Managers or Designee:

- Organize and maintain the emergency first aid supplies and distribute back-up supplies.
- Assist principal in developing procedures to protect essential records.
- Ensure battery-operated AM/FM radio is available in working condition; know the call number and frequency of disaster information station.
- Maintain an up-to-date list of students and staff who require life sustaining medication.

School Custodians or designee:

- Assist principal in planning control procedures for different types of building damage.
 - Routinely check that battery-operated equipment is in working condition.
- Directions for the Instructional Staff During a Declared Emergency

Crisis Response

The primary goals of crisis response are to:

- Prevent a potentially chaotic situation from escalating into a catastrophic event.
- Help those affected to return, as quickly as possible, to a normal level of functioning.
- Decrease the potential long-term effects of the crisis.

Incident Command System (ICS)

The Incident Command System is an emergency response system used to manage an emergency incident at a specific facility or site. The ICS, as designated by the AUSD, will be used by this school as the formal emergency response structure. This is in contrast to the Standardized Emergency Management System (SEMS) which is used to manage resources at a district-wide level.

Foundations of Crisis Response

The primary foundation for any emergency or crisis response system is to ensure, as much as is humanly possible, the application of the three C's at all times.

These three C's are:

- Control – Control is the cornerstone of every crisis/emergency response. In emergency response this is initiated and maintained through the effective use of the Incident Command System.
- Communication - Communication is essential to maintaining effective coordination of all response actions. Ongoing communication must be maintained between response persons, school staff, and the command team.
- Coordination - Coordination is essential to ensure that the most effective and appropriate response actions are used throughout a response operation. Proper utilization of the Incident Command System will ensure that all response operations are coordinated from a central point and that no response action is taken at cross purposes to any other.

Insert link to REMS packet here

Public Agency Use of School Buildings for Emergency Shelters

If the Superintendent declares a District emergency during the school day, the District has a clear statement of policy governing its actions.

Alameda Unified School District Policy is as follows:

IN CASE OF A DECLARED EMERGENCY BY THE SUPERINTENDENT DURING SCHOOL HOURS, ALL STUDENTS WILL BE REQUIRED TO REMAIN AT SCHOOL OR AN ALTERNATE, SAFE SITE UNDER THE SUPERVISION OF DISTRICT PERSONNEL:

1. Until regular dismissal time and then released only if it is considered safe, OR
2. Until released to an adult authorized by the parent or legal guardian whose name appears on District records.
 - a) If students are on their way to school they should proceed to school.
 - b) If students are on their way home from school they are to continue home.
3. To provide this supervision and care, Alameda Unified School District personnel will be utilized under Title 1, Division 4, Chapter 8 Government Code and other legal statutes. The statute states that all public employees are designated disaster service workers when an emergency is declared. The District Superintendent, or designee, has the legal authority to declare an emergency in this District. The authority also extends to Alameda County to declare an emergency and impress public employees into service as disaster service workers.

4. Alameda Unified School District encourages the utilization of a buddy system at District sites wherein staff responsibilities for specific emergency functions are assigned to pairs of employees who could, with approval of the Site Manager, carry on legally required supervision and care requirements while allowing emergency home visits to assure welfare of their own families.

(C) School Suspension, Expulsion and Mandatory Expulsion Guidelines

Definitions

Suspension from school means removal of a student from ongoing instruction for adjustment purposes.

The teacher of any class from which a student is suspended pursuant to Section 48910 shall require the student to complete any assignments and tests missed during the suspension. The school will monitor and address the educational needs of the student that arise due to the loss of instructional time. (Education Code 48913). However, suspension does not mean any of the following: (Education Code 48925)

- Reassignment to another education program or class at the same school where the student will receive continuing instruction for the length of day prescribed by the Governing Board for students of the same grade level.
- Referral to a certificated employee designated by the principal to advise students.
- Removal from the class, but without reassignment to another class or program, for the remainder of the class period without sending the student to the principal or designee as provided in Education Code 48910. Removal from a particular class shall not occur more than once every five school days.

Referral means removal from classroom instruction for discipline reasons.

Expulsion means removal of a student from the immediate supervision and control, or the general supervision, of school personnel. (Education Code 48925)

Day means a calendar day unless otherwise specifically provided. (Education Code 48925)

School day means a day upon which the schools of the district are in session or weekdays during the summer recess. (Education Code 48925)

Student includes a student's parent/guardian or legal counsel. (Education Code 48925)

Principal's designee means one or more administrators or, if there is not a second administrator at one school site, a certificated person specifically designated by the principal, in writing, to assist with disciplinary procedures. Only one such person may be designated at any time as the principal's primary designee, and only one such person may be designated as secondary designee for the school year. The names of such persons shall be on file in the principal's office. (Education Code 48911)

School property, for the purposes described in Education Code 48900, includes, but is not limited to, electronic files and databases. (Education Code 48900(u))

The District database is the Aeries Student Information System.

Restorative Practices (RP) is a continuum of practices by which schools build community through circles and other activities, where students learn to use affective statements and the process where all stakeholders affected by an injustice have an opportunity to discuss how they have been affected by the injustice and to decide what should be done to repair the harm.

Positive Behavioral Interventions and Supports (PBIS) is a framework for providing a range of systemic and individualized strategies for achieving important academic and behavioral outcomes while preventing problem behaviors.

Social and Emotional Learning (SEL) is a process through which children and adults develop the fundamental skills for life effectiveness. The five SEL competencies are: self-awareness, self-management, social awareness, relationship skills, and responsible decision-making.

Multi Tiered System of Support (MTSS) is a way of organizing instruction and intervention to help all students. The goal of the multi-tiered framework is to provide high-quality instruction and supports based on student need. This framework helps educators by providing information (data) to identify students needing additional support (academic and behavioral) and also identify students who may need special education services. MTSS includes three levels (or tiers) of instruction. Each tier has a set of evidence-based practices to meet the instructional goals.

Tier 1

For MTSS, a school must first establish its Tier 1 or universal supports. Universal supports are the instructional practices that help all students in a school. Once the universal supports are in place, staff can use assessment data to determine which students need additional supports.

Tiers 2 and 3

The intensity and duration of supports increase for Tiers 2 and 3. The appropriate level of support for each student is determined by assessment data.

Grounds for Suspension and Expulsion

The following is a list of grounds for which suspension and expulsion may be permitted or shall be imposed subject to the

restrictions and requirements herein:

- Caused, attempted to cause, or threatened to cause physical injury to another person or willfully used force or violence upon another person, except in self-defense (Education Code 48900(a))
- A student who aids or abets the infliction or attempted infliction of physical injury on another person, as defined in Penal Code 31, may be suspended, but not expelled. However, such a student may be suspended or expelled pursuant to Education Code 48900(a) when he/she has been adjudged by a juvenile court to have committed, as an aider or abettor, a crime of physical violence in which the victim suffered great or serious bodily injury. (Education Code 48900(t))
- 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))
- 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))
- 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))
- Committed or attempted to commit robbery or extortion (Education Code 48900(e))
- Caused or attempted to cause damage to school property or private property (Education Code 48900(f))
- Stole or attempted to steal school property or private property (Education Code 48900(g))
- 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))
- Committed an obscene act or engaged in habitual profanity or vulgarity (Education Code 48900(i))
- Unlawfully possessed, offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Health and Safety Code 11014.5 (Education Code 48900(j))

As provided in California Education Code section 48900(k), no student enrolled in grades T-Kindergarten through third grade may be suspended or expelled for disrupting school activities or willfully defying the authority of school personnel ("disruption and willful defiance") and no student in TK-12 may be expelled for willful disruption or defiance.

Effective July 1, 2019, no student enrolled in grades T-Kindergarten through twelve (TK-12) grades may be suspended or expelled for disrupting school activities or willfully defying the authority of school personnel. The Board will review data regarding suspensions for defiance in Grades 4 through 12 in August 2019 and January 2020. If, based on review of the data, it appears further steps should be undertaken to meet the goal of eliminating suspensions for defiance by July 1, 2019, the Board will direct the Superintendent to implement such additional measures to achieve the goal of no suspensions for defiance by July 1, 2020.

- Knowingly received stolen school property or private property (Education Code 48900(l))
- 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))

- 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))
- 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))
- Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma (Education Code 48900(p))
- 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.

- 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.

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 (items #20-22 below), that has any of the effects described above on a reasonable student.

Electronic act means the transmission of a communication, 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.

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))

- 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)

A student in grades 4-12 is also subject to suspension or recommendation for expulsion when it is determined that he/she:

- 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)

- 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)

- 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)

A student may be suspended or expelled for any of the acts listed above if the act is related to school activity or school attendance occurring at any district school or within any other school district, at any time, including, but not limited to, the following: (Education Code 48900(s))

- While on school grounds
- While going to or coming from school
- During the lunch period, whether on or off the school campus
- During, going to, or coming from a school-sponsored activity

Teacher-Initiated Suspensions Pursuant to Section 48910

The Board desires the adoption of a Multi-Tiered System of Support which includes Positive Behavior Intervention Supports to facilitate a consistent approach for positive, pro-social behavior management (BP 5144). The District expects teachers to attempt interventions prior to initiating a suspension pursuant to Section 48910 except where suspension for a first offense is permitted or mandated by law, as described on pp. 8-9 below.

When removing a student from his/her class pursuant to Section 48910, 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 removed. (Education Code 48910)

The site administrator or designee shall ensure that site staff completed the following:

- The teacher completed the Teacher-Initiated Pupil Suspension Report and, starting in the 2019-20 school year, the office referral form.
- The teacher contacted the parent/guardian to request their participation in a parent-teacher conference regarding the suspension within 24 hours. 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)
- The site administrator or designee reviewed the office referral form and completed the in-school suspension form if warranted.
- The site administrator or designee contacted parent/guardian regarding the suspension.
- The site administrator or designee recorded the classroom interventions and referral in the District database.

A student suspended from class pursuant to Section 48910 shall not be returned to class during the period of suspension without the approval of the teacher of the class and the principal. (Education Code 48910)

A student suspended from class pursuant to Section 48910 shall not be placed in another regular class during the period of suspension. However, if a student is assigned to more than one class per day, he/she may be placed in any other regular classes except those held at the same time as the class from which the student was removed. (Education Code 48910)

The teacher of any class from which a student is suspended pursuant to Section 48910 shall require the student to complete any assignments and tests missed during the suspension. The school will monitor and address the educational needs of the student that arise due to the loss of instructional time. (Education Code 48913)

When suspending a student in Grades TK-3 from class for committing an obscene act or engaging in habitual profanity or vulgarity, the teacher of the class may require any parent/guardian who lives with the student to attend a portion of the school day in the class from which the student is being suspended, to assist in resolving the classroom behavior problems. (Education Code 48900.1) The teacher of the class may also require any parent/guardian who lives with the student to attend a portion of the school day in the class to assist in resolving classroom behavior problems.

When suspending a student in Grades 4-12 from class for committing an obscene act or engaging in habitual profanity or vulgarity, disrupting school activities, or otherwise willfully defying valid staff authority, the teacher of the class may require any parent/guardian who lives with the student to attend a portion of the school day in the class from which the student is being suspended, to assist in resolving the classroom behavior problems. (Education Code 48900.1)

When suspending a student in any grade from class for committing an obscene act, engaging in habitual profanity or vulgarity, the teacher of the class may require any parent/guardian who lives with the student to attend a portion of the school day in the class from which the student is being suspended, to assist in resolving the classroom behavior problems. (Education Code 48900.1) The teacher of the class may also require any parent/guardian who lives with the student to attend a portion of the school day in the class to assist in resolving classroom behavior problems.

Teachers should reserve the option of required parental attendance for cases in which they have determined that it is the best strategy to promote positive interaction between the teacher and the student and his/her parents/guardians and to improve the student's behavior.

Any teacher requiring parental attendance pursuant to this policy shall apply the policy uniformly to all students within the classroom. (Education Code 48900.1)

When a teacher makes this request, the principal shall send the parent/guardian a written notice that the parent/guardian's attendance is requested pursuant to law. (Education Code 48900.1)

The notice shall specify that the attendance may be on either the date the student is scheduled to return to class or within one week thereafter.

This notice shall also:

- Inform the parent/guardian when his/her presence is expected and by what means he/she may arrange an alternate date
- Ask the parent/guardian to meet with the principal after the visit and before leaving school, as required by Education Code 48900.1

At the meeting with the student's parent/guardian, the principal or designee shall explain the district's and school's discipline policies, including the disciplinary strategies that may be used to achieve proper student conduct.

When a parent/guardian does not respond to the request to attend school, the principal or designee shall contact him/her by telephone, mail, or other method that maintains the confidentiality of the student's records.

District regulations shall include procedures for implementing parental attendance requirements. Parents/guardians shall be notified of this policy prior to its implementation. (Education Code 48900.1)

Suspensions by Superintendent, Principal, or Designee

The Board does not support a zero tolerance approach to discipline except where mandated by law. Schools may not adopt zero tolerance policies that conflict with District discipline policies. The Board desires that schools will adopt, engage, and implement positive approaches to addressing problem behavior prior to initiating the suspension of a student.

Suspension for a first time offense is limited to certain serious offenses (listed below in permissible and mandatory categories) or where it can be documented that the presence of a student causes a danger to persons.

Defiance

As provided in California Education Code section 48900(k), no student enrolled in grades T-Kindergarten through third grade may be suspended or expelled for disrupting school activities or willfully defying the authority of school personnel ("disruption and willful defiance") and no student regardless of grade may be expelled for willful defiance or disruption.

Effective July 1, 2019, no student enrolled in grades T-Kindergarten through twelve (TK-12) grades may be suspended or expelled for disrupting school activities or willfully defying the authority of school personnel. Suspension and expulsion shall not be imposed for a violation of Education Code section 48900(k), including disruption of school activities or willful defiance. The District expects schools to develop appropriate interventions, for example, behavioral plans, restorative circles, or SEL groups for students who engage in a pattern of defiant behavior.

Defiance is when a student continues to disobey a school official, teacher, or administrator after having been taught the rules and expectations of the school and the student displays behavior that directly interferes with the rights of others to learn.

The Board will review data regarding suspensions for defiance in Grades 4 through 12 in August and January. If, based on review of the data, it appears further steps should be undertaken to meet the goal of eliminating suspensions for defiance, the Board will direct the Superintendent to implement such additional measures to achieve the goal of no suspensions for defiance by July 1, 2020.

Discipline and Intervention Matrix for Administrators

Attached to this Administrative Regulation is the discipline and intervention matrix aligned to the District's Multi-Tiered System of Support framework that models a progressive and holistic approach to discipline. As provided in the Board Policy, each school is responsible for adopting strategies, programs, and interventions within this framework to facilitate a positive approach to behavior management. Even if suspension is appropriate, administrators must first consider whether other interventions should be used.

Except where suspension for a first offense is permitted or mandatory (as described above), in-school and out-of-school suspension and other sanctions that result in a student's loss of instruction shall only be imposed when the principal or designee has determined that other means of correction that are consistent with District policies and procedures have failed to bring about proper conduct. (Education Code 48900.5)

As described in AR 5144, interventions and other alternatives to suspension should be attempted and evaluated prior to referral from the classroom. In addition, the principal or designee shall document the other means of correction used and retain them in the student's record. (Education Code 48900.5)

The Principal or designee shall complete the suspension form and record the suspension in the District's database.

The Superintendent, principal, or designee may suspend a student from school for not more than five consecutive school days unless the suspension is extended pending expulsion. (Education Code 48911)

A student may be suspended from school for not more than 20 school days in any school year unless, for purposes of adjustment, the student enrolls in or is transferred to another regular school, an opportunity school, or continuation school or class, in which case suspension shall not exceed 30 days in any school year. However, this restriction on the number of days of suspension does not apply when the suspension is extended pending an expulsion. (Education Code 48903, 48911, 48912)

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)

Suspensions shall be initiated according to the following procedures:

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 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. 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)

Administrative Actions: All requests for student suspension are to be processed by the principal or designee. All suspensions shall be recorded in the District database. 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)

Notice to Parents/Guardians: At the time of the suspension, a school employee shall make a reasonable effort to contact the parent/guardian by telephone or in person. Whenever a student is suspended, the parent/guardian shall be notified in writing of the suspension. (Education Code 48911)

This notice shall state the specific offense committed by the student. (Education Code 48900.8)

In addition, the notice may state the date and time when the student may return to school. If school officials wish to ask the parent/guardian to confer regarding matters pertinent to the suspension, the notice may add that state law requires the parent/guardian to respond to such requests without delay.

Parent/Guardian Conference: Whenever a student is suspended, school officials may meet 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)

Although the parent/guardian is required to respond without delay to a request for a conference about his/her child's behavior, 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 readmission solely because the parent/guardian failed to attend the conference. (Education Code 48911)

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 Principal may, in writing, extend the suspension until such time as the Board has made a decision. (Education Code 48911)

Any extension of the original period of suspension shall be preceded by notice of such extension with an offer to hold a conference concerning the extension, giving the student an opportunity to be heard. This conference may be held in conjunction with a meeting requested by the student or parent/guardian to challenge the original suspension. Extension of the suspension may be made only if

the Superintendent or Principal determines, following a meeting in which the student and the student's parent/guardian were invited to participate, that the student's presence at the school or at an alternative school would endanger persons or property or threaten to disrupt the instructional process. (Education Code 48911)

If the student involved is a foster youth, the Superintendent or designee shall notify the district liaison for foster youth of the need to invite the student's attorney and a representative of the appropriate county child welfare agency to attend the meeting. (Education Code 48853.5, 48911, 48918.1)

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.

The student shall be responsible for contacting the school to receive assignments to be completed during the period of the suspension. The school shall make available all assignments and tests that the student will miss while suspended.

Suspension by the Board

The Board may suspend a student for any of the acts listed in "Grounds for Suspension and Expulsion" above and within the limits specified in "Suspensions by Superintendent, Principal, or Designee" above. (Education Code 48912)

The Board may suspend a student enrolled in a continuation school or class for a period not longer than the remainder of the semester if any of the acts listed in "Grounds for Suspension and Expulsion" occurred. The suspension shall meet the requirements of Education Code 48915. (Education Code 48912.5)

When the Board is considering a suspension, disciplinary action, or any other action (except expulsion) against any student, it shall hold a closed session if a public hearing would lead to disclosure of information violating a student's right to privacy under Education Code 49073-49079. (Education Code 35146, 48912)

The Board shall provide the student and his/her parent/guardian with written notice. Upon receiving this notice, the student or parent/guardian may request a public meeting, and this request shall be granted if made in writing within 48 hours after receipt of the Board's notice. However, any discussion that conflicts with any other student's right to privacy still shall be held in closed session. (Education Code 35146, 48912)

Supervised Suspension Classroom

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 a supervised suspension classroom in a separate classroom, building, or site for the entire period of suspension. The following conditions shall apply: (Education Code 48911.1)

The supervised suspension classroom shall be staffed in accordance with law and by certificated employees.

The student shall have access to appropriate counseling services.

The supervised suspension classroom shall promote completion of schoolwork and tests missed by the student during the suspension.

The student shall be responsible for contacting his/her teacher(s) to receive assignments to be completed in the supervised suspension classroom except where otherwise set out in the student's Individualized Education Program (IEP) or Section 504 plan. 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.

The Principal or designee shall complete the in-school suspension form and record the suspension in the District's database.

At the time a student is assigned to a supervised suspension classroom, the principal or designee shall notify the student's parent/guardian in person or by telephone. When the assignment is for longer than one class period, this notification shall be made in writing. (Education Code 48911.1)

Involuntary Transfer

The District may not involuntarily transfer a student in Grades TK- 3rd grade to another school based on a finding of disruption of school activities or willful defiance of the authority of school personnel (California Education Code section 48900(k)).

Effective July 1, 2019, the District may not involuntarily transfer a student to another school based on a finding of disruption of school activities or willful defiance of the authority of school personnel (California Education Code section 48900(k)).

Involuntary transfers may only occur following a recommendation for expulsion and after a hearing before the District's Disciplinary Hearing Panel (DHP) consistent with the requirements in Education Code section 48918 and the notice and hearing procedures set forth below for expulsions. In addition, an involuntary transfer to a continuation school must be made pursuant to Education Code section 48432.5.

Expulsions

The Board shall expel, as required by law, any student found to have committed any offense listed below under "Mandatory Recommendation and Mandatory Expulsion" (see page 13). (Education Code 48915)

For all other grounds listed under "Grounds for Suspension and Expulsion," the Board shall order a student expelled upon the recommendation of the Superintendent, principal, or designee only if the Board makes a finding of either or both of the following: (Education Code 48915(b) and (e))

- That other means of correction have repeatedly failed to bring about proper conduct
- 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

Authority to Expel

A student may be expelled only by the Board. (Education Code 48918(j))

The Board shall expel, as required by law, any student found to have committed any offense listed below under "Mandatory Recommendation and Mandatory Expulsion." (Education Code 48915)

For all other grounds listed above under "Grounds for Suspension and Expulsion," the Board shall order a student expelled upon the recommendation of the Superintendent, principal, or designee, only if the Board makes a finding of either or both of the following: (Education Code 48915(b) and (e))

- That other means of correction are not feasible or have repeatedly failed to bring about proper conduct
- 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

Recommendation for Expulsion Expected Unless It Is Not Appropriate or Alternative Means of Correction Would Address the Conduct

Unless the Superintendent, principal, or designee 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(a))

- Causing serious physical injury to another person, except in self-defense

- Possession of any knife as defined in Education Code 48915(g), explosive, or other dangerous object of no reasonable use to the student
- 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
- Robbery or extortion
- 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)

Mandatory Recommendation and Mandatory Expulsion

The Superintendent, principal, or designee shall recommend that the Board expel any student found at school or at a school activity to be: (Education Code 48915(c))

Possessing, as verified by a district employee, selling, or otherwise furnishing a firearm.

Possession of an imitation firearm, as defined in Education Code 48900(m), shall not be regarded as an offense requiring a mandatory recommendation for expulsion and mandatory expulsion. However, an administrator shall have discretion on a case-by-case basis to recommend expulsion for the possession of an imitation firearm.

Brandishing a knife as defined in Education Code 48915(g) at another person

Unlawfully selling a controlled substance listed in Health and Safety Code 11053-11058

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

Possessing an explosive as defined in 18 USC 921

Upon finding that the student committed any of the above acts, the Board shall expel the student. (Education Code 48915)

Student's Right to Expulsion Hearing

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 one of the acts listed above under "Grounds for Suspension and Expulsion." (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))

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)

Receive five days' notice of his/her scheduled testimony at the hearing

Have up to two adult support persons of his/her choosing present at the hearing at the time he/she testifies

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)

The rights of a complaining witness are further outlined in Administrative Regulation 5145.7 (Sexual Harassment).

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))

- The date and place of the hearing.
- A statement of the specific facts, charges, and offense upon which the proposed expulsion is based.
- A copy of district disciplinary rules which relate to the alleged violation.
- 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).
- 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 advisor.

Legal counsel means an attorney or lawyer who is admitted to the practice of law in California and is an active member of the State Bar of California.

Nonattorney advisor means an individual who is not an attorney or lawyer, but who is familiar with the facts of the case and has been selected by the student or student's parent/guardian to provide assistance at the hearing.

- The right to inspect and obtain copies of all documents to be used at the hearing.
- The opportunity to confront and question all witnesses who testify at the hearing.
- 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

At least 10 days prior to a hearing to determine if a student who is a foster youth as defined under Education Code 48853.5 should be expelled for an offense not requiring a mandatory recommendation for expulsion, the Superintendent or designee shall notify the student's attorney and a representative of an appropriate county child welfare agency. If the hearing is pursuant to an offense requiring a mandatory expulsion recommendation, the Superintendent or designee may provide the same notification. The notice shall be provided by the most cost-effective method possible, including by email or a telephone call. (Education Code 48918.1)

Conduct of Expulsion Hearing

Closed Session: Notwithstanding the provisions of Government Code 54953 and Education Code 35145, the Board shall conduct a hearing to consider the expulsion of the student in a session closed to the public unless the student requests in writing at least five days prior to the hearing that the hearing be a public meeting. If such a request is made, the meeting shall be public unless another student's privacy rights would be violated. (Education Code 48918(c))

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))

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))

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))

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" 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.

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)

- Any complaining witness shall be given five days' notice before being called to testify.
- Any complaining witness shall be entitled to have up to two adult support persons, including, but not limited to, a parent/guardian or legal counsel, present during his/her testimony.
- Before a complaining witness testifies, support persons shall be admonished that the hearing is confidential.
- The person presiding over the hearing may remove a support person whom he/she finds is disrupting the hearing.
- If one or both support persons are also witnesses, the hearing shall be conducted in accordance with Penal Code 868.5.

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.

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.

The district shall provide a room separate from the hearing room for the use of the complaining witness before and during breaks in testimony.

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.

The person conducting the hearing may:

- Arrange the seating within the hearing room so as to facilitate a less intimidating environment for the complaining witness
- 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
- Permit one of the support persons to accompany the complaining witness to the witness stand

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. Alternatively, the Board may appoint an impartial administrative panel composed of three or more certificated personnel, none of whom shall be members of the Board or on the staff of the school in which the student is enrolled. (Education Code 48918(d))

A hearing conducted by the hearing officer or administrative panel shall conform to the same procedures applicable to a hearing conducted by the Board as specified above in "Conduct of Expulsion Hearing," including the requirement to issue its 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 expulsion referral was made, unless the parent, guardian, or responsible adult of the pupil requests another school placement in writing. Before the placement decision is made by the parent, guardian, or responsible adult, the superintendent of schools or the superintendent's designee shall consult with school district personnel, including the pupil's teachers, and the parent, guardian, or responsible adult regarding any other school placement options for the pupil in addition to the option to return to his or her classroom instructional program from which the expulsion referral was made. If the hearing officer or administrative panel finds that the pupil committed any of the acts specified in subdivision (c) of Section 48915, but does not recommend expulsion, the pupil shall be immediately reinstated and may be referred to his or her prior school or another comprehensive school, or, pursuant to the procedures set forth in Section 48432.5, a continuation school of the school district. The decision not to 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 for a period of one year. (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, the final action to expel shall be taken by the Board at a public meeting. (Education Code 48918(j))

If the Board conducts the hearing and reaches a decision not to expel, this decision shall be final and the student shall be reinstated immediately.

Upon ordering an expulsion, the Board shall set a date when the student shall be reviewed for readmission to a school within the district. For a student expelled for 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)

- Periodic review, as well as assessment at the time of review, for readmission
- 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:

- The specific offense committed by the student for any of the causes for suspension or expulsion listed above under "Grounds for Suspension and Expulsion" (Education Code 48900.8)
- The fact that a description of readmission procedures will be made available to the student and his/her parent/guardian (Education Code 48916)
- Notice of the right to appeal the expulsion to the County Board of Education (Education Code 48918)
- Notice of the alternative educational placement to be provided to the student during the time of expulsion (Education Code 48918)
- Notice of the student's or parent/guardian's obligation to inform any new district in which the student seeks to enroll of the student's status with the expelling district, pursuant to Education Code 48915.1 (Education Code 48918)

Decision Not to Enforce Expulsion Order

In accordance with Board policy, when deciding whether to suspend the enforcement of an expulsion order, the Board shall take into account the following criteria:

- The student's pattern of behavior
- 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:

- 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)
- During the period when enforcement of the expulsion order is suspended, the student shall be on probationary status. (Education Code 48917)
- The suspension of the enforcement of an expulsion order may be revoked by the Board if the student commits any of the acts listed under "Grounds for Suspension and Expulsion" above or violates any of the district's rules and regulations governing student conduct. (Education Code 48917)
- 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)

- 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)

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))

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)

Right to 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)

The student shall submit 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 furnishment 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)

Post-Expulsion Placements

The Board shall refer expelled students to a program of study that is: (Education Code 48915, 48915.01)

- Appropriately prepared to accommodate students who exhibit discipline problems
- Not provided at a comprehensive middle, junior, or senior high school or at any elementary school, unless the program is offered at a community day school established at such a site
- Not housed at the school site attended by the student at the time of suspension

When the placement described above is not available and when the County Superintendent so certifies, students expelled for acts described in items #6-13 and #20-22 under "Grounds for Suspension and Expulsion" 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

Readmission procedures shall be as follows:

- On the date set by the Board when it ordered the expulsion, the district shall consider readmission of the student. (Education Code 48916)
- 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.
- The Superintendent or designee shall transmit to the Board his/her recommendation regarding readmission. The Board shall consider this recommendation in closed session if information would be disclosed in violation of Education Code 49073-49079. If a written request for open session is received from the parent/guardian or adult student, it shall be honored.
- 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.

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)

If the Board denies the readmission of a student, the Board shall determine either to continue the student's placement in the alternative educational program initially selected or to place the student in another program that serves expelled students, including placement in a county community school. (Education Code 48916)

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 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)

Outcome Data

The Superintendent or designee shall maintain the following data and report such data annually to the California Department of Education, using forms supplied by the California Department of Education: (Education Code 48900.8, 48916.1)

- The number of students recommended for expulsion
- The specific grounds for each recommended expulsion
- Whether the student was subsequently expelled
- Whether the expulsion order was suspended
- The type of referral made after the expulsion
- The disposition of the student after the end of the expulsion period

Public Reporting of Discipline Data

The Superintendent or designee shall ensure that the following data is publicly available on the District's public website twice annually, within 60 days after the completion of each semester:

- The aggregate number and rates of office referrals, teacher suspensions, supervised in-school and out-of-school suspensions, involuntary transfers, expulsion referrals, expulsions, on-campus citations, school-based arrests, and four-year graduation and drop-out rates, disaggregated by all subgroups, including race, gender, ethnicity, English Language Learner status, socio-economic status, foster youth, homeless youth, and disability and by offense for the district and by school-site.
- The number of instructional days and ADA funding lost to suspensions, transfers, and expulsions.
- The school sites to which students were transferred after the Disciplinary Review Hearing procedure or through any involuntary transfer process, whether they enrolled subsequently, and the outcomes for such students, including, but not limited to, graduation and drop-out rates.

In reporting such data, the privacy of individual students and teachers shall be protected. Data will not be disaggregated in any manner that could reveal student identity to the public or to knowledgeable members of the school community. The data shall be reported for the district as a whole and for each school-site.

The procedures shall also include requirements that appropriate district and school officials regularly review this data and take action to address disparities or disproportionate use of punitive discipline measures for particular subgroups.

Expungement of Student Disciplinary Records

As provided in Board Policy 5144.3, a student, parent, guardian, appointed advocate on behalf of the student, or Superintendent on behalf of a student may apply for expungement of student disciplines record which meet the criteria set forth in BP 5144.3.

(D) Procedures to Notify Teachers of Dangerous Pupils (EC 49079)

Notice Regarding Student Offenses

When a student commits certain offenses that may endanger staff or others, the following procedures shall be implemented to notify staff members as appropriate:

Acts That Are Grounds for Suspension or Expulsion

The Superintendent or designee shall inform the teacher(s) of each student who, during the previous three school years, has engaged in or is reasonably suspected to have engaged in any act, except the possession or use of tobacco products, that would constitute a ground for suspension or expulsion as specified in AR 5144.1 - Suspension and Expulsion/Due Process. This information shall be based upon district records maintained in the ordinary course of business or records received from a law enforcement agency. (Education Code 49079)

Upon receiving a transfer student's record regarding acts committed by the student that resulted in suspension or expulsion, the Superintendent or designee shall inform the student's teacher(s) that the student was suspended from school or expelled from the former district and of the act that resulted in the suspension or expulsion. (Education Code 48201)

Information received by teacher(s) shall be received in confidence for the limited purpose for which it was provided and shall not be further disseminated by the teacher. (Education Code 48201, 49079)

Offenses Reported to the District by a Court

When informed by a court that a minor student has been found by the court to have committed any felony or any misdemeanor involving curfew, gambling, alcohol, drugs, tobacco products, carrying of weapons, a sex offense listed in Penal Code 290, assault or battery, larceny, vandalism, or graffiti, the Superintendent or designee shall expeditiously notify the school principal. (Welfare and Institutions Code 827)

The principal shall expeditiously disseminate this information to any counselor who directly supervises or reports on the student's behavior or progress and to any teacher or administrator directly supervising or reporting on the student's behavior or progress whom the principal thinks may need the information in order to work with the student appropriately, avoid being needlessly vulnerable, or protect others from vulnerability. (Welfare and Institutions Code 827)

Any court-initiated information that a teacher, counselor, or administrator receives shall be kept confidential and used only to rehabilitate the student and protect other students and staff. The information shall be further disseminated only when communication with the student, parent/guardian, law enforcement staff, and probation officer is necessary to rehabilitate the student or to protect students and staff. (Welfare and Institutions Code 827)

When a student is removed from school as a result of an offense, the Superintendent shall hold the court's information in a separate confidential file until the student is returned to the district. If the student is returned to a different district, the Superintendent shall transmit the information provided by the student's parole or probation officer to the superintendent of the new district of attendance. (Welfare and Institutions Code 827)

Any confidential file of court-initiated information shall be kept until the student becomes 18, graduates from high school, or is released from juvenile court jurisdiction, whichever occurs first, and shall then be destroyed. (Welfare and Institutions Code 827)

In order to maintain confidentiality when providing information about student offenses to a counselor or teacher, the principal or designee shall send the staff member a written notification that a student has committed an offense that requires review of a student's file in the school office. This notice shall not name or otherwise identify the student. The staff member shall initial the notification and shall also initial the student's file when reviewing it in the school office.

(E) Sexual Harassment Policies (EC 212.6 [b])

Definitions

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, regardless of whether or not the conduct is motivated by sexual desire. Conduct is considered to be sexual harassment when made against another person of the same or opposite sex in the work or educational setting under any of the following conditions: (Education Code 212.5; Government Code 12940; 2 CCR 11034)

- Submission to the conduct is made explicitly or implicitly a term or condition of the individual's employment.
- Submission to or rejection of the conduct is used as the basis for an employment decision affecting the individual.
- The conduct has the purpose or effect of having a negative impact upon the individual's work performance or of creating an intimidating, hostile, or offensive work environment.
- 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. For purposes of applying the complaint procedures specified in Title IX of the Education Amendments of 1972, sexual harassment is defined as any of the following forms of conduct that occurs in an education program or activity in which a district school exercises substantial control over the context and respondent: (34 CFR 106.30, 106.44)
- A district employee conditioning the provision of a district aid, benefit, or service on the student's participation in unwelcome sexual conduct
- Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the district's education program or activity

Sexual assault, dating violence, domestic violence, or stalking as defined in 20 USC 1092 or 34 USC 12291

Examples of Sexual Harassment

Examples of actions that might constitute sexual harassment under state or federal law in accordance with the definitions above, in the work or educational setting, whether committed by a supervisor, a co-worker, or a non-employee, include, but are not limited to:

- 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
- Unwelcome visual conduct such as drawings, pictures, graffiti, or gestures; sexually explicit emails; displaying sexually suggestive objects
- 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

Title IX Coordinator/Compliance Officer

The district designates the following individual(s) as the responsible employee(s) to coordinate its efforts to comply with Title IX of the Education Amendments of 1972 in accordance with AR 4119.12/4219.12/4319.12 - Title IX Sexual Harassment Complaint Procedures, as well as to oversee, investigate, and resolve sexual harassment complaints processed under AR 4030 - Nondiscrimination in Employment.

The Title IX Coordinator(s) may be contacted at:

Asst. Superintendent of Educational Services
2060 Challenger Drive
Alameda, CA 94501
(510) 337-7095
kzazo@alamedaunified.org

Training

Every two years, the Superintendent or designee shall ensure that supervisory employees receive at least two hours, and nonsupervisory employees receive at least one hour, of classroom or other effective interactive training and education regarding sexual harassment. All newly hired employees and employees promoted to a supervisory position 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)

Such training may be completed by employees individually or as part of a group presentation, may be completed in shorter segments as long as the applicable hourly requirement is met, and may be provided in conjunction with other training provided to the employees. The training shall be presented by trainers or educators with knowledge and expertise in the prevention of harassment, discrimination, and retaliation. (Government Code 12950.1)

The district's sexual harassment training and education program shall include, but is not limited to, the following: (Government Code 12950.1; 2 CCR 11024)

- Information and practical guidance regarding federal and state laws concerning the prohibition, prevention, and correction of sexual harassment
- The types of conduct that constitute sexual harassment
- Remedies available for victims in civil actions, and potential employer/individual exposure/liability
- Strategies to prevent harassment in the workplace

- Supervisors' obligation to report sexual harassment, discrimination, and retaliation of which they become aware
- 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
- The limited confidentiality of the complaint process
- Resources for victims of unlawful harassment, such as to whom they should report any alleged harassment
- Steps necessary to take appropriate remedial measures to correct harassing behavior, which includes the district's obligation to conduct an effective workplace investigation of a harassment complaint
- What to do if the supervisor is personally accused of harassment
- The essential elements of the district's anti-harassment policy, and how to use the policy if a harassment complaint is filed

Employees shall receive a copy of the district's sexual harassment policy and administrative regulations, which they shall read and acknowledge that they have received. Information, including practical examples, of harassment based on gender identity, gender expression, and sexual orientation. Prevention of abusive conduct, including a review of the definition and elements of abusive conduct pursuant to Government Code 12950.1, the negative effects that abusive conduct has on the victim and other in the workplace, the detrimental consequences of this conduct on employee productivity and morale, and that a single act does not constitute abusive conduct unless the act is severe or egregious.

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

The Superintendent or designee shall notify employees that the district does not discriminate on the basis of sex as required by Title IX, that the Title IX nondiscrimination requirement extends to employment, and that inquiries about the application of Title IX to the district may be referred to the district's Title IX Coordinator and/or to the Assistant Secretary for Civil Rights, U.S. Department of Education. (34 CFR 106.8)

The district shall notify employees, bargaining units, and applicants for employment of the name or title, office address, email address, and telephone number of the district's Title IX Coordinator. (34 CFR 106.8)

A copy of the Board policy and this administrative regulation shall:

- 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 (Education Code 231.5)
- 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 (Education Code 231.5)
- Appear in any school or district publication that sets forth the school's or district's comprehensive rules, regulations, procedures, and standards of conduct (Education Code 231.5)
- Be posted, along with the name or title and contact information of the Title IX Coordinator, in a prominent location on the district's web site (34 CFR 106.8)

- Be included, along with the name or title and contact information of the Title IX Coordinator, in any handbook provided to employees or employee organizations (34 CFR 106.8)

All employees shall receive a copy of an information sheet prepared by the California Department of Fair Employment and Housing (DFEH) or the district that contains, at a minimum, components on: (Government Code 12950)

- The illegality of sexual harassment
- The definition of sexual harassment under applicable state and federal law
- A description of sexual harassment, with examples
- The district's complaint process available to the employee
- The legal remedies and complaint process available through DFEH and the Equal Employment Opportunity Commission (EEOC)
- Directions on how to contact DFEH and the EEOC

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, the DFEH poster on discrimination in employment and the illegality of sexual harassment and the DFEH poster regarding transgender rights. (Government Code 12950)

Complaint Procedures

All complaints and allegations of sexual harassment by and against employees shall be investigated and resolved in accordance with law and district procedures. The Title IX Coordinator shall review the allegations to determine the applicable procedure for responding to the complaint. All complaints that meet the definition of sexual harassment under Title IX shall be investigated and resolved in accordance with AR 4119.12/4219.12/4319.12 - Title IX Sexual Harassment Complaint Procedures. Other sexual harassment complaints shall be investigated and resolved pursuant to AR 4030 - Nondiscrimination in Employment.

If sexual harassment is found following an investigation, the Title IX Coordinator, or designee in consultation with the Coordinator, shall take prompt action to stop the sexual harassment, prevent recurrence, and address any continuing effects.

(F) School-wide Dress Code Relating to Gang-Related Apparel (EC 35183)

Basic Principles:

All students are encouraged to dress in a manner that is comfortable and conducive to an active school day.

Students should be able to wear clothing without fear of or actual unnecessary discipline or body shaming.

The student dress code should serve to support all students to develop a body-positive self-image.

All items listed in the "must wear" and "may wear" categories below must meet these basic principles.

Students MUST Wear:

- Top
- Bottom
- Shoes

Clothing that covers specific body parts (genitals, buttocks, and areolae/nipples) with opaque material. Courses or specific class activities that include attire as part of the curriculum may include assignment-specific dress, but should not focus on covering students' bodies or promoting culturally-specific attire. Activity specific shoe requirements are permitted (Examples include but are not limited to physical education and shop class).

Students MAY Choose to Wear:

- Sun-protective clothing, including but not limited to hats, for outdoor use during the school day. (Education Code 35183.5)
- Hats, including religious headwear
- Hooded shirts/jackets (over head is allowed)*

Teachers may direct students to remove/adjust the position of hats/hoods over the head in class during the administration of a test/exam, to address headphone/earbud use issues, or to enable visual identification of a student's face. This does NOT apply to any headwear worn for religious reasons.

Students CANNOT Wear:

- Clothing that includes violent language or images
- Clothing that includes images or language depicting drugs or alcohol (or any illegal item or activity) or the use of same
- Clothing that includes hate speech, profanity, pornography
- Clothing that includes images or language that create a hostile or intimidating environment based on any protected class
- Visible underwear or bathing suits of similar design - Visible waistbands or straps on undergarments worn under other clothing are not a violation
- Helmets, hoods, or other headgear that obscures a student's identity (except as a religious observance).

A student's face must be clearly visible when taking their school photo for identification purposes. This may require the removal of a hood and/or hat. No grade of a student participating in a physical education class shall be adversely affected if the student does not wear standardized physical education apparel because of circumstances beyond the student's control. (Education Code 49066)

Training and Enforcement:

- All staff should be trained to understand the purpose/spirit of the code, the actual code, and how to enforce with the least impact on student learning and self-confidence.
- All staff must enforce the district dress code consistently, once it is adopted. All staff should not have discretion to vary the requirements in ways that lead to discriminatory enforcement.
- All staff should be trained and able to use student/body-positive language to explain the code and to address code violations.
- Enforcement should be consistent with a school's overall discipline plan. Failure to comply with the student dress code should be enforced consistently with comparable behavior and conduct violations, including access to a student advocate or ombudsperson and appeals process.

- Enforcement for students should be limited to safety and non-violence/non-discrimination and will not include messages based on body maturity.
- Violations should be treated as minor on the continuum of school rule violations.
- Students should never be removed from a classroom for a dress code violation unless they are violating the 'Students CANNOT Wear' and 'Students MUST Wear' sections of the dress code. Loss of class time should be avoided or kept to a minimum.
- Students should never be forced to wear extra school clothing (that isn't their own) when they are in violation of the code. Students should be presented with a variety of options to rectify the situation. This could include but is not limited to: personal on-site clothing, school-offered clothing, and delivery of alternate clothing.
- Parents/guardians should never be called during the school day to bring alternative clothing for the student to wear for the remainder of the day unless by student request.
- No student should be disproportionately affected by dress code enforcement because of gender, race, body size, or body maturity.
- Students should not be shamed or required to display their body in front of others (students, parents, or staff) in school. "Shaming" includes but is not limited to kneeling or bending over to check attire fit, measuring/commenting on straps, skirt length, or cleavage, asking students to account for their attire in the classroom, and directing students to correct a dress code violation during instructional time.

Evaluation:

The Superintendent or designee shall annually review the effectiveness of this policy and determine, as appropriate, if any further review or revision is required.

Gang-Related Apparel

At individual schools that have a dress code prohibiting gang-related apparel at school or school activities, the principal, staff, and parents/guardians participating in the development of the school safety plan shall define "gang-related apparel" and shall limit this definition to apparel that reasonably could be determined to threaten the health and safety of the school environment if it were worn or displayed on a school campus. (Education Code 32282)

Because gang-related symbols are constantly changing, definitions of gang-related apparel shall be reviewed at least once each semester and updated whenever related information is received. As necessary, the school shall collaborate with law enforcement agencies to update definitions of gang-related apparel.

Uniforms

In schools that require a schoolwide uniform, the principal, staff, and parents/guardians of the school shall jointly select the specific uniform to be worn. (Education Code 35183)

At least six months before a school uniform policy is implemented, the principal or designee shall notify parents/guardians of this policy. (Education Code 35183)

Parents/guardians shall also be informed of their right to have their child exempted.

The Superintendent or designee shall establish criteria for determining student eligibility for financial assistance when purchasing uniforms.

Students who participate in a nationally recognized youth organization shall be allowed to wear organization uniforms on days when the organization has a scheduled meeting. (Education Code 35183)

(G) Procedure for Safe Ingress and Egress of Pupils, Parents, and Staff to and from School (EC 35294.2)

EVACUATION PROCEDURES

EVACUATION ALARM SYSTEM

A crisis or emergency may warrant an evacuation of the school building(s). Once notified of an emergency situation, the Incident Commander, will carry out the initial response actions delineated in the Emergency Preparedness and Crisis Response Plan. In consultation with members of the Incident Command Team, the principal will determine whether an evacuation is warranted or is the safest action given the character of the emergency. Incident Command Team members will immediately assume their designated response duties as activated by the Incident Commander. The Disaster Response Officer will ensure, during the evacuation itself, that all evacuation assistance personnel are operative and performing their respective duties as assigned. When a decision is made to evacuate, the Assembly /Shelter and Care Team leader will immediately report to the assembly area and inspect the area for hazards. The Assembly /Shelter and Care Team leader will notify the Disaster Response Officer immediately if the area is safe. If not, the Assembly /Shelter and Care Team will advise that the evacuation be done to the alternate assembly location. This evacuation may be a partial evacuation of only portions of the building in a localized emergency [e.g., a small chemical spill] or it may be a general evacuation of all building. When an evacuation is ordered, students and staff will be notified according to the site's Preparedness and Crisis Response REMS packet. If deemed appropriate and safe, the school's fire alarm will sound in the event of a general building evacuation. If neither mechanical system is operable, the Incident Commander will utilize office, custodial or student personnel to notify classrooms of the need to evacuate.

COORDINATING THE EVACUATION

Upon receiving the order to evacuate, staff will assume their designated positions in the school. They will then monitor the evacuation procedures and assure that all persons have left the building. Staff are also responsible to ensure that all disabled persons in the building are assisted as necessary.

1. Take emergency backpack, and attendance information.
2. Teachers evacuate with current class. If evacuation occurs outside of a class period: Return to previous class
3. Upon exit lock door to indicate room is all clear and lock door. Keep unlocked if victim is inside.
4. Check with buddy teacher. Assist/evacuate both classes if needed.
5. If on prep or don't have a class: move to nearest evacuation area and assist
6. Check common areas while evacuating.
7. Evacuate to primary location via assigned route, adjust as needed.
8. At evacuation location, line up, and take attendance.
9. List missing students on Share 911
10. Stay with class unless you are released to assume other duties.
11. Release from drill will be PA announcement/bell
12. Communicate with your students and maintain control.

EVACUATION ASSEMBLY AREAS

When ordered to evacuate, students and staff will follow the evacuation route prescribed for their respective areas and exit the building in an orderly and controlled manner. Any volunteers or visitors to the classroom should be advised to go with the classroom to the assembly area. ALL students and staff must report to the assembly area and remain there until the Incident Command Team, via the Assembly/Shelter and Care Team, notifies them it is clear to return to the building. Under no circumstances are students to leave the area unless released by the teacher in strict accordance with the school's Student Release Procedures as outlined in the site's Preparedness and Crisis Response Cliff Notes. This will not be done unless it is authorized by the Incident Command Team. Teachers MUST take a head count of all persons under their care to ensure that all students, volunteers and visitors are present. This will be reported to the Assembly /Shelter and Care Team as outlined in the site's Preparedness and Crisis Response Cliff Notes.. If someone is deemed missing, the teacher is to immediately report this fact to the Assembly /Shelter and Care Team as outlined in the site's Preparedness and Crisis REMS packet.

ACCESS CONTROL PERSONNEL

Whenever an evacuation is called, the designated Security/Traffic response team (designated prior to an emergency) will automatically assume duties as traffic controllers to prevent unauthorized public vehicles or persons access to the school campus and building(s). They will function according to the duties delineation shown in the Emergency Preparedness and Crisis Response Plan.

STUDENT EARLY DISMISSAL AND EMERGENCY SCHOOL CLOSURE

During school hours, all students are considered under the care and supervision of school staff. In all circumstances, and especially in the event of emergency incidents or circumstances, the safety of the students and the school staff is of paramount importance. All actions taken shall bear in mind the safety and well-being of both students and school employees. Thus, in the event of a major emergency incident or disaster during school hours, school will not be dismissed without the expressed and clear authorization of the District Superintendent or a designee, and children will remain under the supervision of school authorities. Students will only be released from school and District responsibility in strict accordance with the procedures outlined in the District's Early Release Policy as described below. Parents/guardians or designated emergency contacts who come to the school to pick up students must properly identify themselves in order for their children to be released.

RELEASE OF STUDENTS FROM SCHOOL

AUSD and this school want to reunite parents with their children at the earliest time possible after an emergency situation or major disaster event. However, if it is not possible for parents to pick up their children or make arrangements for others to do so, students will be held at the school or other area until such time as they can be safely released. Each year the school will notify all parents of the procedure for reuniting parents with children in the event of an emergency at school. Parents are encouraged to print out and complete data confirmation each year and update their emergency contacts. In the event students are held at a school, they may be released only to the student's own parent(s) or a person authorized beforehand by the parent. As a part of annual registration, sites collect emergency contact information in AERIES. From AERIES, Emergency Cards shall be printed and used for this purpose. It is recommended sites print copies for teachers to have on hand in their emergency packs along with roll information. Office shall also print out the Emergency Student List or Emergency Cards and Parents or others must check with this school's Student Release team at the emergency Student Release Location prior to pick up of their children. Teachers will release students according to the procedure outlined under the Emergency Student Release Procedures described below.

EMERGENCY RELEASE PLAN PROCEDURES

Teachers will utilize the following procedures to properly release students from their care to a parent, legal guardian or person authorized in writing to pick up the student:

1. At time of emergency, students remain with their current classes. Teacher takes roll on an Accountability Form and await direction from Incident Commander via Student Release team.
2. Incident Command will communicate with district office for dismissal directive. Students will report to (first period or other) classes, upon Student Release team directive.
3. Students will be released only to authorized adults listed on the Emergency Card or Emergency Student List. Adults picking up students must sign Student Release Log and indicate destination. Unless otherwise directed by Incident Commander via Student Release officer, a runner takes message to teacher with name of student being released and name of adult picking up student. Teacher double-checks sign-out sheet, stamps/marks student and releases.
4. Students may go home with people listed on Emergency Card or Emergency Student List if parent can't be reached.
5. Periodically, as students are released, remaining students will be consolidated.
7. Teacher takes attendance after each consolidation, informs Assembly/Shelter and Care team as well as the Student Release team, and keeps all documentation.

(H) A Safe and Orderly School Environment Conducive to Learning (EC 35294.2)

Component:

Component I: The Social Climate, People, and Programs

Element:

Reinforcing campus behavior norms to align with the 4 B's: Be Safe, Be Responsible, Be Respectful, and Be an Ally

Opportunity for Improvement:

Goal: Improve campus climate and culture

Objectives	Action Steps	Resources	Lead Person	Evaluation
Decreasing inappropriate student behavior	Regularly reteach the 4 Bs	IL Coach, Lifeskills teachers	IL Coach	Number of office referrals
Build Beaver Bucks as an incentive	Develop rewards for earning Beaver Bucks (front of the lunch line, dance tickets, items at Student Store)	WEB Teacher, Dollar Store, Amazon.com	WEB Teacher	Regular tallies of Beaver Bucks distributed
PBIS Assemblies (led by site administrators)	Schedule class visits to PE classes at the beginning of each trimester	Site administrators, microphone, MPR	Site administrators	Number of office referrals

Component:

Component II: Physical Environment

Element:

Increase overall campus safety

Opportunity for Improvement:

Goal: Decrease number of physical altercations and incidents of bullying

Objectives	Action Steps	Resources	Lead Person	Evaluation
Consistent and thorough campus supervision of the campus	Create a rotating staff supervision schedule (before, during, and after school)	Teachers, Student Support Provider, Assistant Principal	Assistant Principal	Staff attendance during supervision
Additional supervision of campus at lunch (when all students are out of class)	Hire a noon supervisor	Human Resources	Principal	Number of incidents at lunch
Safe and appropriate use of student restrooms	Limit number of students to 3 in all multi-use restrooms	Administration, Counselors	Principal, Assistant Principal	Number of incidents reported

(I) School Discipline Rules and Consequences (EC 35291 and EC 35291.5)

Will C. Wood Middle School Student Conduct Code

ALAMEDA UNIFIED SCHOOL DISTRICT DISCIPLINE AND INTERVENTION PROTOCOL

Alameda Unified School District is committed to creating a safe and positive school culture in which all students feel included, supported, and respected. We want to help eliminate inequality in the use of punitive consequences and provide each child with excellent teachers who are equipped to promote academic and social emotional growth in all students. AUSD takes a positive approach to student behavior and the use of restorative practices to minimize the need for punitive consequences and maximize instructional time for every student. We recognize the importance of developing the social and emotional health of all youth and adults in our organization.

The following chart indicates the types of disciplinary action that may apply to each type of infraction. In each instance, an opportunity to teach appropriate behavior through the use of intervention, restorative practices and a corrective action is stated. Each situation or violation involving student conduct should be individualized and the least punitive action based on the violation should be taken. The administrator shall, however, determine whether a specific infraction warrants the corrective action described on the chart. Corrective action taken by the administrator shall take place after progressive discipline interventions by the school fail to bring about proper conduct. These corrective measures are intended to assist in teaching appropriateness and responsibility, while maintaining consistent student discipline on campus.

See Link to discipline matrix: <https://docs.google.com/document/d/1YyzYC48Eq5WsTycFdS35jhrGP4G3nALhYghgdznwzuQ/edit#>

Conduct Code Procedures

(K) Hate Crime Reporting Procedures and Policies

Hate-motivated behavior is any behavior intended to cause emotional suffering, physical injury, or property damage through intimidation, harassment, bigoted slurs or epithets, force or threat of force, or vandalism motivated in part or in whole by bias or hostility toward the victim's real or perceived race, color, ancestry, nationality, national origin, immigration status, ethnic group identification, ethnicity, age, religion, marital status, pregnancy, parental status, physical or mental disability, medical condition, sex, sexual orientation, gender, gender identity, gender expression, or genetic information, or any other characteristic identified in Education Code 200 or 220, Government Code 11135, or Penal Code 422.55.

The Superintendent or designee shall design strategies to promote harmonious relationships among students, prevent incidents of hate-motivated behavior to the extent possible, and address such incidents in a timely manner when they occur.

The Superintendent or designee shall collaborate with regional programs and community organizations to promote an environment where diversity is celebrated and hate-motivated behavior is not tolerated. Such collaborative efforts shall focus on the development of effective prevention strategies and response plans, provision of assistance to students affected by hate-motivated behavior, and/or education of students who have perpetrated hate-motivated acts.

The district shall provide students with age-appropriate instruction that:

1. Includes the development of social-emotional learning
2. Promotes an understanding, awareness, appreciation, and respect for human rights, human relations, diversity, and acceptance in a multicultural society
3. Explains the harm and dangers of explicit and implicit biases
4. Discourages discriminatory attitudes and practices
5. Provides strategies to manage conflicts constructively

As necessary, the district shall provide counseling, guidance, and support to students who are victims of hate motivated behavior and to students who exhibit such behavior.

When appropriate, students who engage in hate-motivated behavior shall be disciplined.

The Superintendent or designee shall provide staff with training that:

1. Promotes an understanding of diversity, equity, and inclusion
2. Discourages the development of discriminatory attitudes and practices
3. Includes social-emotional learning and nondiscriminatory instructional and counseling methods
4. Supports the prevention, recognition, and response to hate-motivated behavior
5. Raises the awareness and sensitivity of staff to potentially prejudicial and discriminatory behavior
6. Includes effective enforcement of rules for appropriate student conduct

Employees who engage in hate-motivated behavior shall be subject to disciplinary action, up to and including dismissal.

Rules prohibiting hate-motivated behavior and procedures for reporting a hate-motivated incident shall be provided to students, staff, and parents/guardians.

This policy shall be posted in a prominent location on the district's website in a manner that is readily and easily accessible to parents/guardians and students. (Education Code 234.6)

Complaints

Any staff member who is notified that hate-motivated behavior has occurred, observes such behavior, or otherwise becomes aware of an incident shall immediately contact the compliance officer responsible for coordinating the district's response to complaints and complying with state and federal civil rights laws. As appropriate, the staff member shall also contact law enforcement.

A student or parent/guardian who believes the student is a victim of hate-motivated behavior is encouraged to report the incident to a teacher, the principal, the district's compliance officer, or other staff member.

Any complaint of hate-motivated behavior shall be investigated and, if determined to be discriminatory, shall be resolved in accordance with law and the district's uniform complaint procedures specified in AR 1312.3 - Uniform Complaint Procedures or other applicable procedure. If, during the investigation, it is determined that a complaint is about nondiscriminatory behavior, the principal or designee shall inform the complainant and shall take all necessary actions to resolve the complaint.

(J) Procedures to Prepare for Active Shooters

When responding to a situation that requires our school to go into lockdown (this may include, but is not limited to, an active shooter in the building), the ALICE (Alert, Lockdown, Inform, Counter, Evacuate) protocol will be followed.

ALERT

Purpose: To use clear, concise language to indicate presence and location of active shooter or other harmful individual.

Indicate lockdown and the harmful presence and/or location of threat. For example, "LOCKDOWN, There is an active shooter in the Computer Lab," or "LOCKDOWN, an armed gunman is walking through the first floor long hallway."

Anyone can alert the school community to such a situation. Do not wait for or rely on Administration or the front office staff to make the announcement. If a staff or faculty member undoubtedly sees or is notified of a harmful individual inside the school building, he or she has the authority to alert the rest of the school community of a lockdown. Some ways to alert include: the PA system, Using the classroom phone to activate LOCKDOWN, yelling, using share 911. Faculty and staff must use any means available to them to alert the school community and to spread the word. This may be a team effort where a group of individuals work together to inform everyone. If the opportunity to escape presents itself, you should do so and report to the predetermined Rally Point.

LOCKDOWN

Purpose: To allow for an aggressive use of current technology and procedures.

A traditional lockdown procedure is the first best option when in a high-risk area (or near the harmful individual). If you do not know if you are in a high-risk area, assume you are high risk and proceed to lockdown. If remaining in lockdown remains the best option, all members of the school community should work together to protect themselves.

First, close and lock classroom doors. Use belt or backpack strap to secure door handle if possible.

Create a barricade between you and students in the classroom and the intruder on the outside; use desks, chairs, shelves, cabinets and other pieces of furniture to block entry and to provide more time for survival (have smaller items near at hand in event intruder enters the room)

Gather in the area furthest from the entry point to the room; greater distance means greater safety.

Taking attendance and maintaining order are not the priority.

INFORM

Purpose: To continually communicate the shooter's whereabouts using direct and clear language. (Use Share 911 and the PA system)

By communicating with the school community, all members can make well-informed judgment calls and can be aggressive in protecting themselves. Students, faculty and staff should use every opportunity to alert others and to communicate the whereabouts of the harmful individual.

The use of share 911, phones (school or cell), yelling, and PA system are encouraged to communicate the whereabouts and will keep the intruder off balance. Working together to make informed decisions will put the intruder at a disadvantage.

COUNTER

Purpose: To apply skills to distract, confuse and gain control.

Counter is an absolute last resort. If one finds himself in close proximity to the intruder (no chance to flee or safely get away), he should apply the following counter movements to increase chances of survival:

- Throw objects at the intruder
- Distract the intruder by noise and/or movement
- Run away in a zig zag pattern
- Swarm the intruder
- Flight or fight but do not freeze
- Turn chaos into an advantage
- Use body weight and gravity to gain control

EVACUATE

Purpose: To remove as many people as possible from the danger zone to minimize targets of opportunity.

If you know the intruder's whereabouts and you are not in a high-risk area, you should Evacuate to the school's Rally Point. Only people on the first floor should exit through the windows if necessary. People on the 2nd and 3rd floors should not evacuate through windows as this may cause harm and use the safest stairwell then exit the school to the Rally Point.

REUNIFICATION

Purpose: To reunify students with their parent/guardians in a safe location

Procedures for Preventing Acts of Bullying and Cyber-bullying

Definitions:

Bullying is an unwanted, aggressive behavior that involves a real or perceived imbalance of power between individuals with the intent to cause emotional or physical harm. Bullying can be physical, verbal, or social/relational and involves repetition or potential repetition of a deliberate act.

Cyberbullying includes the electronic creation or transmission of harassing communications, direct threats, or other harmful texts, sounds, or images. Cyberbullying also includes breaking into another person's electronic account or assuming that person's online identity in order to damage that person's reputation.

Examples of the types of conduct that may constitute bullying and are prohibited by the district include, but are not limited to:

- Physical bullying that inflicts harm upon a person's body or possessions, such as hitting, kicking, pinching, spitting, tripping, pushing, taking or breaking someone's possessions, or making cruel or rude hand gestures
- Verbal bullying that includes saying or writing hurtful things, such as teasing, name-calling, inappropriate sexual comments, taunting, or threats to cause harm
- Social/relational bullying that harms a person's reputation or relationships, such as leaving a person out of an activity on purpose, influencing others not to be friends with someone, spreading rumors, or embarrassing someone in public
- Cyberbullying, such as sending demeaning or hateful text messages or emails, sending rumors by email or by posting on social networking sites, or posting embarrassing photos, videos, web site, or fake profiles

Measures to Prevent Bullying:

The Superintendent or designee shall implement measures to prevent bullying in district schools, including, but not limited to, the following:

- Ensuring that each school establishes clear rules for student conduct and implements strategies to promote a positive, collaborative school climate
- Providing to students, through student handbooks and other age-appropriate means, information about district and school rules related to bullying, mechanisms available for reporting incidents or threats, and the consequences for engaging in bullying
- Encouraging students to notify school staff when they are being bullied or when they suspect that another student is being bullied, and providing means by which students may report threats or incidents confidentially and anonymously

- Conducting an assessment of bullying incidents at each school and, if necessary, increasing supervision and security in areas where bullying most often occurs, such as classrooms, playgrounds, hallways, restrooms, and cafeterias
- Annually notifying district employees that, pursuant to Education Code 234.1, any school staff who witnesses an act of bullying against a student has a responsibility to immediately intervene to stop the incident when it is safe to do so

Staff Development:

The Superintendent or designee shall make the California Department of Education's online training module on the dynamics of bullying and cyberbullying, which includes the identification of bullying and cyberbullying and the implementation of strategies to address bullying, available annually to all certificated staff and to other employees who have regular interaction with students. (Education Code 32283.5)

The Superintendent or designee shall provide training to teachers and other school staff to raise their awareness about the legal obligation of the district and its employees to prevent discrimination, harassment, intimidation, and bullying of district students. Such training shall be designed to provide staff with the skills to:

- Discuss the diversity of the student body and school community, including their varying immigration experiences
- Discuss bullying prevention strategies with students, and teach students to recognize the behavior and characteristics of bullying perpetrators and victims
- Identify the signs of bullying or harassing behavior
- Take immediate corrective action when bullying is observed
- Report incidents to the appropriate authorities, including law enforcement in instances of criminal behavior

Student Instruction:

As appropriate, the district shall provide students with instruction, in the classroom or other educational settings, that promotes social-emotional learning, effective communication and conflict resolution skills, character/values education, respect for cultural and individual differences, self-esteem development, assertiveness skills, and appropriate online behavior.

The district shall also educate students about the negative impact of bullying, discrimination, intimidation, and harassment based on actual or perceived immigration status, religious beliefs and customs, or any other individual bias or prejudice.

Students should be taught the difference between appropriate and inappropriate behaviors, how to advocate for themselves, how to help another student who is being bullied, and when to seek assistance from a trusted adult. As role models for students, staff shall be expected to demonstrate effective problem-solving and anger management skills.

To discourage cyberbullying, teachers may advise students to be cautious about sharing passwords, personal data, or private photos online and to consider the consequences of making negative comments about others online.

Reporting and Filing of Complaints:

Any student, parent/guardian, or other individual who believes that a student has been subjected to bullying or who has witnessed bullying may report the incident to a teacher, the principal, a compliance officer, or any other available school employee.

When a report of bullying is submitted, the principal or a district compliance officer shall inform the student or parent/guardian of the right to file a formal written complaint in accordance with AR 1312.3 - Uniform Complaint Procedures. The student who is the alleged victim of the bullying shall be given an opportunity to describe the incident, identify witnesses who may have relevant information, and provide other evidence of bullying.

Within one business day of receiving such a report, a staff member shall notify the principal of the report, whether or not a uniform complaint is filed. In addition, any school employee who observes an incident of bullying involving a student shall, within one business day, report such observation to the principal or a district compliance officer, whether or not the alleged victim files a complaint.

Within two business days of receiving a report of bullying, the principal shall notify the district compliance officer identified in AR 1312.3.

When the circumstances involve cyberbullying, individuals with information about the activity shall be encouraged to save and print any electronic or digital messages that they feel constitute cyberbullying and to notify a teacher, the principal, or other employee so that the matter may be investigated. When a student uses a social networking site or service to bully or harass another student, the Superintendent or designee may file a request with the networking site or service to suspend the privileges of the student and to have the material removed.

Discipline/Corrective Actions:

Corrective actions for a student who commits an act of bullying of any type may include counseling, behavioral intervention and education, and, if the behavior is severe or pervasive as defined in Education Code 48900, may include suspension or expulsion in accordance with district policies and regulations.

When appropriate based on the severity or pervasiveness of the bullying, the Superintendent or designee shall notify the parents/guardians of victims and perpetrators and may contact law enforcement.

The Superintendent, principal, or principal's designee may refer a victim, witness, perpetrator, or other student affected by an act of bullying to a school counselor, school psychologist, social worker, child welfare attendance personnel, school nurse, or other school support service personnel for case management, counseling, and/or participation in a restorative justice program as appropriate.

(Education Code 48900.9)

If any student involved in bullying exhibits warning signs of suicidal thought or intention or of intent to harm another person, the Superintendent or designee shall, as appropriate, implement district intervention protocols which may include, but are not limited to, referral to district or community mental health services, other health professionals, and/or law enforcement.

Emergency Contact Numbers

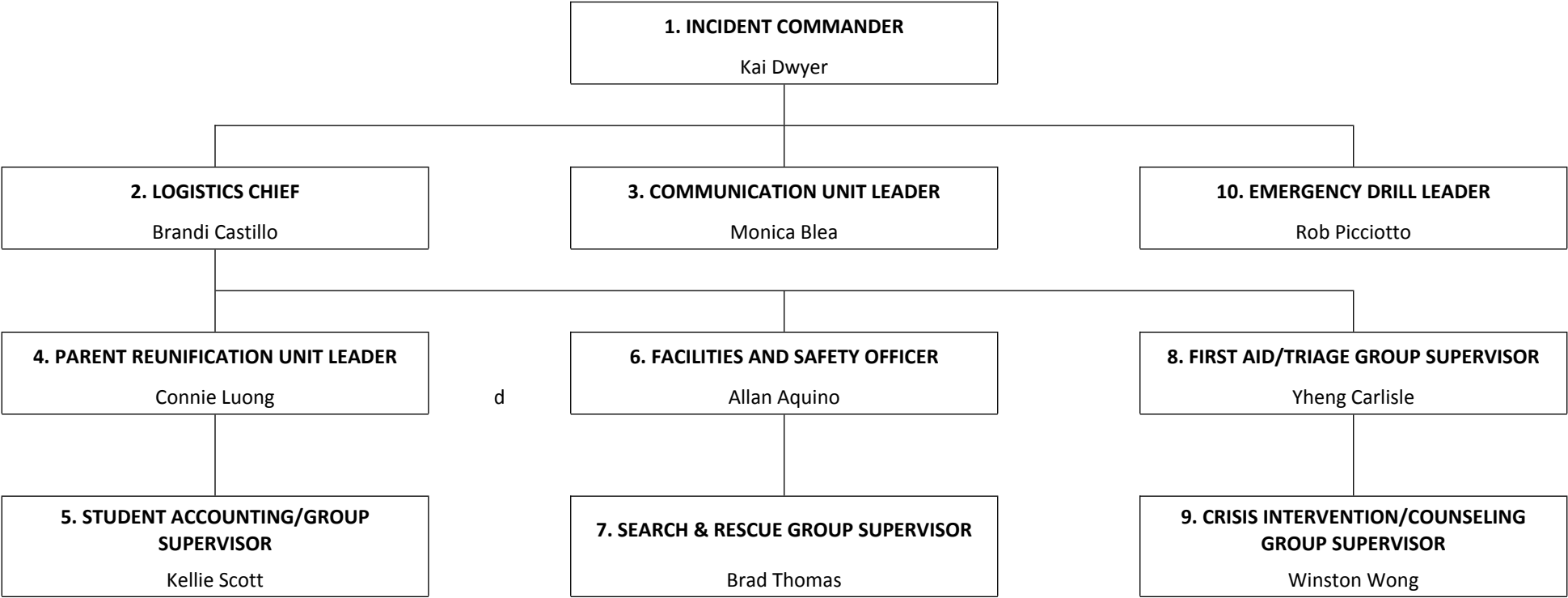
Utilities, Responders and Communication Resources

Type	Vendor	Number	Comments
City Services	City of Alameda	510-747-7400	
Other	County of Alameda	510-208-9770	
Law Enforcement/Fire/Paramedic	APD Non-Emergency	510-337-8340	
Law Enforcement/Fire/Paramedic	POLICE DEPARTMENT 911	911	
Other	Hazardous Materials Unit	510-567-6702	
Other	HEALTH DEPARTMENT - Alameda County	510-267-8000	
Local Hospitals	Alameda Hospital (Emergency Room)	510-522-3700	
American National Red Cross	RED CROSS	510-595-4400	
	RED CROSS	814-4200	
	SHERIFF'S OFFICE Non-Emergency	351-2020	

Safety Plan Review, Evaluation and Amendment Procedures

Activity Description (i.e. review steps, meetings conducted, approvals, etc)	Date and Time	Attached Document (description and location)
Safety Committee Meeting	9/12/23, 9 AM	Review of Safety Plan and procedures, roles and responsibilities, maps and evacuation routes
Faculty Meeting	10/16/23, 3:30 PM	Emergency response training with all staff
Safety Committee Meeting	10/25/23, 3:15 PM	Table top drill and training planning
Collaborative Safety Drill	10/26/23, 2:15 PM	Site-wide ALICE protocol & intruder drill
Safety Committee Meeting	1/16/24, 9 AM	Update Safety Plan with revisions
School Community Meeting	3/5/24, 4:15 PM	SSC approval of plan

Will C. Wood Middle School Incident Command System



Incident Command Team Responsibilities

Standardized Emergency Response Management System Overview

The California Standardized Emergency Management System (SEMS) is designed to centralize and coordinate emergency response through the use of standardized terminology and processes. This greatly facilitates the flow of information and resources among the agencies participating in response to an emergency. SEMS consists of five functions:

SITE ORGANIZATION DURING A DECLARED EMERGENCY COMMAND POST PERSONNEL AND DUTIES

If notified of a Declared Emergency from the Superintendent's Office, OR if the site suffers a severe disaster, the Site Manager shall immediately implement the plans and procedures in the Site Emergency Plan.

The Site Manager or Incident Commander shall:

- A. Activate alarm/Broadcast Alert on Share911 and PA to notify staff
- B. Activate Command Post and 2-way radio
- C. Activate Emergency Teams
- D. Assess total school situation
- E. Make initial site assessment report on Share911 to District Emergency Operations Center.
- F. Check to see that Site Emergency Teams are operating
- G. Assign messengers to needed areas
- H. Request help from 911 or Emergency Operations Center as required
- I. Secure information from Emergency Teams Update Site Status Reports - Report to the Emergency Operations Center
- J. Reassign team members to other duties as required when they finish initial assignment duties
- K. Personally address these items:
 - 1. Is campus secure?
 - 3. Are utilities off or secure?
 - 4. Are signs directing adults to release area up?
 - 5. Are traffic controllers needed?
 - 6. Is First Aid Center functioning?
 - 7. Have buildings been searched for victims?
 - 8. Is the student release program set up and operational?

Logistics Chief: The Site Office Manager shall:

- A. Report immediately to the Command Post with:

1. Master keys
2. Current roster of students and staff
3. Emergency forms and documents
4. Office supplies to assist unit leads

B. Assume responsibilities as directed by Site Manager

The Site Clerical Staff shall:

A. Team up with other personnel as a member of a Site Emergency Team, otherwise:

B. Report to the Site Command Post and assume responsibilities as directed by the Site Manager

The Attendance Clerk shall:

A. Keep a current file of all students release information from forms parents are required to fill out authorizing listed persons to pick up their children in case of a severe emergency. The Attendance Clerk will take these records to the Student Release Area in the Cafeteria and give them to the Student Release Team to use.

The Site Custodians shall:

A. Check the condition of the utilities and connecting pipes and lines and if necessary, turn them off.

B. Check the site completely for:

1. Fire and electrical hazards
2. Chemical hazards (Chlorine storage)
3. Other hazards

C. Notify Site Manager of hazards and services needed

D. Barricade hazardous areas using whatever materials handy

E. When site is secure, report to the Command Post for direction

F. Open emergency container and provide emergency sanitation areas if toilets are unavailable

Directions for the Instructional Staff During a Declared Emergency

Teachers and Para Professionals shall:

A. Respond immediately to emergency signals requiring specific actions and check in on Share911

B. If signal is one to Leave Building, know if signal is for:

1. Fire evacuation

2. Earthquake evacuation
3. Chemical spill evacuation

Evacuate Accordingly!

A. When leaving building:

1. Take emergency backpack
2. Require students to be silent in order to hear instructions
3. Close doors to classroom
4. Go directly to pre-assigned location

B. Check with nearby classrooms when evacuating. If there are seriously injured persons who cannot be moved, assign one teacher to remain and the other to evacuate the rest of the students. Report on Share911

C. Teachers shall provide First Aid to the best of their ability to students under their supervision until the emergency First Aid station is activated. Students with major injuries are to remain in the classroom supervised by a teacher or aide. Students with minor injuries are to be cared for after evacuation.

D. Upon reaching evacuation destination, teachers shall:

1. Take roll
2. List missing students on Share 911 and on paper
3. Give list to Assembly Area Team members
4. Calm students. Remind them of District policies about remaining at school
5. Monitor warmth and protection of students. Move if necessary

E. If assigned to a Site Emergency Team, transfer your students to paired teacher to supervise, report immediately to the Command Post for supplies and begin implementation of Team responsibilities.

USE REMS TO ESTABLISH YOUR EMERGENCY SITE TEAM

Note: Contact listing is intended to be shared with team members to enhance communication in the event of a critical incident. It is recommended that the Principal and Designee establish an intranet list server to further enhance communications. The personal information listed is intended for team members. Please type name and number under each assignment.

REMS Team Members Primary Contact/Cell number Secondary Contact/Cell number

Incident Commander: Kai Dwyer - (510) 878-0710

Establishes an Incident Command Center, lists incident objectives and designates the following positions to perform the following duties.

Logistics Chief: Brandi Castillo - (510) 825-1541

Supports each unit leader with where to find the necessary tools to support the team fulfilling their duties.

Report immediately to the Command Post with:

- Master keys
- Current roster of students and staff
- Emergency forms and documents
- Office supplies to assist unit leads
- Computers and walkie talkies
- Assume responsibilities as directed by Site Manager

Communication Unit Leader: Monica Blea - (510) 388-9330

Works with the incident commander to communicate out important information to all supervisors and the public.

Report immediately to the Command Post with:

- Computer
- Office supplies

Parent Reunification Unit Leader: Connie Luong - (510) 282-2709

Reunification refers to getting students reunited with their parents or guardians in an efficient and orderly manner. Reunification can be an enormous challenge and takes a lot of planning.

The Student Release Team is responsible for:

- Setting up secure reunion area
- Checking student emergency cards for authorized releases
- Completing release logs
- Coordinating with the Public Information Office on external messages

Student Accounting/Group Supervisor: Kellie Scott - (510) 828-3105

Evacuation, shelter, and student care in an emergency is one of the most important tasks faced by schools. It includes student accounting, protection from weather, providing for sanitation needs, and providing for food and water and releasing of students to their guardians.

The Evacuation/Shelter/Care Team is responsible for:

- Accounting for the whereabouts of all students, staff, and volunteers
- Setting up secure assembly area
- Managing sheltering and sanitation operations
- Managing student feeding and hydration
- Coordinating with the Student Release Team
- Coordinating with the Logistics Section to secure the needed space and supplies

Search & Rescue Group Supervisor: Brad Thomas - (510) 710-8811

Search & Rescue Teams search the entire school facility, entering only after they have checked the outside for signs of structural damage and determined that it is safe to enter. Search & Rescue Teams are responsible for ensuring that all students and staff evacuate the building (or, if it is unsafe to move the persons, that their locations are documented so that professional responders can locate them easily and extricate them).

Search & Rescue Teams are also responsible for:

- Using Share 911 to identify where injuries may exist
- Obtaining injury and missing student reports from teachers
- Moving injured members from building if emergency responders are unable to do so
- Identifying and marking unsafe areas
- Conducting initial damage assessment

First Aid/Triage Group Supervisor: Yheng Carlisle - (510) 285-7881

First Aid Teams provide triage and treatment for students and other disaster victims. First Aid Teams are responsible for setting up first aid area for students, assessing and treating injuries, and completing master injury report.

First Aid Teams are responsible for:

- Setting up a first aid area for students
- Assessing and treating injuries
- Completing master injury report

Note: The Logistics Section Medical Unit provides care to responders. The Operations Section First Aid Team is dedicated to students or other disaster victims.

Crisis Intervention/ Counseling Group Supervisor: Winston Wong - (415) 997-9781

The Crisis Intervention Team is responsible for assisting students and school personnel who are unable to cope with the fears and psychological trauma associated with emergencies and disasters.

This includes:

- Assessing need for onsite mental health support
- Determining need for outside agency assistance
- Providing onsite intervention/counseling
- Monitoring well-being of school emergency team, staff, and students, and reporting all findings to the Operations Section Chief

Facilities and Safety Officer: Allan Aquino - (510) 333-3196

The Facilities & Security Response Team is responsible for:

- Locating all utilities and turning them off, if necessary
- Securing and isolating fire/HazMat
- Opening Emergency Trailer
- Assessing and notifying officials of fire/HazMat
- Conducting perimeter control

Emergency Drill Leader: Rob Picciotto - (415) 860-7484

The Emergency Drill Leader is responsible for:

- Training staff
- Coordinating and running all required drills
- Monitoring participations
- Reviewing after action reports
- Reporting to the incident commander

LIST SEARCH TEAM DUTY DESCRIPTIONS

EXAMPLE: If assignment is SEARCH TEAM:

Take heavy gloves, flashlight, hard hat and masking tape (no entry) from Emergency Backpack.

Leave Emergency Backpack and students with designated teacher (see previous page).

Report to INCIDENT COMMAND CENTER near gate in lower yard meet with search team partner(s).

Receive directions for search instructions from Search team supervisor.

LIST WHO WILL BE:

SEARCH TEAM #1 Search team will be delegated by

Brad Thomas, Kevin Blgrave

Felix Douglas, Mike Meyers

Eric Robbins, Romeo Ponsaran

LIST FIRST AID FUNCTION

EXAMPLE: Minimize injuries and loss of life: provide temporary care of injured students.

Set up desk at picnic tables behind multipurpose room (or if unsafe here, on blacktop near multipurpose room).

Organize supplies and treatment area.

Help with wounded.

Keep Check Out Station informed.

Request additional help (ambulances, etc.) through Check Out Station.

Look up emergency information if necessary.

LIST WHO WILL BE:

TREATMENT Yheng Carlisle

TRIAGE Marci Nettles

RECORDER Christina Quezon

List the things you will have to accomplish and assign to operations section or logistics section.

Examples:

Set up table, chairs and sign "Incident Command Center"

Set up operations table, logistics table.

Set up a first aid station

Put traffic cones in the street, blocking off access to the parking lot entry drive

Set up people to handle the check out of students. Display signs A-L, M-Z. Have emergency card information forms out.

Record finding of search teams

List any unaccounted for students and those in First Aid or in need of first aid.

Keep track of the walkie-talkies

Listen to radio

Use runners as necessary to retrieve information and students

Organize parent line-up and announce using bullhorn to parents that students have been evacuated

Assist in calming and organizing parents

Provide pen and paper for non-English speaking students to write their name

Communicate to District Personnel

INCIDENT COMMAND POST – Located: Concession stand of baseball field

The Site Manager or designee is the final authority at each school. He/she must be available for all decisions, information and authority during the time the schools are isolated.

Therefore, the Site Manager and the Command Post should be housed in a central area, i.e., the front of the school, where the manager is available to radio, telephone, emergency equipment or personnel and parents.

The Command Post will begin to operate immediately after a disaster.

This is where the record keeping, communication, and major decision making will take place. The Site Manager or Incident commander will be here.

In addition, a separate Student Release Area will be established to coordinate the release of students to authorized adults. Student release area will be in the edge of the blacktop near soccer field/track

Emergency Release Information Forms are needed at the Release Area to document the release of all students.

While the Command Post is functioning, The First Aid and Search/Assessment Teams will carry out their functions and provide information to the Incident commander about the:

1. Condition of students
2. Condition of staff
3. Condition of facilities

Management

During an emergency, the Incident Commander directs response actions from a designated Command Post. To effectively do this, the Incident Commander must constantly assess the situation, and develop and implement appropriate strategies. The Incident Commander must be familiar with the available resources, accurately document all response actions, and effectively communicate response strategies to others participating in the response. This function is typically filled by the school principal. The principal is assisted in carrying out this function by a Public Information & Liaison Officer and Safety Officer.

Planning & Intelligence

Planning and Intelligence involves the use of various methods to efficiently gather information, weigh and document the information for significance, and actively assess the status of the emergency. This understanding and knowledge about the situation at hand is vital to the effective management of a response. These activities are performed by a single person who reports directly to the Incident Commander.

Operations

All response actions are implemented under by Operations. This includes staff performing first aid, crisis intervention, search and rescue, site security, damage assessment, evacuations, and the release of students.

Logistics

Logistics supports the response by coordinating personnel; assembling and deploying volunteers; providing supplies, equipment, and services; and facilitating communications among emergency responders.

Finance & Administration

Finance & Administration involves the purchasing of all necessary materials, tracking financial records, timekeeping for emergency responders, and recovering school records following an emergency. These activities are performed by a single person who reports directly to the Incident Commander.

Types of Emergencies & Specific Procedures

Aircraft Crash

FALLEN AIRCRAFT

DEFINITION/DESCRIPTION

If an aircraft falls near the school, the principal will determine which emergency action, if any, will be taken. Local fire and police departments will be responding also. All students and staff should be kept at a safe distance to protect them from possible explosions and/or fire.

IMMEDIATE ACTION

Principal

- Determine which Action, if any, should be implemented.
- Where necessary, tell teachers they may need to take immediate action for the safety of students without waiting for directions from the principal.
- Determine, if possible, whether the aircraft is military, commercial or private. Contact the local police to determine appropriate action and refer all members of the press to the Emergency Operations Center.

Principal's Secretary

- Respond to calls.
- Assist principal as needed.
- Refer all members of the press to the Emergency Operations Center.

Teachers

- Follow principal's direction as to appropriate Action.
- Depending on the nature of the accident you may need to take Action DROP or Action TAKE COVER to protect students from a possible explosion and/or fire.

FOLLOW UP ACTION

Principal

- Provide up-to-date information to staff and students as it becomes available and arrange school site meetings to make assignments and determine plans.
- Coordinate activities of the school site team.
- Maintain contact with Emergency Operations Center and Superintendent's office.
- Arrange after-school staff meetings to debrief and clarify events.

Teachers

- Read bulletins/announcements as provided by the principal.
- Refer all media to the principal's office.
- Cooperate with the school site team to provide follow-up as appropriate.
- Refer for counseling students who may be at risk.
- Return to normal instructional activities as soon as possible.

Animal Disturbance

If a rabid or vicious animal is at or in the vicinity of the school, the Animal Control Center should be notified immediately. Teachers shall be notified Shelter In Place. Students outside of the building will be quietly and cautiously sent into the nearest building and secured in a room behind closed doors. Notify the Superintendent's Office.

Armed Assault on Campus

Follow A.L.I.C.E Procedures

Biological or Chemical Release

CHEMICAL SPILL

1. An announcement will be made to either Shelter in Place or evacuate the building and gather in the Assembly Area, depending on the situation.
2. The announcement will be made by the P.A. system, or if this fails to operate, messenger will alert classes.
3. If the Assembly Area is not safe, students will be evacuated to Lincoln Park, depending on the area of the spill and direction of the wind.

CHEMICAL ACCIDENT

1. DEFINITION/DESCRIPTION

Chemical accidents of disaster magnitude would include tank truck accidents involving large quantities of toxic gases or toxic liquids. This type of accident will likely be reported by an outside source unless the accident has occurred immediately adjacent to the school site.

2. IMMEDIATE ACTION

Principal

- a) Receive information about/review situation to determine if evacuation routes are safe (move crosswind to avoid fumes).
- b) Determine which action should be implemented.
- c) Sound alarm for appropriate action.
- d) Notify/maintain contact with Superintendent/Emergency Operations Center.
- e) Determine what further action to take.

Teachers

- a) Implement appropriate action, using alternate evacuation route if required.
- b) Maintain control of students.
- c) Take roll. Report students who are absent.
- d) Notify principal of any problems in/around area
- e) Notify principal of need for first aid, as appropriate.

Custodian

- a) Review situation to assess extent of spill, wind direction and proximity to building.
- b) Report findings to principal.
- c) Be prepared to direct fire/police department to spill site.
- d) Assist in spill clean-up or containment, as appropriate.

3. FOLLOW UP ACTION

Principal

- a) Determine, in coordination with M.O.F./Fire Department, whether buildings are habitable.
- b) Notify staff/students of any modification in schedule.
- c) Work with Emergency Operations Center to publicize information regarding accident.
- d) Arrange school site meeting to provide information to staff.

Principal's Secretary

- a) Screen all calls. Refer public to Emergency Operations Center.
- b) Refer media to Emergency Operations Center.
- c) Prepare necessary bulletins.

Teachers

- a) Read bulletins/announcements as provided by principal.
- b) Refer all media to principal's office.
- c) Cooperate with school site team to provide follow-up, as appropriate.
- d) Refer for counseling students who may be at risk.
- e) Return to normal instructional activities as soon as possible.

Bomb Threat/ Threat Of violence

1. DEFINITION/DESCRIPTION

A bomb threat will typically be received in writing or by telephone call. Responses will generally be the same with the initial exception of a person receiving a telephone threat. A copy of the Bomb Threat Checklist should be readily available for every administrative phone responder.

2. IMMEDIATE ACTION – Telephone Threat

Person Receiving Call

- a) Keep the caller on the line. Delay the caller with such statements as: “I’m sorry, I did not understand you. What did you say?”
- b) Use Bomb Threat Checklist (see form at the end of this “Bomb Threat” section). Get as much information as possible from the caller.
- c) Immediately after caller hangs up, report all information to principal.

All Office Personnel

Immediately search your work area for foreign or suspicious objects or packages. If one is found, DO NOT TOUCH OR MOVE IT!!

IMMEDIATE ACTION – Written Threat

Person Receiving Written Message

Give the message to the principal immediately upon identification.

Principal

- a) Receive/review all information about bomb threat.
- b) Determine which action should be taken.
- c) Initiate non-electronic evacuation procedure; i.e. runner or bullhorn, since electronic warnings could activate any device, being sure all evacuation routes are clear.
- d) Notify Superintendent/Police/Fire Department.
- e) Direct search of office complex, evacuation site and classrooms.
- f) Determine what further action should be taken.

Teachers

- a) Implement appropriate action, using alternate evacuation route if required.
- b) Maintain control of students.
- c) Take roll. Report students who are absent.
- d) Notify principal of any problems in or around area.
- e) Hold students until designated evacuation area has been searched and declared safe, and then conduct students to the cleared area.

Teachers assigned to the designated evacuation area will remain with the pupils; personnel who are assigned to search teams will report to the principal for briefing.

If notification of a threat is received and immediate evacuation is not ordered, teachers will search their classrooms for any unidentifiable objects. If nothing is found, resume instruction until the evacuation order is received.

Custodians

- a) Under the direction of the principal, immediately proceed with a thorough search of designated evacuation area (or other area large enough to contain the students) to provide a safe place for students evacuated from the buildings.
- b) Search, as required, to determine that no explosive is hidden in a book, clothes locker or restroom.

3. FOLLOW UP ACTION

Principal

- a) Determine, in coordination with M.O.F. and Fire Department, whether buildings are habitable.
- b) Notify staff/students of any modification in schedule, via special bulletin or telephone tree.
- c) Work with Emergency Operations Center to put messages on TV, radio and telephone system regarding any modifications in schedule.
- d) Arrange school site meeting to discuss plan.

Principal’s Secretary

- a) Screen all calls. Refer calls to Emergency Operations Center.
- b) Prepare necessary bulletins.

Teachers

- a) Read bulletins/announcements as provided by principal.
- b) Refer all media to principal's office.
- c) Cooperate with school site team to provide follow-up as appropriate.
- d) Refer for counseling students who may be at risk.
- e) Return to normal instructional activities as soon as possible.

EXPLOSION OR THREAT OF EXPLOSION

1. DEFINITION/DESCRIPTION

An explosion at the school, or the threat of an explosion, may be caused by leaking gas or a faulty boiler within a school building.

2. IMMEDIATE ACTION – EXPLOSION

Principal

Sound the school alarm.

Notify the Superintendent or Assistant Superintendent.

Notify utility companies of a break or suspected break.

Notify fire and police departments and direct further action as required.

Notify teachers of proper action (DROP or LEAVE BUILDING).

Teachers

Command DROP is given. Instruct students to react in the same manner on their own to this type of catastrophe in case it occurs when the teacher is temporarily not present.

If the explosion occurred within the building, or threatened the building, immediately implement Action LEAVE BUILDING.

Move to an area of safety and maintain control of students.

Notify principal of students needing first aid as necessary.

Fight incipient fires without endangering life.

Take roll. Report absent students to principal.

Students and staff should not return to the school until Fire Department officials declare the area safe.

IMMEDIATE ACTION - THREAT OF EXPLOSION:

Principal

Sound the school fire alarm, or silent evacuation if electronic means could set off explosion. This will automatically implement Action LEAVE BUILDING.

Follow procedures for principal -- 'c' and 'd' above.

Teacher

Follow procedures for teachers -- 'c' through 'g' above.

Disorderly Conduct

CIVIL DISOBEDIENCE/MENACING INDIVIDUALS

1. DEFINITION/DESCRIPTION

Civil disobedience is defined as any assemblage on the school premises by unauthorized persons whose purpose and conduct is inimical to the orderly conduct of the school and the laws relating to the conduct of schools and the welfare of students.

WARNING: The presence of unauthorized individuals or an alert of an impending visitation. When this condition has been reported to the principal or authority in charge, he shall transmit the warning to all classes by the public address system. If the PA system is inoperable, a messenger will be sent to each classroom.

2. IMMEDIATE ACTION

The major plan of action will be to protect all personnel from undue exposure to danger. Every effort must be made to keep classes within their rooms. The following specific steps will be taken to implement the plan of action:

Principal or Designee

- a) Transmit a Shelter in Place alert to all staff members.

- b) Call the local law enforcement agencies to provide protection and to handle arrests.
- c) Make certain that a specific crime is committed before requesting arrests.
- d) School civil disobedience crimes involving arrest are listed in the Criminal Code Procedure and include the following:
 - 1. Disturbing the Peace
 - 2. Trespassing
 - 3. Loitering Around the School Grounds
- e) The principal should make an announcement to the demonstrators similar to the following:
 "I am the principal of this school. You are interfering with the orderly process of education in this school. I request that you leave. If you do not leave, I shall ask for your arrest. You are causing a disturbance."

Teachers

- a) Keep students within their locked classrooms until further notice, regardless of the bells and schedules.
- b) Lock classroom doors.
- c) Remain in charge of your class, utilizing the best judgment in occupying the students within the classroom.
- d) Precaution should be taken to protect personnel from flying glass in case of broken windows. Drapes, venetian blinds, or jalousies should be closed.
- e) Where there is evidence of a potential problem, all P.E. classes will immediately return to the locker rooms.

Custodians

Lock and secure all exterior doors.

3. FOLLOW UP ACTION

Principal

- a) Determine, in coordination with M.O.F., whether building(s) is/are habitable.
- b) Notify staff/students of any modification in schedule, via special bulletin or telephone tree.
- c) Work with Communications director to put messages regarding any modifications in schedule.
- d) Arrange school site meeting to discuss plan.

Principal's Secretary

- a) Screen all calls. Refer public to Director of Communications
- b) Refer media to Director of Communications
- c) Prepare necessary communication to community.

Teachers

- a) Read announcements as provided by principal.
- b) Refer all media to principal's office.
- c) Cooperate with school site team to provide follow-up, as appropriate.
- d) Refer for counseling students who may be at risk.
- e) Return to normal instructional activities as soon as possible.

Earthquake

Although the probability of an earthquake occurring is lower than most other emergency types, the potential for injuries and damage from one is high. It is essential that students and staff remain aware of the following basic actions:

This section removed from posted plan for security purposes. If you wish to see the full plan, contact the school principal for an appointment.

If an earthquake or other situation warrants, drop to the floor, take protective position under desks or furniture with backs to windows and hands covering head and face. Stay in position until directed to evacuate or take other protective action. If outside, move away from buildings and trees and take protective position. When situation permits, proceed to the designated assembly point. Standby: Alert students in your area to stand by for further information. Make whatever assessment of the situation is possible. Render emergency first aid as required. If inside, stay inside during ground shaking. In classrooms or offices, move away from windows, shelves and heavy objects or furniture that may fall. Take cover under a safe table, desk or counter. At the teacher's command, students should take the DROP position.

If a "shelter" (table, desk, etc.) is not available, move to an inside wall or corner, turn away from windows, kneel alongside wall, and bend head close to knees, with elbows firmly behind neck protecting face. If notebooks or jackets are handy, hold these overhead for added protection from flying glass and ceilings debris. Remain in sheltered position for at least 60 seconds or until directed to move by an adult. If in halls, on stairways, or other areas where no cover is available, students must follow the directions of the nearest teacher or school employee.

If in the library, immediately move away from windows and bookshelves and take appropriate cover. In the science lab or shops, all burners should be extinguished (if possible) before taking cover. Stay clear of hazardous chemicals that may spill. The duration of ground shaking depends on a number of factors, including the severity of the earthquake. Advise students to anticipate shorter or longer episodes of ground shaking during actual earthquakes and their aftershocks.

EARTHQUAKE HAZARDS COMMONLY FOUND IN SCHOOL BUILDINGS:

- Glass that shatters or flies around
- Objects stored above head-level on shelves, walls, and ceilings (such as unused projectors, books, science equipment, boxes)
- Objects that block movement to safe places (books on floors, tipped desks and bookcases)
- Cabinets without latches
- Objects stored on wheels
- Open shelving without a lip or restraining wire
- Free standing cabinets
- Blocked exits
- Objects in hallways that block movement (glass, tables, locker contents)

SETTLING DOWN AFTER THE FIRST SHOCK:

- After the first shock, teachers will evacuate the classrooms, being alert to the possibility of aftershocks.
- When leaving the classroom, teachers should make every effort to take with them the roll book and emergency supplies.
- Announce that no student is to return to the room unless directed to do so.
- Teachers will take classes to pre-arranged places on the campus.
- Teachers and students will remain in designated areas until re-entry to the building has been approved or they are directed to move elsewhere.
- School will remain open indefinitely until every student has been released to parents or to an authorized person.
- Do not light any fires after the earthquake because of possible gas leaks.
- If possible, notify utility companies of any break or suspected breaks in service.

THE GREAT SHAKEOUT EARTHQUAKE DRILLS

All AUSD schools are encouraged to participate in the annual Great ShakeOut Earthquake Drills. See <https://www.shakeout.org/index.html> for more information.

Explosion or Risk Of Explosion

EXPLOSION OR THREAT OF EXPLOSION

DEFINITION/DESCRIPTION

An explosion at the school, or the threat of an explosion, may be caused by leaking gas or a faulty boiler within a school building.

IMMEDIATE ACTION – EXPLOSION

Principal

- a) Sound the school alarm and report on Share911.
- b) Notify teachers of proper action (DROP or LEAVE BUILDING).

Teachers

- a) Command DROP is given. Instruct students to react in the same manner on their own to this type of catastrophe in case it occurs when the teacher is temporarily not present.
- b) If the explosion occurred within the building, or threatened the building, immediately implement Action LEAVE BUILDING.
- c) Move to an area of safety, and maintain control of students.
- d) Use Share911 to report students absent, found or needing first aid as necessary.
- e) Fight incipient fires without endangering life.
- g) Students and staff should not return to the school until Fire Department officials declare the area safe.

IMMEDIATE ACTION - THREAT OF EXPLOSION:

Principal

Sound the school fire alarm, or silent evacuation if electronic means could set off explosion. This will automatically implement Action LEAVE BUILDING.

Follow procedures for principal -- 'c' and 'd' above.

Teacher

Follow procedures for teachers -- 'c' through 'g' above.

Fire in Surrounding Area

Follow shelter in place procedures

Fire on School Grounds

DEFINITION/DESCRIPTION: A fire detected in or adjacent to any building at the school site.

IMMEDIATE ACTION

Principal or Site Safety Coordinator

- View fire or take report to determine that evacuation routes are safe.
- Notify teachers of alternate route if necessary.
- Sound school fire alarm and report on Share911.
- Determine what further action to take (i.e. send students/staff home).

Teachers

- Implement Action LEAVE BUILDING, using alternate route in necessary.
- Maintain control of students at a safe distance from the fire and fire fighting equipment.
- Take roll upon arrival at designated area. students.
- Remain with students in designated area until notified of next action.
- Notify principal of any hazards observed in/around area through Share911.
- Notify principal of need for first aid as appropriate through Share911.

Custodians

- View fire to identify location and extent.
- Report findings to principal.
- Fight incipient fire without endangering life.
- Be prepared to direct fire department to fire site.
- Shut off gas/water as appropriate.
- Shut off electricity after all necessary use of P.A. system is complete.

FOLLOW-UP ACTION

Principal

- Determine, in coordination with M.O.F. and Fire Department whether buildings) is/are habitable.
- Notify staff/students of any modification in schedule, via Share911 and special bulletin or telephone tree.
- Work with Director of Communications to put messages on TV, radio and communication system regarding any modifications in schedule
- Arrange school site meeting to discuss plan.

Principal's Secretary

- Screen all calls.
- Refer media to Director of Communication.
- Prepare necessary communications to community.

Teachers

- Read announcements as provided by principal.
- Refer all media to principal's office.
- Cooperate with school site team to provide follow-up as appropriate.
- Refer for counseling students who may be at risk.
- Return to normal instructional activities as soon as possible.

Flooding

DESCRIPTION/DEFINITION

There should be some thought and preparation for this eventuality should any sources around the school create flooding. Flooding may be the secondary effect of another disaster, such as an earthquake.

IMMEDIATE ACTION

Principal

- View flood or take report to determine that evacuation routes are safe.
- Broadcast Alert on Share911 and PA as appropriate.
- Determine what further action to take.

Teachers

- Implement appropriate Action in response to principal direction.
- Take roll upon arrival at evacuation area. Report absent students, needs for first aid and any hazards observed in/around area to principal through Share911.
- Maintain control of students at evacuation area.

Custodians

- View flood to identify location and extent.
- Report findings to principal.
- Be prepared to direct M.O.F./City to flood site/source.
- If flooding is result of school site damage, turn off water.

Follow up Plan

Principal

- Determine, in coordination with M.O.F. and Fire Department whether buildings) is/are habitable.
- Notify staff/students of any modification in schedule, via Share911 and special bulletin or telephone tree.
- Work with Director of Communications to put messages on TV, radio and communication system regarding any modifications in schedule
- Arrange school site meeting to discuss plan.

Principal's Secretary

- Screen all calls.
- Refer media to the Director of Communication.
- Prepare necessary communications to the community.

Teachers

- Read announcements as provided by the principal.
- Refer all media to the principal's office.
- Cooperate with the school site team to provide follow-up as appropriate.
- Refer for counseling students who may be at risk.
- Return to normal instructional activities as soon as possible.

Loss or Failure Of Utilities

UTILITIES LOSS OR FAILURE

CALL MOF - They will call the appropriate public works system based on the loss or failure.

LOSS OF ELECTRICAL POWER:

Consult Alameda Power

LOSS of GAS

PG&E

WATER EMERGENCY:

East Bay Municipal Utility District, colloquially referred to as "East Bay Mud

PHONE ISSUES:

Contact Technology Information Services to report phone issues.

ADDITIONAL INFORMATION:

Contact Maintenance, Operations & Facilities at extension if any utility will be off for an extended period of time.

Notify the superintendent of the situation.

If necessary, make appropriate arrangements with Maintenance and Operations for temporary communications, water delivery and portable rest rooms.

In the event of an extended outage, consult with the cafeteria manager. The cafeteria manager will consult with Food and Nutritional Services.

If an extended outage is likely, provide an update to keep parents/guardians informed.

Motor Vehicle Crash

Step1: Respond to the injured party and determine if first aid or CPR should be provided

Step 2: If 911 needs to be called have another person call while you deliver first aid or CPR

Step 3: Send another person to notify others and get any emergency equipment or information that would be helpful to the emergency

Step 4: When safe to do so, activate share 911 to communicate to staff if an ambulance is on its way

Step 5: Designate staff to the appropriate gate/entrance to help emergency services get in close proximity to injured party

Step 6: Staff are required to complete and turn in an Accident Report to administration for any injuries to any one on campus

Step 7: Accident forms need to be sent to the business office

Psychological Trauma

The sudden death, serious injury to a student or staff member either through natural causes, accidents or as the result of an act of violence, such as school shooting, missing students (known or suspected abduction), physical assault, sexual assault, non-natural or non-accidental causes or other unexpected events are, without question, a crisis. Responding to these kinds of crisis situations in a timely and effective manner is as critical as dealing with an earthquake or a fire.

1. Contact Student Services to request the District Crisis Intervention Team immediately following a serious injury, accident or death of a student or staff member.

2. Work with your school psychologist and or counselors to determine identification of short- and long-term interventions for students or staff traumatized by the event.
3. Work with the Superintendent's office to formulate a public statement.
4. Discuss the crisis in a factual manner in follow up meetings and/or communications.
5. Be sensitive to latent behavior problems that are trauma-related.

A general message will be prepared and whenever possible parents will be contacted first in order to be the first adults to provide the information and support their children. All staff will be debriefed and supported. Activities to best meet the needs of the community will be provided aimed at providing counseling, a way for all to process (writing, drawing, and sharing). Activities such as games, music and reading may be planned over a short period of time to reduce anxiety and work demands. Follow and close monitoring for students and staff to insure latent reactions and responses.

Opioid Overdose

Step (1) Call 911 An overdose is a medical emergency. It is important to have trained medical professionals assess the condition of the overdose victim. Even though Naloxone can reverse the overdose, there may be other health problems of which the responder may not be aware. In addition, people who survive any type of overdose are at risk of experiencing other health complications because of the overdose. Getting someone examined by a medical professional is an important part of reducing the harms associated with overdosing.

It is important for trained staff to remember that Naloxone only works if there are opioids involved with the overdose. It cannot reverse an overdose from benzodiazepines, meth, cocaine, or alcohol.

Step (2) Administer Naloxone (Narcan)

Open the Naloxone blister pack; do not push the plunger.

With the victim's head tilted slightly back, place two (2) fingers over the top of the medication with your thumb securing it from the bottom.

Insert the atomizer fully and gently into their nostril

Push the plunger forward with the thumb and deliver spray of medication. (There is no need to plug the opposing nostril).

Place the person to their side (recovery position).

If the individual is still not responding within two (2) minutes, give a second dose in the opposite nostril.

Follow Up

If the victim is a student, contact parent/guardian per school policy.

Complete an Accident/Injury Report

Facilitate a debriefing with responding staff

Consider a plan of care for the students' safe return to school

Emergency Evacuation Map

[See Attachments](#)

2023-2024



QUATTROCCHI
KWOK ARCHITECTS

ALAMEDA UNIFIED
SCHOOL DISTRICT

WOOD MIDDLE SCHOOL

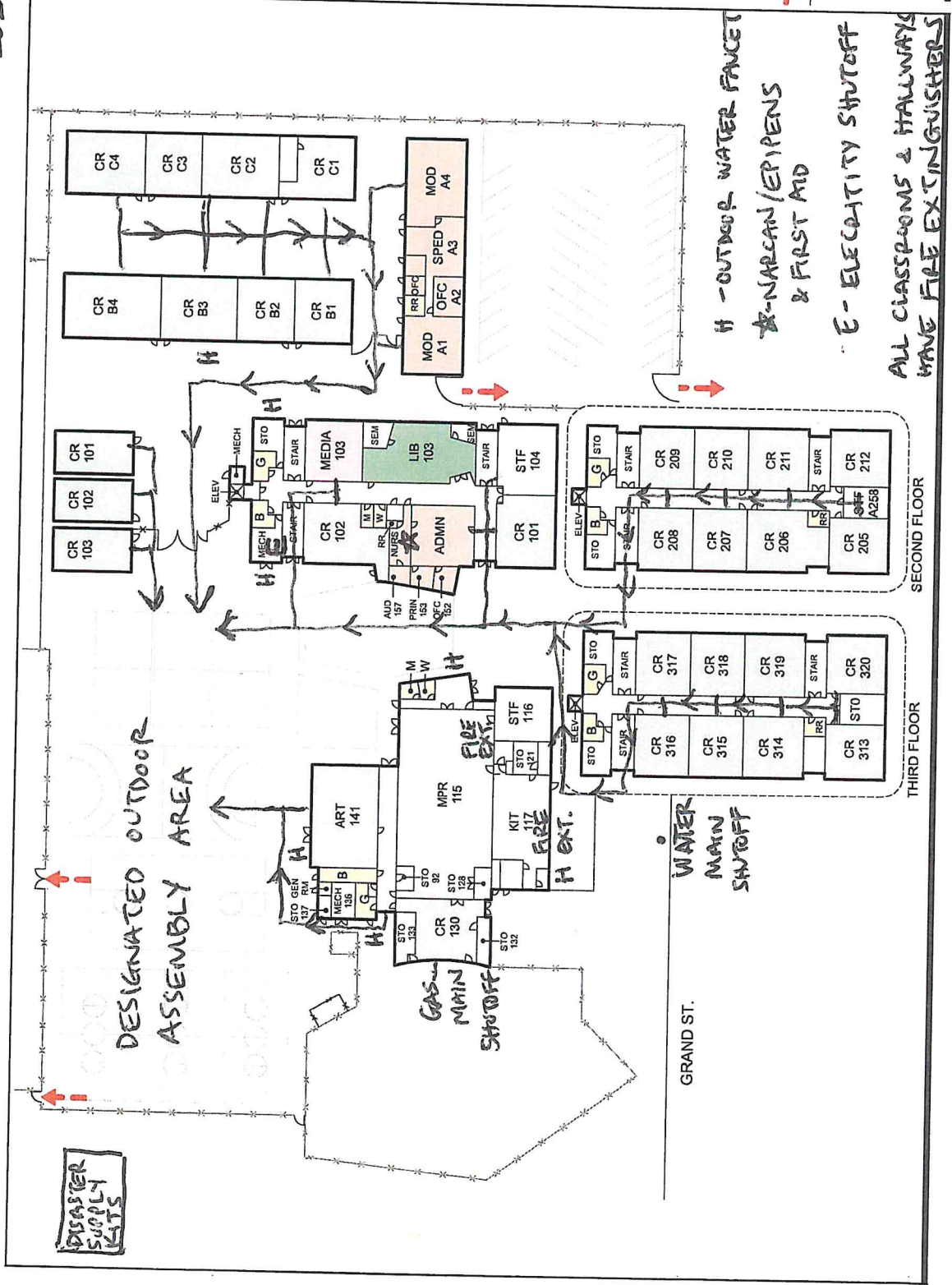
420 Grand St,
Alameda, CA 94501

ROOM TYPE LEGEND

- STANDARD CLASSROOM
- CAFETERIA / MULTIPURPOSE ROOM
- LIBRARY
- GYMNASIUM
- MEDIA CENTER
- ADMIN/OFFICE
- RESTROOM
- MISCELLANEOUS

- ACCESS TO EXTERIOR
- FENCING

March 29, 2023



ALAMEDA UNIFIED SCHOOL DISTRICT
BOARD AGENDA ITEM

Item Title: Approval of Bid Award for Invitation to Bid (IBD) #024-077-03 Ruby Bridges Elementary School - Classroom Building Roof Replacements

Item Type: Action

Background: In alignment with Board Policy and Administrative Regulation 3311 for compliance with Public Contract Code 20111, AUSD posted an Invitation To Bid (ITB) #024-077-03 Ruby Bridges Elementary School – Classroom Building Roof Replacements on February 5, 2024. A mandatory bid conference and job-walk was conducted on February 20, 2024. Nine (9) organizations submitted a bid by the deadline of 2:00 p.m. on March 6, 2024. The sealed bids were opened and reviewed by staff on March 6, 2024 at 2:30pm.
Staff recommends the award for ITB #024-077-03 Ruby Bridges Elementary School – Classroom Building Roof Replacements be awarded to the apparent low bidder Best Contracting Services, Inc. A Notification of Apparent Low Bidder was sent to bidding organizations on Friday, March 8, 2024.

Staff is asking that the Board approve the Bid Award this evening and the contract for services will be presented to the Board for approval at an upcoming meeting.

AUSD LCAP Goals: 4. Ensure that all students have access to basic services.

Fund Codes: 25 Capital Facilities – Developer Fees Fund

Fiscal Analysis

Amount (Savings) (Cost): Low Bid \$879,390.00.

Recommendation: Approve as submitted.

AUSD Guiding Principle: #5 - Accountability, transparency, and trust are necessary at all levels of the organization. | #6 - Allocation of funds must support our vision, mission, and guiding principles.

Submitted By: Shariq Khan, Assistant Superintendent of Business Services

ATTACHMENTS:

Description	Upload Date	Type
❑ ITB 024-077-03	3/19/2024	Backup Material
❑ Project Specs	3/19/2024	Backup Material
❑ Project Drawings	3/19/2024	Backup Material
❑ Addendum #1 to ITB	3/19/2024	Backup Material

Alameda Unified School District

05-FEB-2024

PROJECT MANUAL

BID NO. 024-077-03

Classroom Building Roof Replacements

Ruby Bridges Elementary

351 Jack London Ave, Alameda, CA 94501

DOCUMENT 00 01 10

TABLE OF CONTENTS - CONTRACT DOCUMENTS

PROCUREMENT AND CONTRACTING REQUIREMENTS

Division 00	Section	Title
	00 01 01	Title Page
	00 01 10	Table of Contents (This Document)
	00 11 16	Notice to Bidders / Invitation to Bid
	00 21 13	Instructions to Bidders
	00 31 19	Existing Information and Documentation Regarding Project Site (<u>NOT part of the Contract Documents</u>)

<u>DOCUMENTS THAT BIDDER MUST SUBMIT AS PART OF ITS BID</u>		
	00 32 00	Prequalification Questionnaire for Prospective Bidder (<u>NOT part of the Contract Documents</u>)
	00 41 13	Bid Form
	00 43 13	Bid Bond (Security)
	00 43 36	Designated Subcontractors List
	00 43 40	Non-collusion Declaration
	00 43 50	Iran Contracting Act Certification

	00 45 00	Notice of Award
	00 45 10	Agreement
	00 45 40	Certifications to be Completed by Contractor
	00 45 55	Disabled Veteran's Business Enterprise Participation Certification
	00 45 85	Criminal Background Investigation/Fingerprinting Certification
	00 54 55	Escrow Agreement for Security Deposits in Lieu of Retention
	00 61 14	Performance Bond
	00 61 15	Payment Bond (Contractor's Labor and Material Bond)
	00 65 10	Notice to Proceed
	00 65 36	Warranty and Guarantee Form
	00 70 00	General Conditions
	00 01 10	Addenda – Project Manual (All addenda issued by District become part of the Contract.)

GENERAL REQUIREMENTS

	01 64 00	Owner Furnished Products
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SPECIFICATIONS & DRAWINGS

	Exhibit A	Project Specifications
	Exhibit B	Project Drawings

END OF SECTION

DOCUMENT 00 11 16

NOTICE TO BIDDERS / INVITATION TO BID

1. Notice is hereby given that the governing board ("Board") of the **Alameda Unified School District** ("District") will receive sealed bids for the following project:

Classroom Building Roof Replacements

2. Sealed Bids will be received until 2:00pm, March 6, 2024, at the District Office, located at

2060 Challenger Drive, Alameda, California 94501

at or after which time the bids will be opened and publicly read aloud. Any claim by a bidder of error in its bid must be made in compliance with section 5100 et seq. of the Public Contract Code. Any bid that is submitted after this time shall be non-responsive and returned to the bidder.

3. The Project consists of:

Project consists of all labor, equipment, materials, and supervision for major roof replacements at Ruby Bridges Elementary School Site, as indicated in Contract Document, located in Alameda, CA.

4. All bids shall be on the form provided by the district. Each bid must conform and be responsive to all pertinent Contract Documents, including, but not limited to, the Instructions to Bidders.
5. To bid on this Project, the Bidder is required to possess one or more of the following State of California Contractor Licenses:

B – General Engineering
C39 – Roofing

The Bidder's license(s) must be active and in good standing at the time of the bid opening and must remain so throughout the term of the Contract.

6. As security for its Bid, each bidder shall provide with its Bid form.
 - a bid bond issued by an admitted surety insurer on the form provided by the District,
 - cash, or
 - a cashier's check or a certified check, drawn to the order of the **Alameda Unified School District**, in the amount of ten percent (10%) of the total bid price. This bid security shall be a guarantee that the Bidder shall, within seven (7) calendar days after the date of the Notice of Award, enter a contract with the District for the performance of the services as stipulated in the bid.
7. The successful Bidder shall be required to furnish a 100% Performance Bond and a 100% Payment Bond if it is awarded the contract for the Project.
8. The successful Bidder may substitute securities for any monies withheld by the District to ensure performance under the Contract, in accordance with the provisions of section 22300 of the Public Contract Code.
9. The successful Bidder and its subcontractors shall pay all workers on the Project not less than the general prevailing rate of per diem wages and the general prevailing rate for holiday and overtime work as determined by the Director of the Department of Industrial Relations, State of California, for the type of work performed and the locality in which the work is to be performed within the boundaries of the District, pursuant to sections 1770 et seq. of the California Labor Code. Prevailing wage rates are on file with the District and are

available to any interested party on request or at www.dir.ca.gov/oprl/statistics_and_databases.html. Bidders and Bidders' subcontractors shall comply with the registration and qualification requirements pursuant to sections 1725.5 and 1771.1 of the California Labor Code.

10. A mandatory pre-bid conference and site visit will be held on February 20, 2024 at 9:00 am at Ruby Bridges Elementary School, 351 Jack London Ave, Alameda, CA 94501.
All participants are required to sign in at the Administration Office. The Site Visit is expected to take approximately 1 hour. Failure to attend or tardiness will render bid ineligible.
11. Documents are available on February 5th, 2024, for review at the District Office and electronically on the Alameda USD Website at the location below:

<https://www.alamedaunified.org/departments/fiscal-services>
12. The District's Board reserves the right to reject any and all bids and/or waive any irregularity in any bid received. If the District awards the Contract, the security of unsuccessful bidder(s) shall be returned within sixty (60) days from the time the award is made. Unless otherwise required by law, no bidder may withdraw its bid for ninety (90) days after the date of the bid opening.
13. Proposed timeline:

The following is the anticipated Proposal and engagement schedule. Alameda USD may change the estimated dates and process as deemed necessary.

First Notice to Bidders Publishing	Monday, February 5, 2024
Second Notice to Bidders Publishing	Monday, February 12, 2024
Mandatory pre-bid job-walk	Tuesday, February 20, 2024 @ 9:00AM
Last Day to Submit Questions and Seek Clarifications Please send questions to: mtirona@alamedaunified.org	Thursday, February 22, 2024 @ 2:00PM
Answers posted to District website	Monday, February 26, 2024 by 5:00PM
BID Proposals Due	Wednesday, March 6, 2024 by 2:00PM
Notice of Intent to Award	Friday, March 8, 2024
Protest Period Ends	Friday, March 15, 2024 @ 2:00PM
Board Approval	Tuesday, March 26, 2024
Project Start Date	Friday, June 7, 2024
Project Completion Date	NLT Thursday, August 15, 2024

END OF DOCUMENT

DOCUMENT 00 21 13

INSTRUCTIONS TO BIDDERS

Bidders shall follow the instructions in this document, and shall submit all documents, forms, and information required for consideration of a Bid.

Alameda Unified School District ("District") will evaluate information submitted by the apparent low Bidder and, if incomplete or unsatisfactory to District, Bidder's bid may be rejected at the sole discretion of District.

1. **Project.** Bids are requested for a general construction contract, or work described in general, for the following project:

Classroom Building Roof Replacements

Site	Address
Ruby Bridges Elementary	351 Jack London Ave, Alameda, CA 94501

2. **Sealed Bids.** District will receive sealed Bids from Bidders as indicated in the Invitation to Bid and each Bidder shall ensure that its Bid:
 - a. Is sealed and marked with the name and address of the Bidder, the Project name and number, the bid number and bid package (if applicable), and the date for opening bids.
 - b. Contains all documents as required herein; and
 - c. Is submitted by date and time shown in the Invitation to Bid.
3. **Bid Opening.** Bids will be opened at or after the time indicated for receipt of bids.
4. **Complete Bids.** Bidders must supply all information required by each Bid Document. Bids must be full and complete. District reserves the right in its sole discretion to reject any Bid as non-responsive as a result of any error or omission in the Bid. Each Bidder must complete and submit all of the following documents as its Bid:
 - Bid Form
 - Bid Bond or other security.
 - Designated Subcontractors List
 - Non collusion Declaration
 - Iran Contracting Act Certification
 - a. **Bid Form.** Bidders must submit Bids on the Bid Form and all other required District forms. Bids not submitted on the District's required forms shall be deemed non-responsive and shall not be considered. Additional sheets required to fully respond to requested information are permissible. Bidders shall not modify the Bid Form or qualify their Bids. Bidders shall not submit scanned, re-typed, word-processed, or otherwise recreated versions of the Bid Form or other District-provided documents.
 - b. **Bid Bond or Other Security.** Bidders must submit their Bid Form with cash, a cashier's check or a certified check payable to District, or a bid bond by an admitted surety insurer of not less than ten percent (10%) of their base Bid amount, including all additive alternates. Required form of corporate surety, Bid Bond, is provided by District and must be used and fully completed by Bidders choosing to provide a Bid Bond as security. The Surety on Bidders' Bid Bond must be an insurer admitted in the State of California and authorized to issue surety bonds in the State of California. Bids submitted without necessary bid security will be deemed non-responsive and will not be considered.
 - c. **Designated Subcontractors List.** Bidders must submit with the Bid the Designated Subcontractors List for

those subcontractors who will perform any portion of Work, including labor, rendering of service, or specially fabricating and installing a portion of the Work or improvement according to detailed drawings contained in the plans and specifications, in excess of one half of one percent (0.5%) of total Bid. Failure to fully complete and submit this list when required by law shall result in Bid being deemed non-responsive and the Bid will not be considered.

- d. **Non-Collusion Declaration.** Bidders shall submit the Non-Collusion Declaration with their Bids. Bids submitted without the Non-Collusion Declaration shall be deemed non-responsive and will not be considered.
 - e. **Iran Contracting Act Certification.** Bidders shall submit the Iran Contracting Act Certification with their Bids. Bids submitted without the Iran Contracting Act Certification shall be deemed non-responsive and will not be considered.
5. **Erasures.** Bids shall be clearly written without erasure or deletions. District reserves the right to reject any Bid containing erasures or deletions.
 6. **Words / Numerals.** Discrepancies between written words and figures, or words and numerals, will be resolved in favor of written words.
 7. **Prevailing Wages.** Pursuant to sections 1770 et seq. of the California Labor Code, Bidder and all Subcontractors under the Bidder shall pay all workers on all work performed pursuant to the Contract not less than the general prevailing rate of per diem wages and the general prevailing rate for holiday and overtime work as determined by the Director of the State of California Department of Industrial Relations (DIR) for the type of work performed and the locality in which the work is to be performed within the boundaries of the District. Copies of the general prevailing rates of per diem wages for each craft, classification, or type of worker needed to execute the Contract, as determined by the DIR are on file with the District and are available to any interested party on request or at www.dir.ca.gov/oprl/statistics_and_databases.html.
 8. **Contractor Registration.** Bidder shall ensure that it and its Subcontractors comply with the registration and compliance monitoring provisions of Labor Code section 1771.4, including furnishing its CPRs to the Labor Commissioner, and are registered pursuant to Labor Code section 1725.5. Bidder and its subcontractors shall comply with Labor Code section 1725.5 to be qualified to bid on, be listed in a bid proposal, subject to the requirements of Section 4104 of the Public Contract Code, or engage in the performance of the Contract.
 9. **DVBE.** Section 17076.11 of the Education Code requires school districts using funds allocated pursuant to the State of California School Facility Program for the construction and/or modernization of school building(s) to have a participation goal for disabled veteran business enterprises ("DVBE") of at least three percent (3%) per year of the overall dollar amount expended on projects that receive state funding. For any project that is at least partially state-funded, the low Bidder must submit certification of compliance with the procedures for implementation of DVBE contracting goals with its signed Agreement. DVBE Certification Participation Forms are attached. Bidders should not submit these forms with their Bids.
 10. **Bidder Diligence.** Submission of Bid signifies careful examination of the Contract Documents and a complete understanding of the nature, extent, and location of Work to be performed. Bidders must complete the tasks listed below as a condition to bidding, and submission of Bid shall constitute the Bidder's express representation to District that Bidder has fully completed the following:
 - a. Bidder has visited the Project Site, if required, and has examined thoroughly and understood the nature and extent of the Contract Documents, Work, Site, locality, actual conditions, as-built conditions, and all local conditions and federal, state and local laws, and regulations that in any manner may affect cost, progress, performance, or furnishing of Work or that relate to any aspect of the means, methods, techniques, sequences, or procedures of construction to be employed by Bidder and safety precautions and programs incident thereto;

- b. Bidder has conducted or obtained and has understood all examinations, investigations, explorations, tests, reports, and studies that pertain to the subsurface conditions, as-built conditions, underground facilities, and all other physical conditions at or contiguous to the Site or otherwise that may affect the cost, progress, performance, or furnishing of Work, as Bidder considers necessary for the performance or furnishing of Work at the Contract Price, within the Contract Time, and in accordance with the other terms and conditions of Contract Documents, including specifically the provisions of the General Conditions; and no additional examinations, investigations, explorations, tests, reports, studies, or similar information or data are or will be required by Bidder for such purposes;
- c. Bidder has correlated its knowledge and the results of all such observations, examinations, investigations, explorations, tests, reports, and studies with the terms and conditions of the Contract Documents;
- d. Bidder has given the District prompt written notice of all conflicts, errors, ambiguities, or discrepancies that it has discovered in or among the Contract Documents and the actual conditions, and the written resolution thereof by the District is acceptable to Bidder;
- e. Bidder has made a complete disclosure in writing to the District of all facts bearing upon any possible interest, direct or indirect, that Bidder believes any representative of the District or other officer or employee of the District presently has or will have in this Contract or in the performance thereof or in any portion of the profits thereof;
- f. Bidder must, prior to bidding, perform the work, investigations, research, and analysis required by the Instructions to Bidders and that Bidder represented in its Bid Form and the Agreement that it performed prior to bidding. Bidder is charged with all information and knowledge that a reasonable bidder would ascertain from having performed this required work, investigation, research, and analysis. Bid prices must include entire cost of all work "incidental" to completion of the Work.
- g. **Conditions Shown on the Contract Documents:** Information as to underground conditions, as-built conditions, or other conditions or obstructions, indicated in the Contract Documents, e.g., on Drawings or in Specifications, has been obtained with reasonable care, and has been recorded in good faith. However, District only warrants, and Bidder may only rely, on the accuracy of limited types of information.
 - (1) As to above-ground conditions or as-built conditions shown or indicated in the Contract Documents, there is no warranty, express or implied, or any representation express or implied, that such information is correctly shown or indicated. This information is verifiable by independent investigation and Bidder is required to make such verification as a condition to bidding. In submitting its Bid, Bidder shall rely on the results of its own independent investigation. In submitting its Bid, Bidder shall not rely on District-supplied information regarding above-ground conditions or as-built conditions.
 - (2) As to any subsurface condition shown or indicated in the Contract Documents, Bidder may rely only upon the general accuracy of actual reported depths, actual reported character of materials, actual reported soil types, actual reported water conditions, or actual obstructions shown or indicated. District is not responsible for the completeness of such information for bidding or construction; nor is District responsible in any way for any conclusions or opinions of Bidder drawn from such information; nor is District responsible for subsurface conditions that are not specifically shown (for example, District is not responsible for soil conditions in areas contiguous to areas where a subsurface condition is shown).
- h. **Conditions Shown in Reports and Drawings Supplied for Informational Purposes:** Reference is made to the document entitled Existing Information and Documentation Regarding Project Site, for identification of:

- (1) Subsurface Conditions: Those reports of explorations and tests of subsurface conditions at or contiguous to the Project Site that have been utilized by Architect in preparing the Contract Documents; and
 - (2) Physical Conditions: Those drawings of physical conditions in or relating to existing surface or subsurface structures at or contiguous to the Project Site that has been utilized by Architect in preparing the Contract Documents.
 - (3) These reports and drawings are **not** Contract Documents and, except for any “technical” data regarding subsurface conditions specifically identified in Existing Information and Documentation Regarding Project Site, and underground facilities data, Bidder may not in any manner rely on the information in these reports and drawings. Subject to the foregoing, Bidder must make its own independent investigation of all conditions affecting the Work and must not rely on information provided by District.
11. **As-Builts.** Bidders may examine any available “as-built” drawings of previous work by giving District reasonable advance notice. District will not be responsible for accuracy of “as-built” drawings. The document entitled Existing Information and Documentation Regarding Project Site applies to all supplied “as-built” drawings.
12. **Questions.** All questions about the meaning or intent of the Contract Documents are to be directed in writing to the District. Interpretations or clarifications considered necessary by the District in response to such questions will be issued in writing by Addenda faxed, mailed, or delivered to all parties recorded by the District as having received the Contract Documents. Questions received less than **SEVEN (7)** calendar days prior to the date for opening Bids may not be answered. Only questions answered by formal written Addenda will be binding. Oral and other interpretations or clarifications will be without legal effect.
13. **Addenda.** Addenda may also be issued to modify parts of the Contract Documents as deemed advisable by the District. Bidder must acknowledge each Addendum in its Bid Form by number or its Bid may be considered non-responsive. Each Addenda shall be part of the Contract Documents. A complete listing of Addenda may be obtained from the District.
14. **Substitution for Specified Items.** Bids shall be based on products and systems specified in Contract Documents or listed by name in Addenda. All requests must comply with the requirements specified in the Special Conditions, the Specifications and the following:
- a. **Request for Substitution Prior to Bid.**
 - (1) District must receive any request for substitution a minimum of **FOURTEEN (14)** calendar days prior to the date of bid opening.
 - (2) The District’s denial of a substitution request prior to the date of bid opening shall be conclusive, requiring Bidders to list only approved items. The District is not responsible and/or liable in any way for a Bidder’s damages and/or claims related, in any way, to that Bidder’s basing its bid on any requested substitution that the District has not approved. Bidder’s Bid shall be deemed non-responsive if it identifies a product or manufacturer of a non-approved substitution.
 - (3) Approved substitutions shall be listed in Addenda.
 - (4) District reserves the right not to act upon submittals of substitutions until after the date of bid opening.
 - b. **Request for Substitution after Bid Award.** Substitutions may be requested after Contract has been awarded only if indicated in and in accordance with requirements specified in the Special Conditions.

- c. **Information with Request.** Requests for substitutions shall contain sufficient information to assess acceptability of the product or system and impact to Project, including, without limitation, the requirements specified in the Special Conditions and the Specifications. Insufficient information shall be grounds for rejection of substitution.
15. **Alternates.** The Contract may include alternates. Alternates are defined as alternate products, materials, equipment, systems, methods, or major elements of the construction, that may, at the District's option and under terms established in the Contract and pursuant to section 20103.8 of the Public Contract Code, be selected for the Work. The District shall award the Contract, if it awards it at all, to the lowest responsive responsible bidder based on the criteria as indicated in the Invitation to Bid.
16. **Notice of Award.** The Bidder awarded the Contract shall execute and submit the following documents by 5:00 p.m. of the **SEVENTH (7TH)** calendar day following the date of the Notice of Award. Failure to properly and timely submit these documents entitles District to, among other remedies, make a claim against Bidder's Bid Bond or deposit Bidder's cash, cashier's check, or certified check. The proceeds thereof may be retained by District as liquidated damages, in District's sole discretion.
- a. Agreement: To be executed by successful Bidder. Submit four (4) copies, each bearing an original signature.
 - b. Performance Bond (100%): On the form provided in the Contract Documents and fully executed as indicated on the form.
 - c. Payment Bond (100%) (Contractor's Labor and Material Bond): On the form provided in the Contract Documents and fully executed as indicated on the form.
 - d. Insurance Certificates and Endorsements as required.
 - e. Certifications to be Completed by Contractor
17. **Notice to Proceed.** District may issue a Notice to Proceed within **THREE (3)** months from the date of the Notice of Award. Upon receipt of the Notice to Proceed, Contractor shall complete the Work within the period of time indicated in the Contract Documents. It is further expressly understood by Contractor that Contractor shall not be entitled to any claim of additional compensation or additional time when the Notice to Proceed is issued within the 3-month period.
- a. The District may postpone issuing the Notice to Proceed beyond the 3-month period, upon reasonable notice to Contractor.
 - b. It is further expressly understood by Contractor that Contractor shall not be entitled to any claim of additional compensation as a result of the postponement of the issuance of the Notice to Proceed beyond the 3-month period. If the Contractor believes that a postponement of issuance of the Notice to Proceed will cause a hardship to Contractor, the Contractor may terminate the Contract. Contractor's termination due to a postponement beyond the 3-month period shall be by written notice to District within **SEVEN (7)** calendar days after receipt by Contractor of District's notice of postponement.
 - c. It is further understood by Contractor that in the event Contractor terminates the Contract as a result of postponement by the District, District shall only be obligated to pay Contractor for the Work that Contractor had performed at the time of notification of postponement and which the District had in writing authorized Contractor to perform prior to issuing a Notice to Proceed.
 - d. Should Contractor terminate the Contract as a result of a notice of postponement, District shall have the

authority to award the Contract to the next lowest responsive responsible bidder.

18. **Bid Protests.** Any bid protest by any Bidder regarding any other bid on this Project must be submitted in writing to the **Purchasing Department** at the District, before 2:00PM, March 6, 2024. The Purchasing Department will take steps to resolve the bid protest and, if that is not successful, the Business Services /Purchasing Department will refer the bid protest to the Superintendent or his/her designee that is a deputy superintendent and/or a chief officer. These steps are mandatory prior to any bid protest or award of a contract without a resolved bid protest being brought to the District's governing board for consideration.
 - a. The protest must contain a complete statement of any and all bases for the protest.
 - b. The protest must refer to the specific portions of all documents that form the bases for the protest, including the specific portion(s) of the bid(s) that the Bidder is protesting.
 - c. The protest must include the name, address and telephone number of the person representing the protesting party.
 - d. The party filing the protest must concurrently transmit a copy of the protest and any attached documentation to all other parties with a direct financial interest that may be adversely affected by the outcome of the protest. Such parties shall include all other bidders or proposers who appear to have a reasonable prospect of receiving an award depending upon the outcome of the protest.
 - e. The procedure and time limits set forth in this paragraph are mandatory and are each bidder's sole and exclusive remedy in the event of bid protest. Failure to comply with these procedures shall constitute a waiver of any right to further pursue the bid protest, including filing a Government Code Claim or legal proceedings.
19. **Rejection of Bids.** District reserves the right to reject any or all bids, including without limitation the right to reject any or all nonconforming, non-responsive, unbalanced, or conditional bids, to re-bid, and to reject the bid of any bidder if District believes that it would not be in the best interest of the District to make an award to that bidder, whether because the bid is not responsive or the bidder is unqualified or of doubtful financial ability or fails to meet any other pertinent standard or criteria established by District. District also reserves the right to waive inconsequential deviations not involving price, time, or changes in the Work. For purposes of this paragraph, an "unbalanced bid" is one having nominal prices for work item(s) that represent substantive work and/or overly enhanced prices for nominal work item(s).
20. **Bidder Responsibility.** Prior to the award of Contract, District reserves the right to consider the responsibility of the Bidder. District may conduct investigations as District deems necessary to assist in the evaluation of any bid and to establish the responsibility, including, without limitation, qualifications and financial ability of Bidders, proposed subcontractors, suppliers, and other persons and organizations to perform and furnish the Work in accordance with the Contract Documents to District's satisfaction within the prescribed time.

END OF DOCUMENT

EXISTING INFORMATION AND DOCUMENTATION REGARDING PROJECT SITE

1. Summary

This document describes existing conditions at or near the Project and use of information available regarding existing conditions. This document is **not** part of the Contract Documents. See General Conditions for definition(s) of terms used herein. Contractor is required to request from the District a copy of any reports that it believes are necessary to perform Contractor's Work in a safe, efficient, and workman-like manner.

2. Reports and Information on Existing Conditions

- a. Documents providing a general description of the Site and conditions of the Work may have been collected by District, its consultants, contractors, and tenants. These documents may include previous contracts, contract specifications, tenant improvement contracts, as-built drawings, utility drawings, and information regarding underground facilities.
- b. Information regarding existing conditions may be inspected at the District offices or the Construction Manager's offices, if any, and copies may be obtained at cost of reproduction and handling upon Bidder's agreement to pay for such copies. These reports, documents, and other information are **not** part of the Contract Documents.
- c. Information regarding existing conditions may also be included in the Project Manual but shall **not** be considered part of the Contract Documents.

3. Use of Information

- a. Information regarding existing conditions was obtained only for use of District and its consultants, contractors, and tenants for planning and design and is **not** part of the Contract Documents.
- b. District does not warrant, and makes no representation regarding, the accuracy or thoroughness of any information regarding existing conditions. Bidder represents and agrees that in submitting a bid it is not relying on any information regarding existing conditions supplied by District.
- c. Under no circumstances shall District be deemed to warrant or represent existing above-ground conditions, as-built conditions, or other actual conditions, verifiable by independent investigation. These conditions are verifiable by Contractor by the performance of its own independent investigation that Contractor must perform as a condition to bidding, and Contractor should not and shall not rely on this information or any other information supplied by District regarding existing conditions.
- d. Any information shown or indicated in the reports and other data supplied herein with respect to existing underground facilities at or contiguous to the Project may be based upon information and data furnished to District by the District's employees and/or consultants or builders of such underground facilities or others. District does not assume responsibility for the completeness of this information, and Bidder is solely responsible for any interpretation or conclusion drawn from this information.
- e. District shall be responsible only for the general accuracy of information regarding underground facilities, and only for those underground facilities that are owned by District, and only where Bidder has conducted the independent investigation required of it pursuant to the Instructions to Bidders, and discrepancies are not apparent.

4. Limited Reliance on Certain Information

- a. Reference is made herein for identification of:
 - (1) Reports of explorations and tests of subsurface conditions at or contiguous to the Site that have been utilized by District in preparation of the Contract Documents.
 - (2) Drawings of physical conditions in or relating to existing subsurface structures (except underground facilities) that are at or contiguous to the Site and have been utilized by District in preparation of the Contract Documents.
- b. Bidder may rely upon the general accuracy of the “technical data” contained in the reports and drawings identified above, but only insofar as it relates to subsurface conditions, provided Bidder has conducted the independent investigation required pursuant to Instructions to Bidders, and discrepancies are not apparent. The term “technical data” in the referenced reports and drawings shall be limited as follows:
 - (1) The term “technical data” shall include actual reported depths, reported quantities, reported soil types, reported soil conditions, and reported material, equipment or structures that were encountered during subsurface exploration. The term “technical data” does not include, and Bidder may not rely upon, any other data, interpretations, opinions or information shown or indicated in such drawings or reports that otherwise relate to subsurface conditions or described structures.
 - (2) The term “technical data” shall not include the location of underground facilities.
 - (3) Bidder may not rely on the completeness of reports and drawings for the purposes of bidding or construction. Bidder may rely upon the general accuracy of the “technical data” contained in such reports or drawings.
 - (4) Bidder is solely responsible for any interpretation or conclusion drawn from any “technical data” or any other data, interpretations, opinions, or information provided in the identified reports and drawings.

5. Investigations/Site Examinations

- a. Before submitting a Bid, each Bidder is responsible for conducting or obtaining any additional or supplementary examinations, investigations, explorations, tests, studies, and data concerning conditions (surface, subsurface, and underground facilities) at or contiguous to the Site or otherwise, that may affect cost, progress, performance, or furnishing of Work or that relate to any aspect of the means, methods, techniques, sequences, or procedures of construction to be employed by Bidder and safety precautions and programs incident thereto or that Bidder deems necessary to determine its Bid for performing and furnishing the Work in accordance with the time, price, and other terms and conditions of Contract Documents.
- b. On request, District will provide each Bidder access to the Site to conduct such examinations, investigations, explorations, tests, and studies, as each Bidder deems necessary for submission of a Bid. Bidders must fill all holes and clean up and restore the Site to its former condition upon completion of its explorations, investigations, tests, and studies. Such investigations and Site examinations may be performed during any and all Site visits indicated in the Invitation to Bid and only under the provisions of the Contract Documents, including, but not limited to, proof of insurance and obligation to indemnify against claims arising from such work, and District’s prior approval.

END OF DOCUMENT

DOCUMENT 00 32 00

PREQUALIFICATION QUESTIONNAIRE FOR PROSPECTIVE BIDDERS

The **Alameda Unified School District** ("District") has determined that contractors on future projects ("Contractor(s)" or "Firm(s)") must be prequalified prior to submitting a bid or proposal on a project. This form must be completed by:

- A Contractor with a, General B or C-39 license(s) that intends to bid as a **General Contractor** (prime contractor) directly to the district.
- A Contractor with a C-39 license(s) that intends to bid as a **First-Tier subcontractor** to a general contractor (prime contractor) that is bidding directly to the district.

Form Submission. Contractors must complete this District form; no other prequalification documents submitted by a Contractor will meet the District's requirements. All Contractors shall submit completed questionnaires and financial statements as follows:

Location	Date
Alameda Unified School District _____ _____, CA _____ Attn: _____	First-tier subcontractors and general (prime) contractors _____, 20____

Contractor List. The District will make available a list of prequalified general contractors and electrical, mechanical, and plumbing subcontractors to all prequalified Contractors at least five (5) Business Days prior to the date for submission of any response to a District bid or other solicitation covered by this prequalification.

References. The District reserves the right to contact any representative at Contractor's previous projects to gather information about the Contractor and/or to base the District's prequalification determination on a scoring of Contractor's references' responses to questions.

Updates. Contractors who are prequalified must update their prequalification questionnaire if or when Contractor's status or information changes. The District reserves the right to adjust, suspend, or rescind the prequalification rating of any Contractor based on subsequently learned information.

Non-responsiveness. A Contractor's prequalification questionnaire shall be deemed nonresponsive if, without limitation, the Contractor's prequalification questionnaire is not returned on time, does not provide all requested information, is not signed under penalty of perjury by an individual who has the authority to bind the Contractor, is not updated as required or is misleading or inaccurate in any material manner (e.g., financial resources are overstated; previous violations of law are not accurately reported).

Rejection/Waiver/Request. The District reserves the right, in its sole discretion, to reject any or all prequalification questionnaires, to waive irregularities in any prequalification questionnaire or to request further information or documentation from any Contractor.

Public Records. Although the names of Contractors seeking prequalification may be public information, pursuant to, without limitation, Public Contract Code sections 20111.5(a) and 20111.6 (b), each Contractor's questionnaire and financial statements "shall not be public records and shall not be open to public inspection." However, the contents of Contractor's prequalification questionnaires and financial statements may be disclosed to third parties for purposes of clarification or investigation of material allegations or in any appeal process.

Appeal. A Contractor may appeal the District's decision. If a Contractor decides to appeal the District's prequalification decision, it must follow the following procedure:

1. Contractor shall submit, in writing, within **FIVE (5)** Business Days from District's determination, a request for a written response from the District to explain the District's determination.
2. Within five (5) Business Days from receipt of the District's written response to the Contractor's request, Contractor may submit, in writing, a request for a meeting with the District's staff. Contractor may submit with the request any and all information that it believes supports a finding that District's determination should be changed.
3. District staff shall hold a meeting with the Contractor. If the Contractor continues to contest the District's determination after that meeting with District staff, then the Contractor may address the Board at the next public noticed meeting of the District's governing board, pursuant to the governing board's procedures for public comment. **TO PRESERVE THE CONTRACTOR'S RIGHT TO CHALLENGE THE DISTRICT'S DETERMINATION, THE CONTRACTOR SHALL ADDRESS THE BOARD AT THE NEXT PUBLIC NOTICED MEETING OF THE BOARD AFTER CONTRACTOR'S MEETING WITH DISTRICT STAFF.**
4. **FAILURE OF A CONTRACTOR TO TIMELY FOLLOW ALL APPEAL STEPS SHALL BE A WAIVER OF THE CONTRACTOR'S RIGHT TO APPEAL THE DISTRICT'S DECISION.**

CONTRACTOR (OR "FIRM") INFORMATION

Contractor's company name:

Address:

Telephone:

Mobile telephone:

E-mail:

Years in business under current company name:

Years at the above address:

Types of work performed with own forces:

Gross revenue of the Firm for the past three (3) years:

\$

\$

\$

Submit an audited or reviewed financial statement for the past two (2) full fiscal years. A letter verifying availability of a line of credit may also be attached; however, it will be considered as supplemental information only, and is not a substitute for the required financial statement.

Name of license holder exactly as on file with the California State License Board:

License classification(s):

License Number(s):

License expiration date(s):

Department of Industrial Relations registration number (Per Labor Code section 1725.5):

Number of years license holder has held the listed license(s):

Number of years Contractor has done business in California under contractor's license law:

Number of years Contractor has done business in California under current Contractor's license:

Has your Firm changed name(s) or license number(s) in the past five (5) years? (Y / N). If "yes", explain on a separate signed sheet, including the reason for the change.

Has there been any change in ownership of the Firm at any time in the past five (5) years? **NOTE:** A corporation whose shares are publicly traded is not required to answer this question. (Y / N). If "yes", explain on a separate signed sheet, including the reason for the change.

Is the Firm a subsidiary, parent, holding company, or affiliate of another construction firm? **NOTE:** Include information about other firms if one firm owns ten percent (10%) or more of another, or if an owner, partner, or officer of your Firm holds a similar position in another firm. (Y / N). If "yes", explain on a separate signed sheet, the name of the related company(ies) and the percent ownership.

Indicate the form of Contractor's firm (type of business entity):

___ Individual

___ Sole Proprietorship

___ Partnership

___ Limited Partnership

___ Limited Liability Company

___ Joint Venture

___ Corporation, State: _____

___ Other: _____

List the following for each corporation officer, general partner, limited partner, owner, etc. (as applicable) for the Contractor's type of entity. For joint ventures, include this information for each entity in the joint venture and the percent ownership of each joint venture. Attach all additional information on separate signed sheets as needed.

Name	Position	Years with Co.	% Ownership

Identify every construction firm, contractor and/or construction management firm that the Contractor or any person listed above has been associated with (as officer, general partner, limited partner, owner, RMO, RME etc.) at any time during the **past five (5) years** ("Associated Firm"). Include all additional references and/or information on separate signed sheets. NOTE: For this question, "owner" and "partner" refers to ownership of ten percent (10%) or more of the business, or ten percent (10%) or more of its stock if the business is a corporation. include all additional information on separate signed sheets as needed.

Name of Person at Associated Firm	Name of Associated Firm	Contractor's License No. of Associated Firm	Dates of Person's Participation with Associated Firm

CONTRACTOR'S BONDING COMPANY (SURETY) INFORMATION

Name(s) of bonding company(ies) your Firm has utilized over the past five (5) years (not broker or agency):

Address(es) of those bonding company(ies):

Number of years Contractor has been with those bonding company/surety:

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Name of broker/agent:

Address of broker/agent:

Telephone number of broker/agent:

E-mail of broker/agent:

Contractor's total current bonding capacity: \$

CONTRACTOR'S INSURANCE INFORMATION

Name of insurance company(ies) your Firm has utilized over the past five (5) years (not broker or agency):

Address of those insurance company(ies):

"Best" rating(s) for those insurance company(ies):

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Number of years Contractor has been with those insurance company(ies):

--	--	--

Name of broker/agent:

Address of broker/agent:

Telephone number of broker/agent:

E-mail of broker/agent:

Contractor's current insurance limits for the following types of coverage:

Commercial General Liability	Each occurrence	\$
	General aggregate	\$
Product Liability & Completed Operations	Each occurrence	\$
	General aggregate	\$
Automobile Liability – Any Auto	Combined Single Limit (per occurrence)	\$
Employers' Liability		\$
Builder's Risk (Course of Construction)		

Workers' Compensation Experience Modification Rate for the past five (5) premium years:

(1) Current year:	(2)	(3)
	(4)	(5)

QUESTIONS

Pass/Fail Questions (Essential Criteria)		CIRCLE ONE	
1a.	GENERAL CONTRACTORS ONLY: Has your Firm contracted for and completed construction of a minimum of: <ul style="list-style-type: none"> Three (3) California K-12 public school district construction projects, Each with a value of at least \$500,000, and All within the past five (5) years? (Please circle one) <p>NOTE: You must list these projects in the "Contractor Project References" Section.</p>	YES	NO
		NO = cannot prequalify	
1b.	FIRST-TIER SUBCONTRACTORS ONLY: Has your Firm contracted for and completed construction of a minimum of: <ul style="list-style-type: none"> Two (2) California K-12 public school district construction projects, Each with a value of at least \$250,000, and All within the past five (5) years? (Please circle one). <p>NOTE: You must list these projects in the "Contractor Project References" Section.</p>	YES	NO
		NO = cannot prequalify	
2.	Does your Firm currently hold all contractors' license(s) necessary to perform the work and have those license(s) been consistently active for at least five (5) years without revocation or suspension? (Please circle one).	YES	NO
		NO = cannot prequalify	
3.	Has your Firm or an Associated Firm been found non-responsible, debarred, disqualified, forbidden, or otherwise prohibited from performing work and/or bidding on work for any public agency within California within the past five (5) years? (Please circle one).	YES	NO
		YES = cannot prequalify	
4.	Has your Firm or an Associated Firm defaulted on a contract or been terminated for cause by any public agency on any project within California within the past five (5) years and, if so and if challenged, has that default or termination been upheld by a court or an arbitrator? (Please circle one).	YES	NO
		YES = cannot prequalify	
5.	Has your Firm or an Associated Firm or any of their owners or officers been convicted of a crime under federal, state, or local law involving: <ul style="list-style-type: none"> (1) Bidding for, awarding of, or performance of a contract with a public entity. (2) Making a false claim(s) to any public entity; or (3) Fraud, theft, or other act of dishonesty to any contracting party within the past ten (10) years ? (Please circle one).	YES	NO
		YES = cannot prequalify	
6.	Has a performance bond surety for your Firm or a performance bond surety for an Associated Firm had to: <ul style="list-style-type: none"> (1) Takeover or complete a project, (2) Supervise the work of a project, or (3) Pay amounts to third parties to satisfy claims against your performance bond related to construction activities of your Firm or an Associated Firm within the past five (5) years? (Please circle one).	YES	NO
		YES = cannot prequalify	
<div style="display: flex; align-items: center;"> <div> <p style="text-align: center;">If you answered:</p> <p style="text-align: center;">"NO" to questions 1a, 1b, or 2</p> <p style="text-align: center;">or</p> <p style="text-align: center;">"YES" to questions 3-6, then STOP.</p> <p style="text-align: center;">You are not eligible for prequalification at this time.</p> </div> </div>			

Scored Questions		CIRCLE ONE	
1.	<p>Has your Firm paid liquidated damages pursuant to a contract for a project with either a public or private owner within the past five (5) years? (Please circle one).</p> <p>If YES, explain and indicate on separate signed sheet(s) the project name(s), damages(s), and date(s).</p>	YES	NO
2.	<p>Has your Firm paid a premium of more than one percent (1%) for a performance and payment bond on any project(s) within the past five (5) years? (Please circle one).</p> <p>If YES, explain and indicate on separate signed sheet(s) the project name(s), the premium amount(s), and date(s).</p>	YES	NO
3.	<p>Has any insurer had to pay amounts to third parties that were in any way related to construction activities of your Firm within the past five (5) years? (Please circle one).</p> <p>If YES, explain and indicate on separate signed sheet(s) the project name(s), the amount(s) paid, and date(s).</p>	YES	NO
4.	<p>Has your Firm's Workers' Compensation Experience Modification Rate exceeded 1.0 at any time for the past five (5) premium years? (Please circle one).</p> <p>If YES, explain and indicate on separate signed sheet(s) the EMR(s) and the applicable date(s).</p>	YES	NO
5.	<p>Has there been a period when your Firm had employees but was without workers' compensation insurance or state-approved self-insurance within the past five (5) years? (Please circle one).</p> <p>If YES, explain and indicate on separate signed sheet(s) the reason(s) for not having this insurance and the applicable date(s).</p>	YES	NO
6.	<p>Has your Firm declared bankruptcy or been placed in receivership within the past five (5) years? (Please circle one).</p> <p>If YES, explain and indicate on separate signed sheet(s) the type of bankruptcy, the Firm's current recovery plan, and the applicable date(s).</p>	YES	NO
7.	<p>Has your Firm been denied bond coverage by a surety company, or has there been a period of time when your Firm had no surety bond in place during a public construction project when one was required within the past five (5) years? (Please circle one).</p> <p>If YES, provide details on a separate signed sheet indicating the date(s) when your Firm was denied coverage and the name of the company or companies which denied coverage; and the period(s) during which you had no surety bond in place.</p>	YES	NO
8.	<p>Has a project owner, general contractor, architect, or construction manager filed claim(s) in an amount exceeding \$50,000 against your Firm, or has your Firm filed claim(s) in an amount exceeding \$50,000 against a project owner, general contractor, architect, or construction manager in the past five (5) years?</p> <p>If YES, explain and indicate on separate signed sheet(s) the project name(s), claim(s) and the date(s) of claim(s).</p>	YES	NO

9.	Has your Firm or an Associated Firm been cited and/or assessed any penalties for non-compliance with state and/or federal laws and/or regulations, including public bidding requirements and Labor Code violations, within the past five (5) years? If "YES," indicate on separate signed sheet(s) the project name(s), violation(s), and date(s) of citation(s) and/or assessment(s).	YES	NO
10.	Has your Firm been cited and/or assessed penalties by the Environmental Protection Agency, any air quality management district, any regional water quality control board, or any other environmental agency within the past five (5) years? If "yes," indicate on separate signed sheet(s) the project name(s), violation(s), and date(s) of citation.	YES	NO
11.	Has CAL OSHA and/or federal Occupational Safety and Health Administration cited and assessed penalties against your Firm, including any "serious," "willful" or "repeat" violations of safety or health regulations within the past five (5) years? If "yes," indicate on separate signed sheet(s) the project name(s), violation(s), and date(s) of citation. If the citation was appealed and a decision has been issued, state the case number and the date of the decision.	YES	NO
12.	Has your Firm been required to pay either back wages or penalties for its failure to comply with California's prevailing wage laws, with California's apprenticeship laws or regulations, or with federal Davis-Bacon prevailing wage laws within the past five (5) years? If "yes," indicate on separate signed sheet(s) the project name(s), the nature of the violation(s), the name and owner of the project(s), the number of employees who were initially underpaid and the amount of back wages and penalties that your Firm was required to pay.	YES	NO
13.	Does your Firm require weekly , documented safety meetings to be held for construction employees and field supervisors during the course of a project?	YES	NO
14.	Provide the name, address and telephone number of the apprenticeship program (approved by the California Apprenticeship Council) from whom you intend to request the dispatch of apprentices to your Firm for use on any public work project for which you are awarded a contract by the District.		

CONTRACTOR PROJECT REFERENCES

List **ALL** projects in which your Firm has participated as a contractor or first-tier subcontractor during the past **four (4) years** with a Firm contract value of more than **\$500,000**.

- You may limit your response to the thirty (30) most-recently completed projects, but you **must** include at least the three (3) most recent California K-12 public school projects with a contract value of more than \$500,000 performed by your Firm.
- Include all information indicated below on separate signed sheets as necessary, and explain or clarify any response as necessary

Project Name/Identification:

Project address/location:

Project owner, contact person, and telephone:

Project architect name and telephone number:

If contractor was a subcontractor on the project, name of general contractor and telephone number:

Scope of Work:

Original completion date:

Date completed:

Initial contract value (as of time of bid award):

Final contract value:

Did the project include constructing or modernizing an earthquake resistant building?

CERTIFICATION

I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct:

Date: _____

Proper Name of Contractor: _____

Signature: _____

By: _____ (Print Name)

Title: _____

DOCUMENT 00 41 13

BID FORM

To: Governing Board of **Alameda Unified School District** ("District")

From: _____
(Proper Name of Bidder)

1. **Total Bid.** The undersigned declares that the Contract Documents including, without limitation, the Invitation to Bid, the Instructions to Bidders, and the Special Conditions have been read, and agrees and proposes to furnish all necessary labor, materials, and equipment to perform and furnish all work in accordance with the terms and conditions of the Contract Documents, including, without limitation, the Drawings and Specifications for the following project:

Classroom Building Roof Replacements

and will accept in full payment for that Work the following total lump sum amount, all taxes included:

_____ Dollars	
Bid Item No. 1 for <u>All scope items per specifications and drawings</u>	\$ _____
_____ Dollars	\$ _____
<i>TOTAL BASE BID</i>	
NOTE: IF THERE ARE ALLOWANCES IDENTIFIED IN THIS BID FORM, DO <u>NOT</u> INCLUDE ANY ALLOWANCE(S) AMOUNTS IN THESE BID AMOUNTS.	

2. **Contract Review.** The undersigned has reviewed the Work outlined in the Contract Documents and fully understands the scope of Work required in this bid, understands the construction and project management function(s) is described in the Contract Documents, and that each Bidder who is awarded a contract shall be in fact a prime contractor, not a subcontractor, to the District, and agrees that its bid, if accepted by the District, will be the basis for the Bidder to enter into a contract with the District in accordance with the intent of the Contract Documents.
3. **Requests for Clarification.** The undersigned has notified the District in writing of any discrepancies or omissions or of any doubt, questions, or ambiguities about the meaning of any of the Contract Documents, and has contacted the Construction Manager before bid date to verify the issuance of any clarifying Addenda.
4. **Contract Time.** The undersigned agrees to commence work under this Contract on the date established in the Contract Documents and to complete all work within the time specified in the Contract Documents.
5. **Contractual Provisions.** The undersigned hereby acknowledges and agrees to be bound by following provisions and all provisions in the Contract Documents:
 - The liquidated damages clause of the General Conditions and Agreement.
 - The "Changes in the Work" provisions in the General Conditions that limit the permitted charges and mark-ups on change orders and on the amount of home office overhead that the successful bidder can receive from the District.
 - The "Claims" provisions in the General Conditions that delineate the required process to submit and process disputes and claims.
6. **Bid Open for 90 Days.** It is understood that the District reserves the right to reject this bid and that the bid shall remain open to acceptance and is irrevocable for a period of ninety (90) days.
7. **Attachments.** The following documents are attached hereto:
 - The Bid Bond on the District's form or other security
 - The Designated Subcontractors List
 - The Noncollusion Declaration
 - Iran Contracting Act Certification
8. **Addenda Acknowledgement.** Receipt and acceptance of the following addenda is hereby acknowledged:

No.____, Dated _____	No.____, Dated _____
No.____, Dated _____	No.____, Dated _____
No.____, Dated _____	No.____, Dated _____
<input type="checkbox"/> Or check here if <u>no</u> addenda were issued.	

9. **Bidder's License.**
 - Bidder acknowledges that the license required for performance of the Work is as stated in the Invitation to Bid.
 - Bidder certifies that it is, at the time of bidding, and shall be throughout the period of the contract, licensed by the State of California to do the type of work required under the terms of the Contract

Documents. Bidder further certifies that it is regularly engaged in the general class and type of work called for in the Contract Documents.

10. **Labor Harmony.** The undersigned hereby certifies that Bidder is able to furnish labor that can work in harmony with all other elements of labor employed or to be employed on the Work.
11. **DIR Registration.** Bidder shall ensure that it and its Subcontractors comply with the registration and compliance monitoring provisions of Labor Code section 1771.4, including furnishing its CPRs to the Labor Commissioner, and are registered pursuant to Labor Code section 1725.5.
12. **General Acknowledgement.** The Bidder represents that it is competent, knowledgeable, and has special skills with respect to the nature, extent, and inherent conditions of the Work to be performed. Bidder further acknowledges that there are certain peculiar and inherent conditions existent in the construction of the Work that may create, during the Work, unusual or peculiar unsafe conditions hazardous to persons and property. Bidder expressly acknowledges that it is aware of such peculiar risks and that it has the skill and experience to foresee and to adopt protective measures to adequately and safely perform the Work with respect to such hazards.
13. **False Claims Act.** Bidder expressly acknowledges that it is aware that if a false claim is knowingly submitted (as the terms "claim" and "knowingly" are defined in the California False Claims Act, Cal. Gov. Code, §12650 et seq.), the District will be entitled to civil remedies set forth in the California False Claim Act. It may also be considered fraud and the Contractor may be subject to criminal prosecution.

Furthermore, Bidder hereby certifies to the District that all representations, certifications, and statements made by Bidder, as set forth in this bid form, are true and correct and are made under penalty of perjury.

Dated this _____ day of _____, 20 _____

Signature _____

Signed by (Print Name) _____

Title of Person Signing _____

Name of Bidder _____

Type of Organization _____

Address of Bidder _____

Taxpayer's Identification No. of Bidder _____

Telephone Number _____

Fax Number _____

E-mail _____ Web page _____

Bidder's DIR Registration No.: No.: _____

Contractor's License No(s): No.: _____ Class: _____ Expiration Date: _____

No.: _____ Class: _____ Expiration Date: _____

No.: _____ Class: _____ Expiration Date: _____

If Bidder is a corporation, provide the following:

Name of Corporation: _____

President: _____

Secretary: _____

Treasurer: _____

Manager: _____

END OF DOCUMENT

DOCUMENT 00 43 13

BID BOND (SECURITY)

**(Note: If Bidder is providing a bid bond as its bid security,
Bidder must use this form, NOT a surety company form.)**

KNOW ALL PERSONS BY THESE PRESENTS:

That the undersigned, _____ as Principal ("Principal"),

and _____ as Surety ("Surety"),

a corporation organized and existing under and by virtue of the laws of the State of _____

and authorized to do business as a surety in the State of California, are held and firmly bound unto the

Alameda Unified School District ("District")

of _____ County, State of California as Obligee, in the sum of

_____ (\$ _____)

lawful money of the United States of America, for the payment of which sum well and truly to be made, we, and each of us, bind ourselves, our heirs, executors, administrators, successors, and assigns, jointly and severally, firmly by these presents.

THE CONDITION OF THIS OBLIGATION IS SUCH that whereas the Principal has submitted a bid to the District for all Work specifically described in the accompanying bid;

NOW, THEREFORE, if the Principal is awarded the Contract and, within the time and manner required under the Contract Documents, after the prescribed forms are presented to Principal for signature, enters into a written contract, in the prescribed form in accordance with the bid, and files two bonds, one guaranteeing faithful performance and the other guaranteeing payment for labor and materials as required by law, and meets all other conditions to the contract between the Principal and the Obligee becoming effective, or if the Principal shall fully reimburse and save harmless the Obligee from any damage sustained by the Obligee through failure of the Principal to enter into the written contract and to file the required performance and labor and material bonds, and to meet all other conditions to the Contract between the Principal and the Obligee becoming effective, then this obligation shall be null and void; otherwise, it shall be and remain in full force and effect. The full payment of the sum stated above shall be due immediately if Principal fails to execute the Contract within seven (7) days of the date of the District's Notice of Award to Principal.

Surety, for value received, hereby stipulates and agrees that no change, extension of time, alteration or addition to the terms of the Contract or the call for bids, or to the work to be performed thereunder, or the specifications accompanying the same, shall in any way affect its obligation under this bond, and it does hereby waive notice of any such change, extension of time, alteration or addition to the terms of the Contract or the call for bids, or to the work, or to the specifications.

In the event suit is brought upon this bond by the Obligee and judgment is recovered, the Surety shall pay all costs incurred by the Obligee in such suit, including a reasonable attorneys' fee to be fixed by the Court.

If the District awards the bid, the security of unsuccessful bidder(s) shall be returned within sixty (60) days from the time the award is made. Unless otherwise required by law, no bidder may withdraw its bid for ninety (90) days after the date of the bid opening.

IN WITNESS WHEREOF, this instrument has been duly executed by the Principal and Surety above named, on the

_____ day of _____, 20__.

Principal

By

Surety

By

Name of California Agent of Surety

Address of California Agent of Surety

Telephone Number of California Agent of Surety

Bidder must attach Power of Attorney and Certificate of Authority for Surety and a Notarial Acknowledgment for all Surety's signatures. The California Department of Insurance must authorize the Surety to be an admitted Surety Insurer.

END OF DOCUMENT

DOCUMENT 00 43 36

DESIGNATED SUBCONTRACTORS LIST

TO BE EXECUTED BY BIDDER AND SUBMITTED WITH BID

Classroom Building Roof Replacements

1. **Listed.** Bidder must list hereinafter the name and location of each subcontractor who will be employed, and the scope of Work that each will perform if the Contract is awarded to the Bidder. Bidder acknowledges and agrees that under Public Contract Code section 4100, et seq., it must clearly identify the name and location of each subcontractor who will perform work or labor or render service to the Bidder in or about the construction of the Work in an amount in excess of one-half of one percent (1/2 of 1%) of Bidder's total Bid.
2. **Same Scope.** In case more than one subcontractor is named for the same scope of Work, state the portion that each will perform.
3. **No Vendors or Suppliers.** Bidder need not list entities that are only vendors or suppliers of materials.
4. **Not Listed.** As to any Work that Bidder fails to list that is in excess of one-half of one percent (1/2 of 1%) of Bidder's total Bid, Bidder agrees to perform that portion itself or be subjected to penalty under applicable law.
5. **Alternate Work.** If alternate bids are called for and Bidder intends to use Subcontractors different from or in addition to those Subcontractors listed for work under the base Bid, Bidder must list Subcontractors that will perform Work in an amount in excess of one half of one percent (1/2 of 1%) of Bidder's total Bid, including alternates.
6. **DVBEs.** Bidder must indicate which, if any, of these subcontractors are disabled veteran business enterprises (DVBE) and the estimated percentage of the Work those subcontractor(s) will perform.
7. **CSLB Number.** Bidder must provide the Contactor State License Board number ("CSLB No.") for all listed subcontractors.
8. **DIR Number.** Bidder must provide the Department of Industrial Relations registration number ("DIR No.") for all listed subcontractors.
9. **THE DISTRICT WILL PERMIT EACH BIDDER TO SUBMIT EACH LISTED SUBCONTRACTOR'S CSLB NO. AND THE DIR NO. NO LATER THAN TWENTY-FOUR (24) HOURS AFTER BID OPENING.**
10. **Additional Sheets.** If further space is required for the list of proposed subcontractors, additional sheets showing the required information, as indicated below, shall be attached hereto and made a part of this document.

I certify and declare under penalty of perjury under the laws of the State of California that all the information listed on the following page(s) is complete, true, and correct.

Date: _____

Proper Name of Bidder: _____

Signature: _____

Print Name: _____

Title: _____

Subcontractor Name: _____ **Location:** _____

Scope of Work: _____

If DVBE, Percent of Work: _____ % CSLB No.: _____ DIR No.: _____

Subcontractor Name: _____ **Location:** _____

Scope of Work: _____

If DVBE, Percent of Work: _____ % CSLB No.: _____ DIR No.: _____

Subcontractor Name: _____ **Location:** _____

Scope of Work: _____

If DVBE, Percent of Work: _____ % CSLB No.: _____ DIR No.: _____

Subcontractor Name: _____ **Location:** _____

Scope of Work: _____

If DVBE, Percent of Work: _____ % CSLB No.: _____ DIR No.: _____

Subcontractor Name: _____ **Location:** _____

Scope of Work: _____

If DVBE, Percent of Work: _____ % CSLB No.: _____ DIR No.: _____

Subcontractor Name: _____ **Location:** _____

Scope of Work: _____

If DVBE, Percent of Work: _____ % CSLB No.: _____ DIR No.: _____

Subcontractor Name: _____ **Location:** _____

Scope of Work: _____

If DVBE, Percent of Work: _____ % CSLB No.: _____ DIR No.: _____

Subcontractor Name: _____ **Location:** _____

Scope of Work: _____

If DVBE, Percent of Work: _____ % CSLB No.: _____ DIR No.: _____

Subcontractor Name: _____ **Location:** _____

Scope of Work: _____

If DVBE, Percent of Work: _____ % CSLB No.: _____ DIR No.: _____

Subcontractor Name: _____ **Location:** _____

Scope of Work: _____

If DVBE, Percent of Work: _____ % CSLB No.: _____ DIR No.: _____

Subcontractor Name: _____ **Location:** _____

Scope of Work: _____

If DVBE, Percent of Work: _____ % CSLB No.: _____ DIR No.: _____

Subcontractor Name: _____ **Location:** _____

Scope of Work: _____

If DVBE, Percent of Work: _____ % CSLB No.: _____ DIR No.: _____

Subcontractor Name: _____ **Location:** _____

Scope of Work: _____

If DVBE, Percent of Work: _____ % CSLB No.: _____ DIR No.: _____

Subcontractor Name: _____ **Location:** _____

Scope of Work: _____

If DVBE, Percent of Work: _____ % CSLB No.: _____ DIR No.: _____

END OF DOCUMENT

DOCUMENT 00 43 40

NONCOLLUSION DECLARATION
Public Contract Code § 7106

TO BE EXECUTED BY BIDDER AND SUBMITTED WITH BID

The undersigned declares:

I am the _____ **[PRINT YOUR TITLE]**

of _____ **[PRINT FIRM NAME]**,

the party making the foregoing bid.

The bid is not made in the interest of, or on behalf of, any undisclosed person, partnership, company, association, organization, or corporation. The bid is genuine and not collusive or sham. The bidder has not directly or indirectly induced or solicited any other bidder to put in a false or sham bid. The bidder has not directly or indirectly colluded, conspired, connived, or agreed with any bidder or anyone else to put in a sham bid, or to refrain from bidding. The bidder has not in any manner, directly or indirectly, sought by agreement, communication, or conference with anyone to fix the bid price of the bidder or any other bidder, or to fix any overhead, profit, or cost element of the bid price, or of that of any other bidder. All statements contained in the bid are true. The bidder has not, directly or indirectly, submitted his or her bid price or any breakdown thereof, or the contents thereof, or divulged information or data relative thereto, to any corporation, partnership, company, association, organization, bid depository, or to any member or agent thereof, to effectuate a collusive or sham bid, and has not paid, and will not pay, any person or entity for such purpose.

Any person executing this declaration on behalf of a bidder that is a corporation, partnership, joint venture, limited liability company, limited liability partnership, or any other entity, hereby represents that he or she has full power to execute, and does execute, this declaration on behalf of the bidder.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that this declaration is executed on the following date:

Date: _____

Proper Name of Bidder: _____

City, State: _____, _____

Signature: _____

Print Name: _____

Title: _____

END OF DOCUMENT

DOCUMENT 00 43 50

IRAN CONTRACTING ACT CERTIFICATION (Public Contract Code § 2204)

Classroom Building Roof Replacements

Pursuant to Public Contract Code (PCC) section 2204, an Iran Contracting Act certification is required for solicitations of goods or services of one million dollars (\$1,000,000) or more.

Bidder shall complete **ONLY ONE** of the following three paragraphs.

- ☐ 1. Bidder's Total Base Bid is less than one million dollars (\$1,000,000).

OR

- ☐ 2. Bidder's Total Base Bid is one million dollars (\$1,000,000) or more, but Bidder is **not** on the current list of persons engaged in investment activities in Iran created by the California Department of General Services ("DGS") pursuant to Public Contract Code § 2203(b), and Bidder is not a financial institution extending twenty million dollars (\$20,000,000) or more in credit to another person, for 45 days or more, if that other person will use the credit to provide goods or services in the energy sector in Iran and is identified on the current list of persons engaged in investment activities in Iran created by DGS.

OR

- ☐ 3. Bidder's Total Base Bid is one million dollars (\$1,000,000) or more, but the District has given prior written permission to Bidder to submit a proposal pursuant to PCC 2203(c) or (d). **A copy of the written permission from the District is included with Bid.**

I certify that I am duly authorized to legally bind the Bidder to this certification, that the contents of this certification are true, and that this certification is made under the laws of the State of California.

Date: _____

Proper Name of Bidder: _____

Signature: _____

Print Name: _____

Title: _____

END OF DOCUMENT

DOCUMENT 00 45 00

NOTICE OF AWARD

Dated: _____, 20__

To: _____
("Contractor")

(Address)

From: Governing Board ("Board") of **Alameda Unified School District** ("District")

Re: **Classroom Building Roof Replacements**

Contractor was awarded the Contract on _____, 20__, by the authority by the Alameda Unified School District Board.

The Contract Price is _____ Dollars (\$ _____), and includes alternates _____.

Three (3) copies of each of the Contract Documents (except Drawings) accompany the Notice of Award. Three (3) sets of the Drawings will be delivered separately or otherwise made available. Additional copies are available at cost of reproduction.

Contractor must comply with the following conditions precedent within **SEVEN (7)** calendar days of the date of this Notice of Award.

Contractor shall execute and submit the following Contract Documents by 5:00 p.m. of the **SEVENTH (7TH)** calendar day following the date of the Notice of Award. Failure to properly and timely submit the following Contract Documents entitles District to foreclose on Contractor's bid bond and award the contract to the next responsive, responsible bidder.

- a. Agreement: Submit four (4) copies, each bearing an original signature. **If Contractor is a corporation, Contractor must attach a certified copy of the corporation's by-laws, or the resolution of the Board of Directors of the corporation, authorizing the signatory to execute the Agreement and the bonds required by the Contract Documents.**
- b. Escrow of Bid Documentation: Include all required documentation. Refer to the Escrow of Bid Documentation document for details.
- c. Performance Bond (100%): Fully executed form provided in the Contract Documents.
- d. Payment Bond (100%) (Contractor's Labor and Material Bond): Fully executed form provided in the Contract Documents.
- e. Insurance Certificates and Endorsements as required.
- f. Certifications to be Completed by Contractor.
- g. Disabled Veterans' Business Enterprise Participation Certification.
- h. Criminal Background Investigation/Fingerprinting Certification.

Failure to comply with these conditions within the time specified will entitle District to consider Contractor's bid abandoned, to annul the Notice of Award, and to declare Contractor's Bid Security forfeited, as well as any other rights the District may have against Contractor.

District will return to Contractor one fully signed counterpart of the Agreement.

Alameda Unified School District

SIGNATURE: _____

NAME: _____

TITLE: _____

END OF DOCUMENT

DOCUMENT 00 45 10

AGREEMENT

This agreement is made and entered into on _____, 202_____, by and between the **Alameda Unified School District** ("District") and _____ ("Contractor") ("Agreement"). The District and the Contractor agree as follows:

1. **The Work:** Contractor shall furnish all tools, equipment, apparatus, facilities, labor, and material necessary to perform and complete in a good and workmanlike manner, the work of the following project:

Classroom Building Roof Replacements

The Work shall be performed and completed as required in the Contract Documents as defined in the General Conditions including, without limitation, the Drawings and Specifications, under the direction and supervision of, and subject to, the approval of the District or its authorized representative.

2. The Contract Documents:

- a. The complete Contract consists of all Contract Documents as defined in the General Conditions and incorporated herein by this reference. All obligations of the District and Contractor are fully set forth and described in the Contract Documents. The Contract Documents are intended to cooperate so that Work called for in one and not mentioned in the other or vice versa is to be performed the same as if mentioned in all Contract Documents.
- b. **Interpretation of Contract Documents/Order of Precedence:** Questions concerning the intent, precedence, or meaning of the Contract Documents, including the Drawings or Specifications, shall be submitted to the District for interpretation. Inconsistencies in the Contract Documents shall be resolved by giving precedence in the following order:
 - (i) District-approved modifications, beginning with the most recent (if any);
 - (ii) Agreement;
 - (iii) Special Conditions (if any);
 - (iv) Supplemental Conditions (if any);
 - (v) General Conditions;
 - (vi) Remaining Division 0 documents (Documents beginning with "00");
 - (vii) Division 1 Documents (Documents beginning with "01");
 - (viii) Division 2 (Existing Conditions)
 - (ix) Division 7 (Technical Specifications);
 - (x) Small-scale drawings.

In case of conflict, the greater quantity and/or higher standard of workmanship shall apply unless the District expressly in writing (e.g., via a Change Order) accepts a lesser quantity or lower quality of workmanship and the Contract Price is adjusted accordingly. The decision of the District in the matter shall be final.

3. **Integration / Modification.** The Contract Documents and any documents specifically incorporated by reference are completely integrated as the complete and exclusive statement of the terms of the Agreement. This Agreement supersedes all previous contracts, agreements, and / or communications, both oral and written, and constitutes the entire understanding of the District and Contractor. No extrinsic evidence whatsoever shall be admissible or used to explain or supplement the terms of the Contract, Contract Documents, or any items incorporated by reference. No changes, amendments or alterations shall be effective unless in writing, signed by both Parties, and unless provided otherwise by the Contract Documents.

4. **Time for Completion:** It is hereby understood and agreed that the Contractor shall complete the Work by August 15, 2025. The District shall not approve an early completion schedule by Contractor. A schedule showing the Work completed in less than the Contract Time indicated in the Contract, shall be considered to have Project Float
5. **Completion-Extension of Time:** If Contractor fails to complete the Work within the Contract Time, due allowance being made for the contingencies provided for herein, Contractor shall become liable to District for all loss and damage that District may suffer on account thereof. Contractor shall coordinate its Work with the work of all other contractors. The District shall not be liable for delays resulting from Contractor's failure to coordinate its Work with other contractors in a manner that allows for timely completion of Contractor's Work. Contractor shall be liable for delays to other contractors caused by Contractor's failure to coordinate its Work with the work of other contractors.
6. **Contract Price:** In consideration of the foregoing covenants, promises, and agreements, Contractor offers, in the amounts stated below, to perform the Work according to the Contract Documents. District covenants, promises, and agrees that it will pay and cause to be paid to Contractor in full, and as the Contract Price the following amount(s):

Dollars (\$ _____)

(Base Contract Amount)

Dollars (\$ _____)

(“Contract Price”)

- a. THE ABOVE ALLOWANCES ARE WITHIN THE CONTRACT PRICE ONLY TO THE EXTENT CONTRACTOR HAS PERFORMED WORK ENCOMPASSED BY THE ALLOWANCE DESCRIPTION, CONTRACTOR HAS APPROPRIATELY INVOICED FOR THAT WORK, AND DISTRICT HAS APPROVED CONTRACTOR’S INVOICE. CONTRACTOR SHALL INVOICE ONLY FOR COMPONENTS OF THE WORK ENCOMPASSED BY THE ALLOWANCE DESCRIPTION, IN THE IDENTICAL STRUCTURE AS A CHANGE ORDER. THE UNUSED PORTION OF EACH ALLOWANCE SHALL BE RETAINED BY THE DISTRICT.
- b. The Contract Price shall be paid in lawful money of the United States pursuant to the payment provisions in the General Conditions.
- c. The District may, at its sole discretion, increase or decrease the Contract Price by unit prices or alternates contained in Contractor’s original bid. If the Bid for the Work included proposal(s) for Alternate Bid Item(s), during Contractor's performance of the Work, the District may elect to add any such Alternate Bid Item(s) if the that item did not form a basis for award of the Agreement or delete any such Alternate Bid Item(s) if that item formed a basis for award of the Agreement. If the District elects to add or delete an Alternate Bid Item(s) pursuant to the foregoing, the cost or credit for that Alternate Bid Item(s) shall be as set forth in the Contractor’s Bid, at the District’s discretion. If any Alternate Bid Item is added or deleted from the Work pursuant to the foregoing, the Contract Time shall be adjusted by the number of days allocated for the added or deleted Alternate Bid Item in the Contract Documents; if days are not allocated for any Alternate Bid Item added or deleted pursuant to the foregoing, the Contract Time shall be equitably adjusted.
7. **Insurance and Bonds:** Contractor shall provide all required certificates of insurance, and payment and performance bonds.

8. **Performance of Work:** If Contractor fails to perform the Work properly or fails to perform any provisions of this Contract, the District, may, pursuant to the General Conditions and without prejudice to any other remedy it may have, cure the deficiencies and deduct the cost thereof from the payment then or thereafter due Contractor.
9. **Authority of Architect, Project Inspector, and DSA:** Contractor hereby acknowledges that the Architect(s), the Project Inspector(s), and the Division of the State Architect have authority to approve and/or stop Work if Contractor's Work does not comply with the requirements of the Contract Documents, Title 24 of the California Code of Regulations, and all applicable laws. Contractor shall be liable for any delay caused by its non-compliant Work.
10. **Assignment of Contract:** Neither the Contract, nor any part thereof, nor any moneys due or to become due thereunder, may be assigned by Contractor without the written approval of District, nor without the written consent of the Surety on Contractor's Performance Bond (the "Surety"), unless the Surety has waived in writing its right to notice of assignment.
11. **Classification of Contractor's License:** Contractor hereby acknowledges that it currently holds valid Type A, B, C-33, or C-61 Contractor's license(s) issued by the State of California, Contractor's State Licensing Board, in accordance with division 3, chapter 9, of the Business and Professions Code and in the classification called for in the Contract Documents.
12. **Payment of Prevailing Wages:** Contractor and all Subcontractors under Contractor shall pay all workers on Work performed pursuant to this Contract not less than the general prevailing rate of per diem wages and the general prevailing rate for holiday and overtime work as determined by the Director of the Department of Industrial Relations, State of California, for the type of work performed and the locality in which the work is to be performed within the boundaries of the District, pursuant to sections 1770 et seq. of the California Labor Code.
13. **Contractor & Subcontractor Registration:** Contractor shall comply with the registration and compliance monitoring provisions of Labor Code section 1771.4, including complying with any applicable enforcement by the Department of Industrial Relations.
14. **Authority of Contractor's Representative:** Contractor hereby certifies that its legal representative as defined in the General Conditions and the person(s) it employees on the Project at or above the level of project superintendent, each have the authority to legally bind the Contractor.
15. **Severability:** If any term, covenant, condition, or provision of the Contract Documents is held by a court of competent jurisdiction to be invalid, void or unenforceable, the remainder of the provisions in the Contract Documents shall remain in full force and effect and shall in no way be affected, impaired, or invalidated thereby.

IN WITNESS WHEREOF, accepted and agreed on the date indicated above:

Dated: _____, 20_____

Dated: _____, 20_____

Alameda Unified School District

_____**Contractor**

Signature: _____

Signature: _____

Print Name: _____

Print Name: _____

Print Title: _____

Print Title: _____

NOTE: If the Contractor is a corporation, Contractor must attach a certified copy of the corporation's by-laws, or of the resolution of the Board of Directors of the corporation, authorizing the above person to execute this Agreement and the bonds required by the Contract Documents.

END OF DOCUMENT

CERTIFICATIONS TO BE COMPLETED BY CONTRACTOR

THE UNDERSIGNED MUST CHECK EACH BOX AND EXECUTE THIS FORM AND HEREBY CERTIFIES TO THE GOVERNING BOARD OF THE DISTRICT THAT:

- He/she is a representative of the Contractor,
- He/she is familiar with the facts herein certified and acknowledged,
- He/she is authorized and qualified to execute this Agreement and these certifications on behalf of Contractor and that by executing this Agreement he/she is certifying the following items.

☐ **Labor Code Sections 1860-1861 (Workers' Compensation).** In accordance with Labor Code section 3700, every contractor will be required to secure the payment of compensation to his or her employees. I acknowledge and certify under penalty of perjury that I am aware of the provisions of Section 3700 of the Labor Code which require every employer to be insured against liability for workers' compensation or to undertake self-insurance in accordance with the provisions of that code, and I will comply with such provisions before commencing the performance of the work of this contract.

☐ **Government Code Sections 8355-8357 (Drug-Free Workplace).** I acknowledge and certify under penalty of perjury that I will provide a drug-free workplace by doing all of the following:

- (1) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance is prohibited in the person's or organization's workplace and specifying the actions that will be taken against employees for violations of the prohibition.
- (2) Establishing a drug-free awareness program to inform employees about all of the following:
 - (A) The dangers of drug abuse in the workplace.
 - (B) The person's or organization's policy of maintaining a drug-free workplace.
 - (C) Any available drug counseling, rehabilitation, and employee assistance programs.
 - (D) The penalties that may be imposed upon employees for drug abuse violations.
- (3) Requiring that each employee engaged in the performance of the contract or grant be given a copy of the statement required by subdivision (a) and that, as a condition of employment on the contract or grant, the employee agrees to abide by the terms of the statement.

I also acknowledge that this Contract may be subject to suspension of payments under the contract or grant or termination of the contract or grant, or both, and the contractor or grantee thereunder may be subject to debarment, in accordance with the requirements of the above-referenced statute, if the contracting or granting agency determines that any of the following has occurred:

- (1) The contractor or grantee has made a false certification under Section 8355.
- (2) The contractor or grantee violates the certification by failing to carry out the requirements of subdivisions (a) to (c), inclusive, of Section 8355.

I also acknowledge that the Department of General Services shall establish and maintain a list of individuals and organizations whose contracts or grants have been canceled due to failure to comply with the above-referenced statute. This list shall be updated monthly and published each month. No state agency shall award a contract or grant to a person or organization on the published list until that person or organization has complied with the above-referenced statute.

☐ **Tobacco-Free Environment.** Pursuant to, without limitation, 20 U.S.C. section 6083, Labor Code section 6400 et seq., Health & Safety Code section 104350 et seq. and District Board Policies, all District sites, including the Project site, are tobacco-free environments. Smoking and the use of tobacco products by all persons is prohibited on or in District property. District property includes school buildings, school grounds, school owned vehicles and vehicles owned by others while on District property.

I acknowledge and certify under penalty of perjury that I am aware of the District's policy regarding tobacco-free environments at District sites, including the Project site and acknowledge and certify that I will adhere to the requirements of that policy and not permit any of my firm's employees, agents, subcontractors, or my firm's subcontractors' employees or agents to use tobacco and/or smoke on the Project site. The District also prohibits electronic cigarettes, "vaping" or similar product uses on District sites.

☐ **No Hazardous Materials.** I acknowledge and certify under penalty of perjury that no Asbestos, or Asbestos-Containing Materials, polychlorinated biphenyl (PCB), or any material listed by the federal or state Environmental Protection Agency or federal or state health agencies as a hazardous material, or any other material defined as being hazardous under federal or state laws, rules, or regulations ("New Hazardous Material"), shall be furnished, installed, or incorporated in any way into the Project or in any tools, devices, clothing, or equipment used to affect any portion of Contractor's work on the Project for District. I have instructed our employees with respect to the above-mentioned standards, hazards, risks, and liabilities.

- (i) Asbestos and/or asbestos-containing material shall be defined as all items containing but not limited to chrysotile, crocidolite, amosite, anthophyllite, tremolite, and actinolite. Any or all material containing greater than one-tenth of one percent (.1%) asbestos shall be defined as asbestos-containing material. Any disputes involving the question of whether or not material is New Hazardous Material shall be settled by electron microscopy or other appropriate and recognized testing procedure, at the District's determination. The costs of any such tests shall be paid by Contractor if the material is found to be New Hazardous Material.
- (ii) All Work or materials found to be New Hazardous Material or Work or material installed with equipment containing "New Hazardous Material," will be immediately rejected and this Work will be removed at Contractor's expense at no additional cost to the District.

The Contractor must immediately notify the District within two (2) Business Days, if the Contractor finds and before it disturbs, any material that the Contractor believes may be hazardous waste, as defined in section 25117 of the Health and Safety Code, and requires removal to a Class I, Class II, or Class III disposal site in accordance with provisions of existing law

I acknowledge and certify under penalty of perjury that this certification provides notice to the Contractor that:

- (1) The Contractor's work may disturb lead-containing building materials.
- (2) The Contractor must notify the District if any work may result in the disturbance of lead-containing building materials.



Lead as a Health Hazard

Lead poisoning is recognized as a serious environmental health hazard facing children today. Even at low levels of exposure, much lower than previously believed, lead can impair the development of a child's central nervous system, causing learning disabilities, and leading to serious behavioral problems. Lead enters the environment as tiny lead particles and lead dust disburses when paint chips, chalks, peels, wears away over time, or is otherwise disturbed. Ingestion of lead dust is the most common pathway of childhood poisoning; lead dust gets on a child's hands and toys and then into a child's mouth through common hand-to-mouth activity. Exposures may result from construction or remodeling activities that disturb lead paint, from ordinary wear and tear of windows and doors, or from friction on other surfaces.

Ordinary construction and renovation or repainting activities carried out without lead-safe work practices can disturb lead-based paint and create significant hazards. Improper removal practices, such as dry scraping, sanding, or water blasting painted surfaces, are likely to generate high volumes of lead dust.

Because the Contractor and its employees will be providing services for the District, and because the Contractor's work may disturb lead-containing building materials, **Contractor is hereby notified** of the potential presence of lead-containing materials located within certain buildings utilized by the District. All school buildings built prior to 1993 are presumed to contain some lead-based paint until sampling proves otherwise.

(i) Overview of California Law

Education Code section 32240 et seq. is known as the Lead Safe Schools Protection Act. Under this act, the Department of Health Services ("DHS") is to conduct a sample survey of schools in the State of California for the purpose of developing risk factors to predict lead contamination in public schools. (Ed. Code, § 32241.)

Any school that undertakes any action to abate existing risk factors for lead is required to utilize trained and state-certified contractors, inspectors, and workers. (Ed. Code, § 32243, subd. (b).) Moreover, lead-based paint, lead plumbing, and solders, or other potential sources of lead contamination, shall not be utilized in the construction of any new school facility or the modernization or renovation of any existing school facility. (Ed. Code, § 32244.)

Both the Federal Occupational Safety and Health Administration ("Fed/OSHA") and the California Division of Occupational Safety and Health ("Cal/OSHA") have implemented safety orders applicable to all construction work where a contractor's employee may be occupationally exposed to lead.

The OSHA Regulations apply to all construction work where a contractor's employee may be occupationally exposed to lead. The OSHA Regulations contain specific and detailed requirements imposed on contractors subject to that regulation. The OSHA Regulations define construction work as work for construction, alteration, and/or repair, including painting and decorating. It includes, but is not limited to, the following:

- a. Demolition or salvage of structures where lead or materials containing lead are present;
- b. Removal or encapsulation of materials containing lead;
- c. New construction, alteration, repair, or renovation of structures, substrates, or portions thereof, that contain lead, or materials containing lead;
- d. Installation of products containing lead;

- e. Lead contamination/emergency cleanup;
- f. Transportation, disposal, storage, or containment of lead or materials containing lead on the site or location at which construction activities are performed; and
- g. Maintenance operations associated with the construction activities described in the subsection.

Because it is assumed by the District that all painted surfaces (interior as well as exterior) within the District contain some level of lead, it is imperative that the Contractor, its workers and subcontractors fully and adequately comply with all applicable laws, rules and regulations governing lead-based materials (including title 8, California Code of Regulations, section 1532. 1).

The Contractor must notify the District if any Work may result in the disturbance of lead-containing building materials. Any and all Work that may result in the disturbance of lead-containing building materials must be coordinated through the District. A signed copy of this Certification must be on file prior to beginning Work on the Project, along with all current insurance certificates.

(ii) **Renovation, Repair and Painting Rule, Section 402(c)(3) of the Toxic Substances Control Act**

In 2008, the U.S. Environmental Protection Agency, issued a rule pursuant to the authority of Section 402(c)(3) of the Toxic Substances Control Act, requiring lead safe work practices to reduce exposure to lead hazards created by renovation, repair and painting activities that disturb lead-based paint (Renovation, Repair and Painting Rule). Renovations in homes, childcare facilities, and schools built prior to 1978 must be conducted by certified renovations firms, using renovators with accredited training, and following the work practice requirements to reduce human exposures to lead.

Contractor, its workers and subcontractors must fully and adequately comply with all applicable laws, rules and regulations governing lead-based materials, including those rules and regulations appearing within title 40 of the Code of Federal Regulations as part 745 (40 CFR 745).

The requirements apply to all contractors who disturb lead-based paint in a six-square-foot area or greater indoors or a 20-square-foot area outdoors. If a DPH-certified inspector or risk assessor determines that a home constructed before 1978 is lead-free, the federal certification is not required for anyone working on that particular building.

(iii) **Contractor's Liability**

If the Contractor fails to comply with any applicable laws, rules, or regulations, and that failure results in a site or worker contamination, the Contractor will be held solely responsible for all costs involved in any required corrective actions, and shall defend, indemnify, and hold harmless the District, pursuant to the indemnification provisions of the Contract, for all damages and other claims arising therefrom.

If lead disturbance is anticipated in the Work, only persons with appropriate accreditation, registrations, licenses, and training shall conduct this Work.

It shall be the responsibility of the Contractor to properly dispose of any and all waste products, including, but not limited to, paint chips, any collected residue, or any other visual material that may occur from the prepping of any painted surface. It will be the responsibility of the Contractor to provide the proper disposal of any hazardous waste by a certified hazardous waste hauler. This company shall be registered with the Department of Transportation (DOT) and shall be able to issue a current manifest number upon transporting any hazardous material from any school site within the District.

The Contractor shall provide the District with any sample results prior to beginning Work, during the

Work, and after the completion of the Work. The District may request to examine, prior to the commencement of the Work, the lead training records of each employee of the Contractor.

I acknowledge and certify under penalty of perjury, that:

1. I have received notification of potential lead-based materials on the District's property;
2. I am knowledgeable regarding and will comply with all applicable laws, rules, and regulations governing work with, and disposal of, lead.

☐ **Imported Materials.** All soils, aggregate, or related materials ("Fill") that Contractor, a Subcontractor, agent or supplier, in any way, provides or delivers and/or supplies to the Project Site shall be free of any and all hazardous material as defined in section 25260 of the Health and Safety Code, shall satisfy the requirements of any environmental review of the Project performed pursuant to the statutes and guidelines of the California Environmental Quality Act, sections 21000 et seq. of the Public Resources Code ("CEQA"), and shall comply with the requirements of sections 17210 et seq. of the Education Code, including requirements for a Phase I environmental assessment acceptable to the State of California Department of Education and Department of Toxic Substances Control. I acknowledge that, to the furthest extent permitted by California law, the indemnification provisions in the Contract Documents apply to, without limitation, any claim(s) connected with providing, delivering, and/or supplying Fill.

I acknowledge and certify under penalty of perjury that I am duly authorized to legally bind the Contractor to all provisions and items included in this certification, that the contents of this certification are true, and that this certification is made under the laws of the State of California.

Date: _____

Proper Name of Contractor: _____

Signature: _____

Print Name: _____

Title: _____

END OF DOCUMENT

DOCUMENT 00 45 55

DISABLED VETERAN BUSINESS ENTERPRISE PARTICIPATION CERTIFICATION

Section 17076.11 of the Education Code requires school districts using funds allocated pursuant to the State of California School Facility Program ("Program") for the construction and/or modernization of school buildings to have a participation goal for disabled veteran business enterprises ("DVBE(s)") of at least three percent (3%), per year, of the overall dollar amount expended each year by the school district on projects that receive state funding.

Section 2001 of the Public Contract Code requires school districts to require each Bidder to provide in its bid certain information about its Subcontractors. In addition to completing this certification as indicated herein, each Bidder must provide the information related to DVBEs as required in the Designated Subcontractors List.

- 1. Disabled Veteran Business Enterprise.** A DVBE is a business enterprise certified by the California Office of Small Business as a DVBE.
- 2. DVBE Participation Policy.** The District is committed to achieving this DVBE participation goal. The District encourages Contractor to ensure maximum opportunities for the participation of DVBEs in the Work of the Contract.
- 3. DVBE Participation Goal.** The three percent (3%) participation goal is not a quota, set-aside or rigid proportion.
- 4. Certification of Participation.** At the time of execution of the Contract, the Contractor will provide a statement to the District of anticipated participation of DVBEs in the contract.
- 5. Submission of Report.** During performance of the Contract, Contractor shall monitor the Work of the Contract, award of subcontracts and contracts for materials, equipment and supplies for the purpose of determining DVBE participation in the Work of the Contract.
 - a) Contractor shall report on a monthly basis all DVBEs utilized in the performance of the Work, the type or classification of the Work performed by each DVBE, and the dollar value of the Work performed by each DVBE.
 - b) Upon completion of the Work of the Contract, Contractor shall submit a report to the District in the form attached hereto identifying all DVBEs utilized in the performance of the Work, the type or classification of the Work performed by each DVBE, and the dollar value of the Work performed by each DVBE.
 - i) The submission to the District of this report is a condition precedent to the District's obligation to make payment of the Final Payment under the Contract Documents. The submission of this report shall be in addition to, and not in lieu of, any other conditions precedent set forth in the Contract Documents for the District's obligation to make payment of the Final Payment.
 - ii) The District reserves the right to request additional information or documentation from the Contractor evidencing efforts to comply with the three percent (3%) DVBE participation goal.

DVBE PARTICIPATION REPORT

Contractor Name: _____ Date: _____

Project Name: _____ Project Number: [PROJECT NO.]

DVBE Firm Name	Trade / Portion of Work	Subcontract/ Contract Value
Add more sheets as needed to include all information for each DVBE		

Does the cumulative dollar value of these DVBE contracts meet or exceed the participation goal of three percent (3%) of the final Contract Price, as adjusted by all change orders?

YES _____ NO _____

If your response is "NO," please attach to this report a detailed description of the reasons your firm did not achieve the participation goal of three percent (3%) of the final Contract Price.

I certify and declare under penalty of perjury under the laws of the State of California that all the foregoing information is complete, true, and correct.

Date: _____

Proper Name of Contractor: _____

Signature: _____

Print Name: _____

Title: _____

END OF DOCUMENT

CRIMINAL BACKGROUND INVESTIGATION / FINGERPRINTING CERTIFICATION

The undersigned does hereby certify to the governing board of the District that he/she is a representative of the Contractor, is familiar with the facts herein certified, is authorized and qualified to execute this certificate on behalf of Contractor; and that the information in this Criminal Background Investigation / Fingerprinting Certification is true and correct.

1. **Education Code.** Contractor has taken at least one of the following actions with respect to the Project (check all that apply):

☐

The Contractor has complied with the fingerprinting requirements of Education Code section 45125.1 with respect to all Contractor's employees and all of its subcontractors' employees who may have contact with District pupils in the course of providing services pursuant to the Contract, and the California Department of Justice ("DOJ") has determined (per the DOJ process for Applicant Agencies described more fully on its website, located at:) that none of those employees have been convicted of a felony, as that term is defined in Education Code section 45122.1. A complete and accurate list of Contractor's employees and of all of its subcontractors' employees who may come in contact with District pupils during the course and scope of the Contract is attached hereto; and/or

☐

Pursuant to Education Code section 45125.2, Contractor has installed or will install, prior to commencement of work, a physical barrier at the Project site, that will limit contact between Contractor's employees and District pupils at all times; and/or

☐

Pursuant to Education Code section 45125.2, Contractor certifies that all employees will be under the continual supervision of, and monitored by, an employee of the Contractor who the California Department of Justice has ascertained has not been convicted of a violent or serious felony. The name and title of the employee who will be supervising Contractor's employees and its subcontractors' employees is:

Name: _____ **Title:** _____

☐

The Work on the Contract is at an unoccupied school site and no employee and/or subcontractor or supplier of any tier of Contract shall come in contact with the District pupils.

2. **Megan's Law (Sex Offenders).** I have verified and will continue to verify that the employees of Contractor that will be on the Project site and the employees of the Subcontractor(s) that will be on the Project site are **not** listed on California's "Megan's Law" Website (<http://www.meganslaw.ca.gov/>).

Contractor's responsibility for background clearance extends to all of its employees, subcontractors, and employees of subcontractors coming into contact with District pupils regardless of whether they are designated as employees or acting as independent contractors of the Contractor.

Date: _____

Proper Name of Contractor: _____

Signature: _____

Print Name: _____

Title: _____

END OF DOCUMENT

DOCUMENT 00 54 55

ESCROW AGREEMENT FOR SECURITY DEPOSITS IN LIEU OF RETENTION
(Public Contract Code § 22300)

This Escrow Agreement ("Escrow Agreement") is made and entered into on _____, 202_____, by and between the following:

Alameda Unified School District ("District"), whose address is _____, California, and

_____ ("Contractor"), whose address is _____, and

_____ ("Escrow Agent"), a state or federally chartered bank in California, whose address is _____.

For the consideration hereinafter set forth, District, Contractor, and Escrow Agent agree as follows:

1. Pursuant to section 22300 of Public Contract Code of the State of California, which is hereby incorporated by reference, Contractor has the following two (2) options:

☐ Deposit securities with Escrow Agent as a substitute for retention earnings required to be withheld by District pursuant to the Construction Contract No. _____ entered into between District and Contractor for the _____ Project, in the amount of _____ (\$ _____) dated, _____, 20_____, (the "Contract");

OR

☐ On written request of Contractor, District shall make payments of the retention earnings for the Contract directly to Escrow Agent.

When Contractor deposits the securities as a substitute for Contract earnings, Escrow Agent shall notify District within ten (10) calendar days of the deposit. The market value of the securities at all times from substitution until the termination of the Escrow Agreement shall be at least equal to the cash amount then required to be withheld as retention pursuant to the Contract.

Securities shall be held in name of **Alameda Unified School District**, and shall designate Contractor as beneficial owner.

2. District shall make payments to Contractor for those funds which otherwise would be withheld from payments pursuant to Contract provisions, provided that Escrow Agent holds securities in the form and amount specified above.
3. When District makes payment of retention earned directly to Escrow Agent, Escrow Agent shall hold them for the benefit of Contractor until the time that the escrow created under this Escrow Agreement is terminated. Contractor may direct the investment of the payments into securities. All terms and conditions of this Escrow Agreement and the rights and responsibilities of the Parties shall be equally applicable and binding when District pays Escrow Agent directly.
4. Contractor shall be responsible for paying all fees for the expenses incurred by Escrow Agent in administering the Escrow Account, and all expenses of District. The District will charge Contractor \$_____ for each of District's deposits to the escrow account. These expenses and payment terms shall be determined by District, Contractor, and Escrow Agent.

5. Interest earned on securities or money market accounts held in escrow and all interest earned on that interest shall be for sole account of Contractor and shall be subject to withdrawal by Contractor at any time and from time to time without notice to District.
6. Contractor shall have the right to withdraw all or any part of the principal in the Escrow Account only by written notice to Escrow Agent accompanied by written authorization from District to Escrow Agent that District consents to withdrawal of amount sought to be withdrawn by Contractor.
7. District shall have the right to draw upon the securities and/or withdraw amounts from the Escrow Account in event of default by Contractor. Upon seven (7) days written notice to Escrow Agent from District of the default, if applicable, Escrow Agent shall immediately convert the securities to cash and shall distribute the cash as instructed by District.
8. Upon receipt of written notification from District certifying that the Contract is final and complete, and that Contractor has complied with all requirements and procedures applicable to the Contract, Escrow Agent shall release to Contractor all securities and interest on deposit less escrow fees and charges of the Escrow Account. The escrow shall be closed immediately upon disbursement of all monies and securities on deposit and payments of fees and charges.
9. Escrow Agent shall rely on written notifications from District and Contractor pursuant to Paragraphs 5 through 8, inclusive, of this Escrow Agreement and District and Contractor shall hold Escrow Agent harmless from Escrow Agent's release and disbursement of securities and interest as set forth above.
10. Names of persons who are authorized to give written notice or to receive written notice on behalf of District and on behalf of Contractor in connection with the foregoing, and exemplars of their respective signatures are as follows:

On behalf of District:

Title

Name

Signature

Address

On behalf of Contractor:

Title

Name

Signature

Address

On behalf of Escrow Agent:

Title

Name

Signature

Address

At the time the Escrow Account is opened, District and Contractor shall deliver to Escrow Agent a fully executed copy of this Escrow Agreement.

IN WITNESS WHEREOF, the parties have executed this Escrow Agreement by their proper officers on the date first set forth above.

Alameda Unified School District

Signature: _____

Print Name: _____

Print Title: _____

_____**Contractor**

Signature: _____

Print Name: _____

Print Title: _____

_____**Escrow Agent**

Signature: _____

Print Name: _____

Print Title: _____

END OF DOCUMENT

DOCUMENT 00 61 14

PERFORMANCE BOND (100% of Contract Price)

(Note: Contractors must use this form, NOT a surety company form.)

KNOW ALL PERSONS BY THESE PRESENTS:

WHEREAS, the governing board ("Board") of the **Alameda Unified School District**, ("District") and _____, ("Principal") have entered into a contract for the furnishing of all materials and labor, services and transportation, necessary, convenient, and proper to perform the following project:

Classroom Building Roof Replacements

which Contract dated _____, 20____, and all of the Contract Documents attached to or forming a part of the Contract, are hereby referred to and made a part hereof, and

WHEREAS, said Principal is required under the terms of the Contract to furnish a bond for the faithful performance of the Contract;

NOW, THEREFORE, the Principal and _____ ("Surety") are held and firmly bound unto the Board of the District in the penal sum of:

_____ DOLLARS

(\$ _____), lawful money of the United States, for the payment of which sum well and truly to be made we bind ourselves, our heirs, executors, administrators, successors, and assigns jointly and severally, firmly by these presents, to:

- Perform all the work required to complete the Project; and
- Pay to the District all damages the District incurs as a result of the Principal's failure to perform all the Work required to complete the Project.

In the event the Principal is declared by the District to be in breach or default in the performance of the Contract, then, after written notice from the District to the Surety, as provided for herein, the Surety shall either remedy the default or breach of the Principal or shall take charge of the Work of the Contract and complete the Contract with a Contractor other than the Principal at its own expense; provided, however, that the procedure by which the Surety undertakes to discharge its obligations under this Bond shall be subject to the advance written approval of the District.

The condition of the obligation is such that, if the above bounden Principal, his or its heirs, executors, administrators, successors, or assigns, shall in all things stand to and abide by, and well and truly keep and perform the covenants, conditions, and agreements in the Contract and any alteration thereof made as therein provided, on his or its part to be kept and performed at the time and in the intent and meaning, including all contractual guarantees and warranties of materials and workmanship, and shall indemnify and save harmless the District, its trustees, officers and agents, as therein stipulated, then this obligation shall become null and void, otherwise it shall be and remain in full force and virtue.

As a condition precedent to the satisfactory completion of the Contract, the above obligation shall hold good for a period equal to the warranty and/or guarantee period of the Contract, during which time Surety's obligation shall continue if Contractor shall fail to make full, complete, and satisfactory repair, replace, and totally protect the District from loss or damage resulting from or caused by defective materials or faulty workmanship. The obligations of Surety hereunder shall continue so long as any obligation of Contractor remains. Nothing herein shall limit the District's rights or the Contractor's or Surety's obligations under the Contract, law or equity, including, but not limited to, California Code of Civil Procedure section 337.15.

The Surety, for value received, hereby stipulates and agrees that no change, extension of time, alteration, or addition to the terms of the Contract or to the Work to be performed thereunder shall in any way affect its obligation on this bond, and it does hereby waive notice of any such change, extension of time, alteration, or addition to the Contract Documents or to the Work.

Any claims under this bond may be addressed to the Surety at the following address. This cannot be the Contractor's broker for this bond, but must be an employee of the Surety or the Surety's legal counsel:

Attention: _____

Telephone No.: (_____) _____ - _____

Fax No.: (_____) _____ - _____

E-mail Address: _____

IN WITNESS WHEREOF, two (2) identical counterparts of this instrument, each of which shall for all purposes be deemed an original thereof, have been duly executed by the Principal and Surety above named, on the _____ day of _____, 20____.

Principal

Surety

(Name of Principal)

(Name of Surety)

(Signature of Person with Authority)

(Signature of Person with Authority)

(Print Name)

(Print Name)

(Name of California Agent of Surety)

(Address of California Agent of Surety)

(Telephone Number of California Agent of Surety)

Contractor must attach a Notarial Acknowledgment for all Surety's signatures and a Power of Attorney and Certificate of Authority for Surety. The California Department of Insurance must authorize the Surety to be an admitted surety insurer.

END OF DOCUMENT

DOCUMENT 00 61 15

PAYMENT BOND -- Contractor's Labor & Material Bond (100% of Contract Price)

(Note: Contractors must use this form, NOT a surety company form.)

KNOW ALL PERSONS BY THESE PRESENTS:

WHEREAS, the governing board ("Board") of the **Alameda Unified School District**, (or "District") and _____, ("Principal") have entered into a contract for the furnishing of all materials and labor, services and transportation, necessary, convenient, and proper to

Classroom Building Roof Replacements

which Contract dated _____, 20____, and all of the Contract Documents attached to or forming a part of the Contract, are hereby referred to and made a part hereof, and

WHEREAS, pursuant to law and the Contract, the Principal is required, before entering upon the performance of the work, to file a good and sufficient bond with the body by which the Contract is awarded in an amount equal to 100 percent (100%) of the Contract price, to secure the claims to which reference is made in the Civil Code of California, including section 9100, and the Labor Code of California, including section 1741.

NOW, THEREFORE, the Principal and _____, ("Surety") are held and firmly bound unto all laborers, material men, and other persons referred to in said statutes in the penal sum of:

_____ DOLLARS

(\$ _____), lawful money of the United States, being a sum not less than the total amount payable by the terms of Contract, for the payment of which sum well and truly to be made, we bind ourselves, our heirs, executors, administrators, successors, or assigns, jointly and severally, by these presents.

The condition of this obligation is that if the Principal or any of his or its subcontractors, of the heirs, executors, administrators, successors, or assigns of any, all, or either of them shall fail to pay for any labor, materials, provisions, provender, or other supplies, used in, upon, for or about the performance of the work contracted to be done, or for any work or labor thereon of any kind, or for amounts due under the Unemployment Insurance Act with respect to such work or labor, that the Surety will pay the same in an amount not exceeding the amount herein above set forth, and also in case suit is brought upon this bond, will pay a reasonable attorney's fee to be awarded and fixed by the Court, and to be taxed as costs and to be included in the judgment therein rendered.

It is hereby expressly stipulated and agreed that this bond shall inure to the benefit of any and all persons, companies, and corporations entitled to file claims under sections 9000 through 9566 of the Civil Code, so as to give a right of action to them or their assigns in any suit brought upon this bond.

Should the condition of this bond be fully performed, then this obligation shall become null and void; otherwise it shall be and remain in full force and affect.

The Surety, for value received, hereby stipulates and agrees that no change, extension of time, alteration, or addition to the terms of the Contract or to the Work to be performed thereunder shall in any way affect its obligation on this bond, and it does hereby waive notice of any such change, extension of time, alteration, or addition to the Contract Documents or to the Work.

IN WITNESS WHEREOF, two (2) identical counterparts of this instrument, each of which shall for all purposes be deemed an original thereof, have been duly executed by the Principal and Surety above named, on the _____ day of _____, 20____.

Principal

Surety

(Name of Principal)

(Name of Surety)

(Signature of Person with Authority)

(Signature of Person with Authority)

(Print Name)

(Print Name)

(Name of California Agent of Surety)

(Address of California Agent of Surety)

(Telephone Number of California Agent of Surety)

Contractor must attach a Notarial Acknowledgment for all Surety's signatures and a Power of Attorney and Certificate of Authority for Surety. The California Department of Insurance must authorize the Surety to be an admitted surety insurer.

END OF DOCUMENT

DOCUMENT 00 65 10

NOTICE TO PROCEED

Dated: _____, 2023

To: _____
("Contractor")

(Address)

From: Governing Board ("Board") of **Alameda Unified School District** ("District")

Re: **Classroom Building Roof Replacements**

Contractor is hereby notified that the Contract Time under the Contract will commence to run on _____, 20____. By that date, Contractor shall start performing its obligations under the Contract Documents. In accordance with the Agreement executed by Contractor, the Contract Time and Project Completion is August 14, 2023.

Contractor must submit the following documents by 5:00 p.m. of the **TENTH (10TH)** calendar day following the date of this Notice to Proceed:

1. Contractor's preliminary schedule of construction.
2. Contractor's preliminary schedule of submittals, including Shop Drawings, Product Data, and Samples submittals.
3. Contractor's preliminary schedule of values for all of the Work.
4. Contractor's preliminary Contractor's Safety Plan specifically adapted for the Project.
5. A complete subcontractors list, including the name, address, telephone number, facsimile number, California State Contractor's License number, classification, and monetary value of all Subcontracts.

Thank you. We look forward to a successful Project.

Alameda Unified School District

SIGNATURE: _____

NAME: _____

TITLE: _____

END OF DOCUMENT

DOCUMENT 00 65 36

WARRANTY AND GUARANTEE FORM

1. _____ ("Contractor")

hereby agrees that the _____ ("Work" of Contractor)

which Contractor has installed for the **Alameda Unified School District** ("District") for the following project:

Classroom Building Roof Replacements

was performed in accordance with the requirements of the Contract Documents and that the Work as installed fulfills the requirements of the Contract Documents.

2. Contractor agrees to repair or replace all of the Work that may prove to be defective in workmanship or material and any other adjacent Work that may be displaced in connection with such replacement within a period of _____ **YEAR(S)** from the date of Completion as defined in the Contract, ordinary wear and tear and unusual abuse or neglect excepted. The date of completion is _____, 20____.

3. In the event Contractor fails to comply with the above-mentioned conditions within a reasonable period of time, as determined by District, but not later than **SEVEN (7)** calendar days after being notified in writing by District, Contractor authorizes District to proceed to repair or replace the defective Work at the expense of Contractor. Contractor shall pay the costs and charges therefor upon demand.

4. **Representatives to be contacted for service subject to the terms of Contract:**

NAME: _____

ADDRESS: _____

PHONE NO.: _____

EMAIL: _____

Date: _____

Proper Name of Contractor: _____

Signature: _____

Print Name: _____

Title: _____

END OF DOCUMENT

DOCUMENT 00 70 00

TABLE OF CONTENTS

GENERAL CONDITIONS

1.	CONTRACT TERMS AND DEFINITIONS.....	1
1.1.	Definitions	1
1.2.	Laws Concerning the Contract	5
1.3.	No Oral Agreements	5
1.4.	No Assignment	5
1.5.	Confidentiality	5
1.6.	Notice and Service Thereof	5
1.7.	No Waiver	6
1.8.	Substitutions for Specified Items	6
1.9.	Materials and Work	6
2.	DISTRICT	7
3.	ARCHITECT	7
4.	CONSTRUCTION MANAGER	8
5.	INSPECTOR, INSPECTIONS AND TESTS.....	8
5.1.	Project Inspector	8
5.2.	Tests and Inspections.....	9
5.3.	Costs for After Hours and/or Off Site Inspections	10
6.	CONTRACTOR	10
6.1.	Status of Contractor.....	10
6.2.	Contractor's Supervision	10
6.3.	Duty to Provide Fit Workers	11
6.4.	Personnel	12
6.5.	Prohibition on Harassment.....	12
6.6.	Conferences and Meetings	13
6.7.	Purchase of Materials and Equipment	14
6.8.	Documents on Work	15
6.9.	Preservation of Records	15
6.10.	Integration of Work	16
6.11.	Obtaining of Permits and Licenses	16
6.12.	Work to Comply with Applicable Laws and Regulations.....	16
6.13.	Safety/Protection of Persons and Property	17
6.14.	Working Evenings and Weekends.....	19
6.15.	Noise and Dust Control	19
6.16.	Cleaning Up	20
7.	SUBCONTRACTORS.....	21
8.	OTHER CONTRACTS/CONTRACTORS.....	22
9.	DRAWINGS AND SPECIFICATIONS	22
9.8.	Ownership of Drawings.....	23
10.	CONTRACTOR'S SUBMITTALS AND SCHEDULES.....	23
10.1.	Schedules, Safety Plan and Complete Subcontractor List	23
10.2.	Monthly Progress Schedule(s)	26
10.3.	Material Safety Data Sheets (MSDS)	27
10.4.	Logistic Plan.....	27
10.5.	Information Included in Submittals	27
10.6.	Verification of Submittal Information	27
10.7.	Contractor Responsibility for Deviations	27

10.8.	No Performance of Work Without Architect Review	28
10.9.	District and Architect Review of Submittals	28
10.10.	Deferred Approval Items	28
10.11.	Contractor Responsibility for Deviations	28
11.	SITE ACCESS, CONDITIONS AND REQUIREMENTS	28
11.1.	Site Investigation	28
11.2.	Soils Investigation Report.....	28
11.3.	Access to Work	29
11.4.	Layout and Field Engineering.....	29
11.5.	Utilities for Construction	29
11.6.	Sanitary Facilities	29
11.7.	Surveys	30
11.8.	Regional Notification Center	30
11.9.	Existing Utility Lines	30
11.10.	Notification	30
11.11.	Hazardous Materials	31
11.12.	No Signs	31
12.	TRENCHES	31
12.1.	Trenches Greater Than Five Feet	31
12.2.	Excavation Safety.....	31
12.3.	No Tort Liability of District	31
12.4.	No Excavation without Permits	31
12.5.	Discovery of Hazardous Waste, Unusual Conditions and/or Unforeseen Conditions	31
13.	INSURANCE AND BONDS	32
13.1.	Insurance	32
13.2.	Contract Security – Bonds	35
14.	WARRANTY/GUARANTEE/INDEMNITY	35
14.1.	Warranty/Guarantee	35
14.2.	Indemnity.....	36
15.	TIME	37
15.1.	Notice to Proceed	37
15.2.	Hours of Work	37
15.3.	Progress and Completion	37
15.4.	Schedule.....	37
15.5.	Expeditious Completion	37
16.	EXTENSIONS OF TIME – LIQUIDATED DAMAGES	37
16.1.	Contractor’s Notice of Delay.....	37
16.2.	Excusable and Compensable Delay(s)	39
16.3.	Excusable and Non-Compensable Delay(s)	39
16.4.	Unexcused Delay(s) – Liquidated Damages	41
17.	CHANGES IN THE WORK.....	41
17.1.	No Changes Without Authorization	41
17.2.	Architect Authority	42
17.3.	Change Orders.....	42
17.4.	Unilateral Change Orders	43
17.5.	Force Account Directives	43
17.6.	Price Request.....	44
17.7.	Proposed Change Order	45
17.8.	Format for Proposed Change Order	45
17.9.	Change Order Certification	49
17.10.	Determination of Change Order Cost	50
17.11.	Deductive Change Orders.....	50

17.12.	Discounts, Rebates and Refunds.....	51
17.13.	Accounting Records	51
17.14.	Notice Required.....	51
17.15.	Applicability to Subcontractors.....	51
17.16.	Alteration to Change Order Language.....	51
17.17.	Failure of Contractor to Execute Change Order	51
18.	REQUEST FOR INFORMATION	51
19.	PAYMENTS.....	52
19.1.	Contract Price.....	52
19.2.	Applications for Progress Payments.....	52
19.3.	Progress Payments	55
19.4.	Decisions to Withhold Payment.....	56
19.5.	Subcontractor Payments	58
20.	COMPLETION OF THE WORK.....	59
20.1.	Completion.....	59
20.2.	Closeout Procedures	59
20.3.	Final Inspection	60
20.4.	Costs of Multiple Inspections.....	61
20.5.	Partial Occupancy or Use Prior to Completion.....	61
21.	FINAL PAYMENT AND RETENTION	61
21.1.	Final Payment.....	61
21.2.	Prerequisites for Final Payment.....	62
21.3.	Retention	62
21.4.	Substitution of Securities	63
21.5.	Claims Asserted After Final Payment	63
22.	UNCOVERING WORK, CORRECTION OF WORK AND RIGHT TO TAKEOVER WORK	63
22.1.	Uncovering of Work	63
22.2.	Rejection of Work	63
22.3.	Nonconforming Work.....	63
22.4.	Correction of Work	64
22.5.	District's Right to Takeover Work	64
23.	TERMINATION AND SUSPENSION.....	65
23.1.	District's Right to Terminate Contractor for Cause.....	65
23.2.	Emergency Termination of Public Contracts Act of 1949	67
23.3.	Termination of Contractor for Convenience	67
23.4.	Suspension of Work	67
23.5.	Scope Reduction	68
24.	CLAIMS RESOLUTION.....	68
24.1.	Exclusive Remedy	68
24.2.	Performance during Claim Resolution Process	68
24.3.	Waiver	69
24.4.	Intention	69
24.5.	Other Provisions	69
24.6.	Claim Presentation.....	69
24.7.	Subcontractors	69
24.8.	Documentation of Resolution.....	73
24.9.	Claim Resolution Process – Non-Applicability.....	73
25.	LABOR, WAGE & HOUR, APPRENTICE AND RELATED PROVISIONS	74
25.1.	Contractor & Subcontractor Registration	74
25.2.	Wage Rates, Travel and Subsistence	74

25.2.2. Holiday and overtime work, when permitted by law, shall be paid for at a rate of at least one and one-half times the above specified rate of per diem wages, unless otherwise specified. The holidays upon

which those rates shall be paid need not be specified by the District, but shall be all holidays recognized in the applicable collective bargaining agreement. If the prevailing rate is not based on a collectively bargained rate, the holidays upon which the prevailing rate shall be paid shall be as provided in Section 6700 of the Government Code.....75

25.3. Hours of Work76

25.4. Payroll Records.....76

25.4.1.1..... In addition to any other requirements pursuant to Labor Code sections 1770, et seq., the CPRs enumerated hereunder shall be certified and shall be provided to the District on a weekly basis. The CPRs from the Contractor and each Subcontractor for each week shall be provided on or before Wednesday of the week following the week covered by the CPRs. District shall not make any payment to Contractor until:76

25.5. Apprentices78

25.6. Non-Discrimination79

25.7. Labor First Aid79

26. MISCELLANEOUS79

26.1. Assignment of Antitrust Actions79

26.2. Excise Taxes.....80

26.3. Taxes.....80

26.4. Shipments80

26.5. Compliance with Government Reporting Requirements80

1. CONTRACT TERMS AND DEFINITIONS

1.1. Definitions

Wherever used in the Contract Documents, the following terms shall have the meanings indicated, which shall be applicable to both the singular and plural thereof:

1.1.1. Adverse Weather: Weather that satisfies all of the following conditions: (1) unusually severe precipitation, sleet, snow, hail, heat, or cold conditions in excess of the norm for the location and time of year it occurred, (2) unanticipated, and (3) occurring at the Project Site.

1.1.2. Allowance(s): Amount(s) stated in the Agreement for specific scopes of work for which Contractor may bill its time, materials, and other items in the identical structure as a Change Order.

1.1.3. Approval, Approved, and/or Accepted: Refer to written authorization, unless stated otherwise.

1.1.4. Architect: The individual, partnership, corporation, joint venture, or any combination thereof, named as Architect that has the rights and authority assigned to the Architect in the Contract Documents. The term Architect means the District's Architect on this Project or the Architect's authorized representative.

1.1.5. As-Built Drawings: A reproducible full-size sets of drawings to be prepared on a monthly basis, and upon Project Completion, pursuant to the Contract Documents, that reflect changes made during the performance of the Work, recording differences between the original design of the Work and the Work as constructed since the preceding monthly submittal.

1.1.6. Bidder: A contractor who intends to provide a bid to the District to perform the Work of the Contract.

1.1.7. Change Order: A written order to the Contractor authorizing an addition to, deletion from, or revision in the Work, and/or authorizing an adjustment in the Contract Price or Contract Time. If a Change Order is required to be approved by DSA, the District may call it a Construction Change Document.

1.1.8. Completion: When the entire Work shall have been completed to the satisfaction of District, including all punch list items. Final DSA approval of the Project is not required for Completion.

1.1.9. Construction Manager: The individual, partnership, corporation, joint venture, or any combination thereof, or its authorized representative, named as such by the District. If no Construction Manager is used on the Project, then all references in the Contract Documents to Construction Manager shall be read to refer to District.

1.1.10. Construction Schedule: The progress schedule of construction of the Project as provided by Contractor and approved by District.

1.1.11. Contract, Contract Documents: The Contract consists exclusively of the documents evidencing the agreement of the District and Contractor, identified as the Contract Documents. The Contract Documents consist of the following documents:

1.1.11.1. Notice to Bidders / Invitation to Bid

1.1.11.2. Instructions to Bidders

1.1.11.3. Bid Form

- 1.1.11.4. Bid Bond
- 1.1.11.5. Designated Subcontractors List
- 1.1.11.6. Noncollusion Declaration
- 1.1.11.7. Iran Contracting Act Certification
- 1.1.11.8. Certifications to be Completed by Contractor
- 1.1.11.9. Disabled Veteran's Business Enterprise Participation Certification
- 1.1.11.10. Criminal Background Investigation/Fingerprinting Certification
- 1.1.11.11. Notice of Award
- 1.1.11.12. Agreement
- 1.1.11.13. Escrow of Bid Documentation (if applicable)
- 1.1.11.14. Escrow Agreement for Security Deposits in Lieu of Retention
- 1.1.11.15. Storm Water Pollution Prevention Plan (if applicable)
- 1.1.11.16. Notice to Proceed
- 1.1.11.17. Performance Bond
- 1.1.11.18. Payment Bond (Contractor's Labor and Material Bond)
- 1.1.11.19. District Contract Forms (if applicable)
- 1.1.11.20. District Closeout Forms (if applicable)
- 1.1.11.21. Warranty and Guarantee Form
- 1.1.11.22. General Conditions
- 1.1.11.23. Special Conditions
- 1.1.11.24. Project Plans, Specifications, Technical Specifications, and Drawings
- 1.1.11.25. Addenda to any of the above documents
- 1.1.11.26. Schedules if approved in writing by the District
- 1.1.11.27. Change Orders or written modifications to the above documents if approved in writing by the District

1.1.12. Contract Price: The total monies payable to the Contractor under the terms and conditions of the Contract Documents.

1.1.13. Contract Time: The time period stated in the Agreement for the Completion of the Work.

1.1.14. Contractor: The person or persons identified in the Agreement as contracting to perform the

Work, or the legal representative of such person(s).

1.1.15. Daily Job Report(s): Daily Project reports prepared by the Contractor's employee(s) who are present on Site, which shall include the information required herein.

1.1.16. Day(s): Unless otherwise designated, day(s) means calendar day(s). **"Business Day(s)"** shall mean days except Saturday, Sunday, a day that is federally-recognized holiday, or a day that is a California-recognized holiday.

1.1.17. Defective or Nonconforming Work. Defective or nonconforming Work is any Work which is unsatisfactory, faulty or deficient by: (a) not conforming to the requirements of the Contract Documents; (b) not conforming to the standards of workmanship of the applicable trade; (c) not being in compliance with the requirements of any inspection, reference, standard, test, or approval required by the Contract Documents; or (d) damage to Work occurring prior to Completion.

1.1.18. District: The public agency or the school district for which the Work is performed.

1.1.19. Drawings: (or "Plans") The graphic and pictorial portions of the Contract Documents showing the design, location, scope and dimensions of the Work, generally including plans, elevations, sections, details, schedules, sequence of operation, and diagrams.

1.1.20. DSA: Division of the State Architect.

1.1.21. Force Account Directive: A process that may be used when the District and the Contractor cannot agree on a price for a specific scope of work or before Contractor prepares a price for the scope of work, Contractor performs on a time and materials basis.

1.1.22. Premises: The real property owned by the District on which the Project Site is located.

1.1.23. Product(s): New material, machinery, components, equipment, fixtures and systems forming the Work, including existing materials or components required and approved by the District for reuse.

1.1.24. Product Data: Illustrations, standard schedules, performance charts, instructions, brochures, diagrams, and other information furnished by Contractor to illustrate a material, product, or system for a scope of the Work.

1.1.25. Project: The planned undertaking as provided for in the Contract Documents.

1.1.26. Project Inspector: (or "Inspector") Individual(s) retained by the District in accordance with title 24 of the California Code of Regulations to monitor and inspect the Project.

1.1.27. Program Manager: The individual, partnership, corporation, joint venture, or any combination thereof, or its authorized representative, named as such by the District. If no Program Manager is designated for the Project, then all references to Project Manager shall refer to District.

1.1.28. Proposed Change Order: A written request prepared by the Contractor requesting that the District and the Architect issue a Change Order based upon a proposed change to the Work.

1.1.29. Provide: Shall include "provide complete in place," that is, "furnish and install," and "provide complete and functioning as intended in place" unless specifically stated otherwise.

1.1.30. Request for Information: (or "RFI") A written request prepared by the Contractor requesting that the Architect provide additional information necessary to clarify or amplify an item in the Contract Documents that the Contractor believes is not clearly shown or called for in the Drawings or Specifications

or other portions of the Contract Documents, or to address issues that have arisen under field conditions.

1.1.31. Request for Substitution: A request by Contractor to substitute an equal or superior material, product, thing, or service for a specific material, product, thing, or service that has been designated in the Contract Documents by a specific brand or trade name.

1.1.32. Safety Orders: Written and/or verbal orders for construction issued by the California Division of Industrial Safety ("CalOSHA") or by the United States Occupational Safety and Health Administration ("OSHA").

1.1.33. Safety Plan: Contractor's safety plan specifically adapted for the Project. Contractor's Safety Plan shall comply with all provisions regarding Project safety, including all applicable provisions in these General Conditions.

1.1.34. Samples: Physical examples that illustrate materials, products, equipment, finishes, colors, or workmanship and that, when approved in accordance with the Contract Documents, establish standards by which portions of the Work will be judged.

1.1.35. Shop Drawings: All drawings, prints, diagrams, illustrations, brochures, schedules, and other data that are prepared by the Contractor, a subcontractor, manufacturer, supplier, or distributor, that illustrate how specific portions of the Work shall be fabricated or installed.

1.1.36. Site: The Project site as shown on the Drawings.

1.1.37. Specifications: That portion of the Contract Documents, Division 1 through Division 17, and all technical sections, and addenda to all of these, if any, consisting of written descriptions and requirements of a technical nature of materials, equipment, construction methods and systems, standards, and workmanship.

1.1.38. Subcontractor: A contractor and/or supplier who is under contract with the Contractor or with any other subcontractor, regardless of tier, to perform a portion of the Work.

1.1.39. Submittal Schedule: The schedule of submittals as provided by Contractor and approved by District.

1.1.40. Surety: The person, firm, or corporation that executes as surety the Contractor's Performance Bond and Payment Bond and must be a California admitted surety insurer as defined in the Code of Civil Procedure section 995.120.

1.1.41. SWPPP: The District's Storm Water Pollution Prevention Plan.

1.1.42. Terms. The term "provide" means "provide complete in place" or to "furnish and install" such item. Unless otherwise provided in the Contract Documents, the terms "approved;" "directed;" "satisfactory;" "accepted;" "acceptable;" "proper;" "required;" "necessary" and "equal" shall mean as approved, directed, satisfactory, accepted, acceptable, proper, required, necessary and equal, in the opinion of the District. The term "typical" as used in the Drawings shall require the installation or furnishing of such item(s) of the Work designated as "typical" in all other areas similarly marked as "typical"; Work in such other areas shall conform to that shown as "typical" or as reasonably inferable therefrom.

1.1.43. Unilateral Change Order: A written order prepared and issued by the District, the Construction Manager, and/or the Architect and signed by the District and the Architect, directing a change in the Work. **A Unilateral Change Order is NOT a Construction Change Document (which is defined above as a Change Order that DSA must approve).**

1.1.44. Work: All labor, materials, equipment, components, appliances, supervision, coordination, and services required by, or reasonably inferred from, the Contract Documents, that are necessary for the construction and Completion of the Project.

1.2. Laws Concerning the Contract

Contract is subject to all provisions of the Constitution and laws of California and the United States, governing, controlling, or affecting District, or the property, funds, operations, or powers of District, and such provisions are by this reference made a part hereof. Any provision required by law to be included in this Contract shall be deemed to be inserted.

1.3. No Oral Agreements

No oral agreement or conversation with any officer, agent, or employee of District, either before or after execution of Contract, shall affect or modify any of the terms or obligations contained in the Contract Documents.

1.4. No Assignment

Contractor shall not assign the Contract or any part thereof including, without limitation, any services or money to become due without the prior written consent of the District. Assignment without District's prior written consent shall be null and void. Any assignment of money due or to be come due under the Contract shall be subject to a prior lien for services rendered or material supplied for Work performed in favor of all persons, firms, or corporations rendering services or supplying material to the extent that claims are filed pursuant to the Civil Code, Code of Civil Procedure, Government Code, Labor Code, and/or Public Contract Code, and shall also be subject to deductions for Liquidated Damages or withholding of payments as determined by District in accordance with the Contract. Contractor shall not assign or transfer in any manner to a Subcontractor or supplier the right to prosecute or maintain an action against the District.

1.5. Confidentiality

Contractor shall maintain the confidentiality of all information, documents, programs, procedures and all other items that Contractor encounters while performing the Work. This requirement shall be ongoing and shall survive the expiration or termination of the Contract and specifically includes, without limitation, all student, parent, and employee disciplinary information and health information.

1.6. Notice and Service Thereof

1.6.1. Any notice required by the Contract shall be in writing, dated and signed by the party giving notice or by a duly authorized representative of that party. Notice shall be served and considered effective if given in one of the following manners:

1.6.1.1. By personal delivery; considered delivered on the day of delivery.

1.6.1.2. By overnight delivery service; considered delivered one (1) day after date deposited, as indicated by the delivery service.

1.6.1.3. By depositing same in United States mail, enclosed in a sealed envelope; considered delivered three (3) days after date deposited, as indicated by the postmarked date.

1.6.1.4. By registered or certified mail with postage prepaid, return receipt requested; considered delivered on the day the notice is signed for.

1.7. No Waiver

The failure of District in any one or more instances to insist upon strict performance of any term of the Contract or to exercise any District option shall not be construed as a waiver or relinquishment of the right to assert or rely upon any such term or option on a future occasion. No action or failure to act by the District, Architect, or Construction Manager shall constitute a waiver of any right or duty afforded the District under the Contract, nor shall any action or failure to act constitute an approval of or acquiescence in any breach hereunder, except as may be specifically agreed in writing.

1.8. Substitutions for Specified Items

See Special Conditions.

1.9. Materials and Work

1.9.1. Except as otherwise stated in the Contract, Contractor shall provide and pay for all materials, labor, tools, equipment, transportation, supervision, temporary constructions of every nature, and all other services, management, and facilities of every nature whatsoever necessary to execute and complete the Contract within the Contract Time.

1.9.2. Unless otherwise specified, all materials shall be new and the best of their respective kinds and grades as noted or specified, and workmanship shall be of good quality.

1.9.3. Materials shall be furnished in sufficient quantities and at such times as to ensure uninterrupted progress of Work and shall be stored properly and protected as required.

1.9.4. For all materials and equipment specified or indicated in the Drawings, the Contractor shall provide all labor, materials, equipment, and services necessary for complete assemblies and complete working systems, functioning as intended. Incidental items not indicated on Drawings, nor mentioned in the Specifications, that can legitimately and reasonably be inferred to belong to the Work described, or be necessary in good practice to provide a complete assembly or system, shall be furnished as though itemized here in every detail. In all instances, material and equipment shall be installed in strict accordance with each manufacturer's most recent published recommendations and specifications.

1.9.5. Contractor shall, after award of Contract by District and after relevant submittals have been approved, place orders for materials and/or equipment as specified so that delivery of same may be made without delays to the Work. Contractor shall, upon demand from District, present documentary evidence showing that orders have been placed.

1.9.6. District reserves the right but has no obligation, for any neglect in complying with the above instructions, to place orders for such materials and/or equipment as it may deem advisable in order that the Work may be completed at the date specified in the Agreement, and all expenses incidental to the procuring of said materials and/or equipment shall be paid for by Contractor or withheld from payment(s) to Contractor.

1.9.7. Contractor warrants good title to all material, supplies, and equipment installed or incorporated in Work and agrees upon Completion of all Work to deliver the Site to District, together with all improvements and appurtenances constructed or placed thereon by it, and free from any claims, liens, or charges. Contractor further agrees that neither it nor any person, firm, or corporation furnishing any materials or labor for any Work shall have any right to lien any portion of the Premises or any improvement or appurtenance thereon, except that Contractor may install metering devices or other equipment of utility companies or of political subdivision, title to which is commonly retained by utility company or political subdivision. In the event of installation of any such metering device or equipment, Contractor shall advise District as to owner thereof.

1.9.8. Nothing contained in this Article, however, shall defeat or impair the rights of persons furnishing materials or labor under any bond given by Contractor for their protection or any rights under law permitting such protection or any rights under law permitting such persons to look to funds due Contractor in hands of District (e.g., stop payment notices). This provision shall be inserted in all subcontracts and material contracts and notice of its provisions shall be given to all persons furnishing material for work when no formal contract is entered into for such material.

1.9.9. Title to new materials and/or equipment for the Work and attendant liability for its protection and safety shall remain with Contractor until incorporated in the Work of this Contract and accepted by District. No part of any materials and/or equipment shall be removed from its place of storage except for immediate installation in the Work. Contractor shall keep an accurate inventory of all materials and/or equipment in a manner satisfactory to District or its authorized representative and shall, at the District's request, forward it to the District.

1.9.10. Contractor certifies that it shall comply with the recycled product requirements of Public Contract Code section 22150, et seq., including, without limitation, section 22154 which states, "All businesses shall certify in writing to the contracting officer, or his or her representative, the minimum, if not exact, percentage of postconsumer material in the products, materials, goods, or supplies being offered or sold to any local public entity."

2. DISTRICT

2.1. The governing board of the District or its designees will act for the District in all matters pertaining to the Contract.

2.2. The District may, at any time,

2.2.1. Direct the Contractor to communicate with or provide notice to the Construction Manager or the Architect on matters for which the Contract Documents indicate the Contractor will communicate with or provide notice to the District; and/or

2.2.2. Direct the Construction Manager or the Architect to communicate with or direct the Contractor on matters for which the Contract Documents indicate the District will communicate with or direct the Contractor.

2.3. District's Rights if Contractor Fails to Perform. If the District at any time believes that the Contractor is behind schedule, is failing to construct the Project pursuant to the Contract Documents or is otherwise failing to perform any provisions of this Contract, the District, after **FORTY-EIGHT (48)** hours written notice to the Contractor, may take any action necessary or beneficial to the District to complete the Project, takeover the Work of the Contract, terminate or suspend the Contract as indicated herein, or any combination or portion of those actions. The Contractor and the Surety shall be liable to the District for any cost incurred by the District in those actions and the District has the right to deduct the cost thereof from any payment then or thereafter due the Contractor.

3. ARCHITECT

3.1. Architect shall have the authority to act on behalf of District to the extent expressly provided in the Contract Documents and to the extent determined by District to, among other things, observe the progress and quality of the Work on behalf of the District.

3.2. Architect shall have authority to reject materials, workmanship, and/or the Work whenever rejection may be necessary, in Architect's reasonable opinion, to insure the proper execution of the Contract and if Work is defective or does not conform to the requirements of the Contract Documents. Whenever the Architect considers it necessary or advisable, for implementation of the intent of the

Contract Documents, the Architect will have authority to require additional inspections or testing of the Work, whether or not such Work is fabricated, installed or completed. Neither this authority of the Architect nor a decision made in good faith by the Architect to exercise or not to exercise that authority shall give rise to a duty or responsibility to the Contractor, Subcontractors, material suppliers, their agents or employees, or other persons performing portions of the Work.

- 3.3. Architect shall, with the District and on behalf of the District, determine the amount, quality, acceptability, and fitness of all parts of the Work, and interpret the Specifications, Drawings, and shall, with the District, interpret all other Contract Documents.
- 3.4. Architect shall have all authority and responsibility established by law, including title 24 of the California Code of Regulations.
- 3.5. Contractor shall provide District and the Construction Manager with a copy of all written communication between Contractor and Architect at the same time as that communication is made to Architect, including, without limitation, all RFIs, correspondence, submittals, claims, and proposed change orders.

4. CONSTRUCTION MANAGER

- 4.1. If a Construction Manager is used on this Project, the Construction Manager will provide administration of the Contract on the District's behalf. After execution of the Contract and Notice to Proceed, all correspondence and/or instructions from Contractor and/or District shall be forwarded through the Construction Manager. The Construction Manager will not be responsible for and will not have control or charge of construction means, methods, techniques, sequences, or procedures or for safety precautions in connection with the Work, which shall all remain the Contractor's responsibility.
- 4.2. Construction Manager, however, will have authority to reject materials and/or workmanship not conforming to the Contract Documents, as determined by the District, the Architect, and/or the Project Inspector. Construction Manager shall also have the authority to require special inspection or testing of any portion of the Work, whether it has been fabricated, installed, or fully completed. Any decision made by Construction Manager, in good faith, shall not give rise to any duty or responsibility of the Construction Manager to the Contractor, any Subcontractor, their agents, employees, or other persons performing any of the Work. Construction Manager shall have free access to all parts of Work at any time.
- 4.3. If the District does not use a Construction Manager on this Project, all references to Construction Manager or CM shall be read as District.

5. INSPECTOR, INSPECTIONS AND TESTS

5.1. Project Inspector

5.1.1. One or more Project Inspector(s), including special Project Inspector(s), as required, will be assigned to the Work by District, in accordance with requirements of title 24, part 1, of the California Code of Regulations, to enforce the building code and monitor compliance with Plans and Specifications for the Project previously approved by the DSA. Duties of Project Inspector(s) are specifically defined in section 4-342 of said part 1 of title 24.

5.1.2. No Work shall be carried on except with the knowledge and under the inspection of the Project Inspector(s). The Project Inspector(s) shall have free access to all parts of Work at any time. Contractor shall furnish Project Inspector(s) reasonable opportunities for obtaining such information as may be necessary to keep Project Inspector(s) fully informed respecting progress and manner of work and character of materials. Inspection of Work shall not relieve Contractor from the obligation to fulfill the

Contract. Project Inspector(s) and the DSA are authorized to stop work whenever the Contractor and/or its Subcontractor(s) are not complying with the Contract Documents. Any work stoppage by the Project Inspector(s) and/or DSA shall be without liability to the District. Contractor shall instruct its Subcontractors and employees accordingly.

5.1.3. If Contractor and/or any Subcontractor requests that the Project Inspector(s) perform any inspection off-site, this shall only be done if it is allowable pursuant to applicable regulations and DSA, if the Project Inspector(s) agree to do so, and at the expense of the Contractor.

5.1.4. Limitations on Project Inspector Authority. The Project Inspector does not have authority to interpret the Contract Documents or to modify the Work depicted in the Contract Documents. No Work inconsistent with the Contract Documents shall be performed solely on the basis of the direction of the Project Inspector, and the Contractor shall be liable to the District for the consequences of all Work performed on such basis.

5.2. Tests and Inspections

5.2.1. Tests and Inspections shall comply with title 24, part 1, California Code of Regulations, group 1, article 5, section 4-335, and with the provisions of the Specifications.

5.2.2. If the Contract Documents, laws, ordinances or any public authority with jurisdiction over the Work requires the Work, or any portion thereof, to be specially tested, inspected or approved, the Contractor shall give the Architect, the Construction Manager and the Project Inspector written notice of the readiness of such Work for observation, testing or inspection at least seventy-two (72) hours prior to the time for the conducting of such test, inspection or observation. If inspection, testing or observation is by authority other than the District, the Contractor shall inform the Project Inspector and the Construction Manager not less than seventy-two (72) hours prior to the date fixed for such inspection, test or observation. The Contractor shall not cover up any portion of the Work subject to tests, inspections or observations prior to the completion and satisfaction of the requirements of such test, inspection or observation. In the event that any portion of the Work subject to tests, inspection or approval shall be covered up by Contractor prior to completion and satisfaction of the requirements of such tests, inspection or approval, Contractor shall be responsible for the uncovering of such portion of the Work as is necessary for performing such tests, inspection or approval without adjustment of the Contract Price or the Contract Time on account thereof.

5.2.3. The District will select an independent testing laboratory to conduct the tests. Selection of the materials required to be tested shall be by the laboratory or the District's representative and not by the Contractor. The Contractor shall notify the District's representative a sufficient time in advance of its readiness for required observation or inspection.

5.2.4. The Contractor shall notify the District's representative a sufficient time in advance of the manufacture of material to be supplied under the Contract Documents, that must by terms of the Contract Documents be tested, in order that the District may arrange for the testing of same at the source of supply. This notice shall be, at a minimum, seventy-two (72) hours prior to the manufacture of the material that must be tested.

5.2.5. Any material shipped by the Contractor from the source of supply prior to having satisfactorily passed required testing and inspection or prior to the receipt of notice from the representative that testing and inspection will not be required, shall not be incorporated into and/or onto the Project.

5.2.6. The District will select and pay testing laboratory costs for all tests and inspections. Costs of tests of any materials found to be not in compliance with the Contract Documents shall be paid for by the District and reimbursed by the Contractor or deducted from the Contract Price.

5.3. Costs for After Hours and/or Off Site Inspections

5.3.1. If the Contractor performs Work outside the Inspector's regular working hours, over a period of more than eight (8) hours per day by any single person, on weekends/holidays or requests the Inspector to perform inspections off Site, then the costs of any inspections required outside regular working hours, over a period of more than eight (8) hours per day by any single person, on weekends/holidays or off Site, shall be borne by the Contractor and may be invoiced to the Contractor by the District or the District may deduct those expenses from the next Progress Payment.

6. CONTRACTOR

Contractor shall construct the Work for the Contract price including any adjustment(s) to the Contract Price pursuant to provisions herein regarding changes to the Contract Price. Except as otherwise noted, Contractor shall provide and pay for all labor, materials, equipment, permits, fees, licenses, facilities, transportation, taxes, and services necessary for the proper execution and Completion of the Work, except as indicated herein.

6.1. Status of Contractor

6.1.1. Contractor is and shall at all times be deemed to be an independent contractor and shall be wholly responsible for the manner in which it and its Subcontractors perform the services required of it by the Contract Documents. Nothing herein contained shall be construed as creating the relationship of employer and employee, or principal and agent, between the District, or any of the District's employees or agents, and Contractor or any of Contractor's Subcontractors, agents or employees. Contractor assumes exclusively the responsibility for the acts of its employees as they relate to the services to be provided during the course and scope of their employment. Contractor, its Subcontractors, agents, and its employees shall not be entitled to any rights or privileges of District employees. District shall be permitted to monitor the Contractor's activities to determine compliance with the terms of the Contract.

6.1.2. As required by law, Contractor and all Subcontractors shall be properly licensed and regulated by the Contractor's State License Board, located at 9821 Business Park Drive, , Sacramento, California 95827, with a mailing address of Post Office Box 26000, Sacramento, California, and with a website at <http://www.cslb.ca.gov>.

6.2. Contractor's Supervision

6.2.1. During progress of the Work, Contractor shall keep on the Premises, and at all other locations where any Work related to the Contract is being performed, a competent project manager and construction superintendent who are employees of the Contractor, to whom the District does not object and at least one of whom shall be fluent in English, written and verbal.

6.2.2. The project manager and construction superintendent shall both speak fluently the predominant language of the Contractor's employees.

6.2.3. Before commencing the Work, Contractor shall give written notice to District of the name of its project manager and construction superintendent. Neither the Contractor's project manager nor construction superintendent shall be changed except with prior written notice to District, unless the Contractor's project manager and/or construction superintendent proves to be unsatisfactory to Contractor, District, any of the District's employees, agents, the Construction Manager, or the Architect, in which case, Contractor shall notify District in writing. District retains the right to reasonably refuse Contractor's replacement personnel. The Contractor's project manager and construction superintendent shall each represent Contractor, and all directions given to Contractor's project manager and/or construction superintendent shall be as binding as if given to Contractor.

6.2.4. Contractor shall give efficient supervision to Work, using its best skill and attention. Contractor shall carefully study and compare all Contract Documents, Drawings, Specifications, and other instructions and shall at once report to District, Construction Manager, and Architect any error, inconsistency, or omission that Contractor or its employees and Subcontractors may discover, in writing, with a copy to District's Project Inspector(s). The Contractor shall have responsibility for discovery of errors, inconsistencies, or omissions.

6.2.5. The Contractor's project manager shall devote sufficient time to the Project on site, and in the Contractor's home office to pre-plan activities to meet the Project schedule and fulfill all Contract obligations. This includes making timely submittals, issuing and disseminating necessary RFI's, promptly processing and distributing bulletins, change orders and payments, keeping required logs current etc. If any of these activities fall behind contract requirements or dates necessary to complete the Project on time, the Contractor must provide a full time project manager on the Project Site dedicated solely to the Project, until the deficiencies are corrected.

6.2.6. The Contractor shall verify all indicated dimensions before ordering materials or equipment, or before performing Work. The Contractor shall take field measurements, verify field conditions, and shall carefully compare such field measurements and conditions and other information known to the Contractor with the Project Documents before commencing work. Errors, inconsistencies or omissions discovered shall be immediately reported to the District. Upon commencement of any item of Work, the Contractor shall be responsible for dimensions related to the Work and shall make any corrections necessary to make Work properly fit at no additional cost to District. This responsibility for verification of dimensions is a non-delegable duty and may not be delegated to subcontractors or agents.

6.2.7. Omissions from the Drawings or Specifications, or the misdescription of details of Work which are manifestly necessary to carry out the intent of the Drawings and Specifications, or which are customarily performed, shall not relieve the Contractor from performing such omitted or misdescribed Work, but they shall be performed as if fully and correctly set forth and described in the Drawings and Specifications.

6.2.8. The Contractor shall be solely responsible for the means, methods, techniques, sequences, and procedures of construction. The Contractor shall be responsible to see that the finished Work complies accurately with the Contract Documents.

6.3. Duty to Provide Fit Workers

6.3.1. Contractor and Subcontractor(s) shall at all times enforce strict discipline and good order among their employees and shall not employ or work any unfit person or anyone not skilled in work assigned to that person. It shall be the responsibility of Contractor to ensure compliance with this requirement. District may require Contractor to permanently remove unfit persons from Project Site.

6.3.2. Any person in the employ of Contractor or Subcontractor(s) whom District may deem incompetent or unfit shall be excluded from working on the Project and shall not again be employed on the Project except with the prior written consent of District.

6.3.3. The Contractor shall furnish labor that can work in harmony with all other elements of labor employed or to be employed in the Work.

6.3.4. If Contractor intends to make any change in the name or legal nature of the Contractor's entity, Contractor must first notify the District. The District shall determine if Contractor's intended change is permissible while performing the Contract.

6.3.5. Compliance with Immigration Reform and Control Act of 1986. As required by law, Contractor and all Subcontractors shall employ individuals for the Work in conformity with the Immigration Reform

and Control Act of 1986, 8 USC §§1101 et seq.

6.4. Personnel

6.4.1. All persons working for Contractor and Subcontractor(s) shall refrain from using profane or vulgar language, or any other language that is inappropriate on the job site.

6.4.2. The Contractor shall employ a full-time superintendent and necessary assistants who shall have complete authority to represent and act on behalf on the Contractor on all matters pertaining to the Work. The superintendent shall be competent and have a minimum of five (5) years' experience in construction supervision on projects of similar scale and complexity. The superintendent shall be satisfactory to the District and, if not satisfactory, shall be replaced by the Contractor with one that is acceptable to the District. The superintendent shall not be changed without the written consent of the District unless the superintendent ceases to be employed by the Contractor.

6.4.3. The Contractor shall employ a competent estimator and necessary assistants, or contract for sufficient services of an estimating consultant and to process proposed change orders. The estimator shall have a minimum of five (5) years' experience in estimating. The estimator shall be satisfactory to the District and, if not satisfactory, shall be replaced by the Contractor with one that is acceptable. The estimator shall not be changed without the written consent of the District unless the estimator ceases to be employed by the Contractor. The Contractor shall submit PCO's requested by the District within fourteen (14) calendar days.

6.4.4. The Contractor shall employ a competent scheduler and necessary assistants, or contract for sufficient services of a scheduling consultant. The scheduler shall have a minimum of five (5) years' experience in scheduling. The scheduler shall be satisfactory to the District and, if not satisfactory, shall be replaced by the Contractor with one that is acceptable. The scheduler shall not be changed without the written consent of the District unless the scheduler ceases to be employed by the Contractor.

6.4.5. Contractor shall at all times enforce strict discipline and good order among Contractor's employees, and shall not employ on the Project any unfit person or anyone not skilled in the task assigned.

6.4.6. If Contractor or any Subcontractor on the Project site fails to comply with any provision herein, the District may have the offending person(s) immediately removed from the Site, and the person(s) shall be replaced within three (3) days, at no additional expense to the District. Contractor, on behalf of it and its Subcontractors, hereby waives any claim that the provisions of this paragraph or the enforcement thereof interferes, or has the potential to interfere, with its right to control the means and methods of its performance and duties under this Contract.

6.5. Prohibition on Harassment

6.5.1. In addition to the non-discrimination requirements in the Contract Documents, the Contractor and all Subcontractors must comply with these provisions prohibiting harassment at the Site. The District is committed to providing a campus and workplace free of sexual harassment and harassment based on factors such as race, color religion, national origin, ancestry, age, medical condition, marital status, disability or veteran status. Harassment includes without limitation, verbal, physical or visual conduct which creates an intimidating, offensive or hostile environment such as racial slurs; ethnic jokes; posting of offensive statements, posters or cartoons or similar conduct. Sexual harassment includes without limitation the solicitation of sexual favors, unwelcome sexual advances, or other verbal, visual or physical conduct of a sexual nature.

6.5.2. Contractor shall take all reasonable steps to prevent harassment from occurring, including without limitation affirmatively raising the subject of harassment among its employees, expressing strong

disapproval of any form of harassment, developing appropriate sanctions, informing employees of their right to raise and how to raise the issue of harassment and informing complainants of the outcome of an investigation into a harassment claim.

6.5.3. Contractor shall not permit any person, whether employed by Contractor or a Subcontractor or any other person or entity, performing any Work at or about the Site to engage in any prohibited form of harassment. Any person performing or providing Work on or about the Site engaging in a prohibited form of harassment directed to any student, faculty member or staff of the District or directed to any other person on or about the Site shall be subject to immediate removal and shall be prohibited thereafter from providing or performing any portion of the Work. Upon the District's receipt of any notice or complaint that any person employed directly or indirectly by Contractor on any Subcontractor in performing or providing the Work has engaged in a prohibited form of harassment, the District will promptly undertake an investigation of such notice or complaint. In the event that the District, after such investigation, reasonably determines that a prohibited form of harassment has occurred, the District shall promptly notify the Contractor of the same and direct that the person engaging in such conduct be immediately removed from the Site. Unless the District's determination that a prohibited form of harassment has occurred is grossly negligent or without reasonable cause, District shall have no liability for directing the removal of any person determined to have engaged in a prohibited form of harassment nor shall the Contract Price or the Contract Time be adjusted on account thereof. The indemnity provisions of the Contract Documents apply to any assertion by any person dismissed from performing or providing work at the direction of the District pursuant to this provision; or (ii) the assertion by any person that any person directly or indirectly under the employment or direction of the Contractor has engaged in a prohibited form of harassment directed to or affecting such person. The obligations of the Contractor and the Surety under the preceding sentence are in addition to, and not in lieu of, any other obligation of defense, indemnity and hold harmless whether arising under the Contract Documents, at law or otherwise; these obligations survive completion of the Work or the termination of the Contract.

6.6. Conferences and Meetings.

6.6.1. In addition to the conference and meeting requirements in the Specifications, Contractor's supervisory personnel for the Work and the Contractor's management personnel shall attend all required meetings as required by the Contract Documents or as requested by the District. The Contractor's personnel participating in conferences and meetings relating to the Work shall be authorized to act on behalf of the Contractor and to bind the Contractor. The Contractor is solely responsible for arranging for the attendance by Subcontractors and Material Suppliers at meetings and conferences relating to the Work as necessary, appropriate or as requested by the District.

6.6.2. Preconstruction Conference. The Contractor's representatives (and representatives of Subcontractors as requested by the District) shall attend a preconstruction conference at such time and place as designated by the District. The preconstruction conference will generally address the requirements of the Work and Contract Documents, and to establish construction procedures. Subject matters of the preconstruction conference will include as appropriate: (a) administrative matters, including an overview of the respective responsibilities of the District, Architect, Construction Manager, Contractor, Subcontractors, Project Inspector, and others performing any part of the Work or services relating to the Work; (b) Submittals; (c) Changes; (d) employment practices, including Certified Payroll preparation and submission and prevailing wage rate responsibilities of the Contractor and Subcontractors; (e) Progress Schedule development and maintenance; (f) development of Schedule of Values and payment procedures; (g) implementation of BIM, if applicable; (h) communication procedures, including the handling of Requests for Information; (i) emergency and safety procedures; (j) Site visitor policies; (k) conduct of Contractor/Subcontractor personnel at the Site; and (l) Completion, Punchlist and closeout procedures.

6.6.3. Progress Meetings. Progress meetings will be conducted on regular intervals (weekly unless otherwise expressly indicated elsewhere in the Contract Documents). The Contractor's representatives

and representatives of Subcontractors (as requested by the District) shall attend progress meetings. Progress Meetings will be chaired by the District or the Construction Manager and will generally include as agenda items: Site safety, field issues, coordination of Work, construction progress and impacts to timely Completion, if any. The purposes of the progress meetings include: a formal and regular forum for discussion of the status and progress of the Work by all Project participants, a review of progress or resolution of previously raised issues and action items assigned to the Project participants, and reviews of the Progress schedule and submittals.

6.6.4. Special Meetings. As deemed necessary or appropriate by the District, special meetings will be conducted with the participation of the Contractor, Subcontractors and other Project participants as requested by the District.

6.6.5. Minutes of Meetings. following conclusion of the preconstruction conference, progress meetings and special meetings, the Architect or the Construction Manager will prepare and distribute minutes reflecting the items addressed and actions taken at a meeting or conference. Unless the Contractor notifies the Architect and the Construction Manager in writing of objections or corrections to minutes prepared hereunder within five (5) days of the date of distribution of the minutes, the minutes as distributed shall constitute the official record of the meeting or conference. No objections or corrections of any Subcontractor or Material Supplier shall be submitted directly to the Architect or the Construction Manager; such objections or corrections shall be submitted to the Architect and the Construction Manager through the Contractor. If the Contractor timely interposes objections or notes corrections, the resolution of such matters shall be addressed at the next scheduled progress meeting.

6.7. Purchase of Materials and Equipment

6.7.1. The Contractor is required to order and obtain materials and equipment sufficiently in advance of its Work at no additional cost or advance payment from District to assure that there will be no delays.

6.7.2. Off-Site Storage of Materials and Equipment Only Upon District's Written Consent. Contractor shall not store materials and/or equipment off site without first obtaining the District's express, written consent. If Contractor receives District's consent to store materials and/or equipment off site ("Stored Materials"), Contractor shall comply with all of the following:

6.7.2.1. Property of Others Insurance. Contractor shall procure and maintain, during the entire time Stored Materials are in off-site storage, insurance coverage acceptable to the District that shall protect Contractor and District from all claims for Stored Materials that are lost, stolen, or damaged. The District shall be named as a loss payee for this insurance coverage. The insurance coverage shall include a "loss payable endorsement" stating that all amounts payable will be paid as a joint-check to the Contractor and District. If approved in advance by District, this required insurance may be obtained by an "Employee Theft Protection Insurance Policy" or an "Employee Theft Protection Bond."

6.7.2.2. Payment for Stored Materials. District shall only make payment to Contractor for Stored Materials if agreed upon in advance, in writing, by the District and provided that Contractor submits an itemized list of all Stored Materials with Contractor's Application for Payment. Contractor's itemized list of all Stored Materials shall be supported by all of the following:

6.7.2.2.1. Itemized breakdown of the Stored Materials for the purpose of requesting partial payment, identifying the serial numbers and exact storage location of each piece of equipment and material; and

6.7.2.2.2. Verified invoices for the Stored Materials; and

6.7.2.2.3. Original copy of Property of Others Insurance, Employee Theft Protection

Insurance Policy, or an Employee Theft Protection Bond based on the type of insurance required by the District. These documents shall include certificates and endorsements stating the coverage and that the District is a loss payee or obligee, as appropriate.

6.8. Documents on Work

6.8.1. Contractor shall at all times keep on the Work Site, or at another location as the District may authorize in writing, one legible copy of all Contract Documents, including Addenda and Change Orders, and titles 19 and 24 of the California Code of Regulations, the specified edition(s) of the Uniform Building Code (electronic versions are acceptable), all approved Drawings, Plans, Schedules, and Specifications, and all codes and documents referred to in the Specifications, and made part thereof. These documents shall be kept in good order and available to District, Construction Manager, Architect, Architect's representatives, the Project Inspector(s), and all authorities having jurisdiction. Contractor shall be acquainted with and comply with the provisions of these titles as they relate to this Project. (See particularly the duties of Contractor, title 24, part 1, California Code of Regulations, section 4-343.) Contractor shall also be acquainted with and comply with all California Code of Regulations provisions relating to conditions on this Project, particularly titles 8 and 17. Contractor shall coordinate with Architect and Construction Manager and shall submit its verified report(s) according to the requirements of title 24.

6.8.2. Daily Job Reports.

6.8.2.1. Contractor shall maintain, at a minimum, at least one (1) set of Daily Job Reports on the Project. These must be prepared by the Contractor's employee(s) who are present on Site, and must include, at a minimum, the following information:

- 6.8.2.1.1.** A brief description of all Work performed on that day.
- 6.8.2.1.2.** A summary of all other pertinent events and/or occurrences on that day.
- 6.8.2.1.3.** The weather conditions on that day.
- 6.8.2.1.4.** A list of all Subcontractor(s) working on that day,
- 6.8.2.1.5.** A list of each Contractor employee working on that day and the total hours worked for each employee.
- 6.8.2.1.6.** A complete list of all equipment on Site that day, whether in use or not.
- 6.8.2.1.7.** A complete list of all materials, supplies, and equipment delivered on that day.
- 6.8.2.1.8.** A complete list of all inspections and tests performed on that day.

6.8.2.2. Each day Contractor shall provide a copy of the previous day's Daily Job Report to the District or the District's Construction Manager.

6.9. Preservation of Records

District shall have the right to examine and audit all Daily Job Reports or other Project records of Contractor's project manager(s), project superintendent(s), and/or project foreperson(s), all certified payroll records and/or related documents including, without limitation, payroll, payment, timekeeping and tracking documents; all books, estimates, records, contracts, documents, bid documents, bid cost data, subcontract job cost reports, and other data of the Contractor, any Subcontractor, and/or supplier, including computations and projections related to bidding, negotiating, pricing, or performing the Work or

Contract modification, in order to evaluate the accuracy, completeness, and currency of the cost, manpower, coordination, supervision, or pricing data at no additional cost to the District. These documents may be duplicative and/or be in addition to any Bid Documents held in escrow by the District. Contractor shall make available at its office at all reasonable times the materials described in this paragraph for the examination, audit, or reproduction until three (3) years after final payment under this Contract. Notwithstanding the provisions above, Contractor shall provide any records requested by any governmental agency, if available, after the time set forth above.

6.10. Integration of Work

6.10.1. Contractor shall do all cutting, fitting, patching, and preparation of Work as required to make its several parts come together properly, to fit it to receive or be received by work of other contractors, and to coordinate tolerances to various pieces of work, showing upon, or reasonably implied by, the Drawings and Specifications for the completed structure, and shall conform them as District and/or Architect may direct.

6.10.2. All cost caused by defective or ill-timed Work shall be borne by Contractor, inclusive of repair work.

6.10.3. Contractor shall not endanger any work performed by it or anyone else by cutting, excavating, or otherwise altering work and shall not cut or alter work of any other contractor except with written consent of District.

6.11. Obtaining of Permits and Licenses

6.11.1. Contractor shall secure and pay for all permits, licenses, and certificates as indicated in the Special Conditions.

6.12. Work to Comply with Applicable Laws and Regulations

6.12.1. Contractor shall give all notices and comply with all applicable laws, ordinances, rules, and regulations relating to the Work, including the specific laws, ordinances, rules, and regulations as indicated and specified in the Contract Documents and identified below, including but not limited to the appropriate statutes and administrative code sections. If Contractor observes that Drawings and Specifications are at variance therewith, or should Contractor become aware of the development of conditions not covered by Contract Documents that will result in finished Work being at variance therewith, Contractor shall promptly notify District in writing and any changes deemed necessary by District shall be made as provided in Contract for changes in Work.

- 6.12.1.1.** National Electrical Safety Code, U. S. Department of Commerce
- 6.12.1.2.** National Board of Fire Underwriters' Regulations
- 6.12.1.3.** Uniform Building Code, latest addition, and the California Code of Regulations, title 24, including amendments.
- 6.12.1.4.** Manual of Accident Prevention in Construction, latest edition, published by A.G.C. of America
- 6.12.1.5.** Industrial Accident Commission's Safety Orders, State of California
- 6.12.1.6.** Regulations of the State Fire Marshall (title 19, California Code of Regulations) and Pertinent Local Fire Safety Codes

- 6.12.1.7.** Americans with Disabilities Act
- 6.12.1.8.** Education Code of the State of California
- 6.12.1.9.** Government Code of the State of California
- 6.12.1.10.** Labor Code of the State of California, division 2, part 7, Public Works and Public Agencies
- 6.12.1.11.** Public Contract Code of the State of California
- 6.12.1.12.** California Art Preservation Act
- 6.12.1.13.** U. S. Copyright Act
- 6.12.1.14.** U. S. Visual Artists Rights Act

6.12.2. Contractor shall comply will all applicable mitigation measures, if any, adopted by any public agency with respect to this Project pursuant to the California Environmental Quality Act (Public Resources Code sections 21000 et. seq.)

6.12.3. If Contractor performs any Work that it knew, or through exercise of reasonable care should have known, to be contrary to any applicable laws, ordinance, rules, or regulations, Contractor shall bear all costs arising therefrom.

6.12.4. Where Specifications or Drawings state that materials, processes, or procedures must be approved by the DSA, State Fire Marshall, or other body or agency, Contractor shall be responsible for satisfying requirements of such bodies or agencies.

6.13. Safety/Protection of Persons and Property

6.13.1. Contractor will be solely and completely responsible for conditions of the Work Site, including safety of all persons and property during performance of the Work. This requirement will apply continuously and not be limited to normal working hours.

6.13.2. The wearing of hard hats will be mandatory at all times for all personnel on Site. Contractor shall supply sufficient hard hats to properly equip all employees and visitors.

6.13.3. Any construction review of the Contractor's performance is not intended to include review of the adequacy of the Contractor's safety measures in, on, or near the Work Site.

6.13.4. Implementation and maintenance of safety programs shall be the sole responsibility of the Contractor.

6.13.5. Contractor shall furnish to the District a copy of the Contractor's safety plan within the time frame indicated in the Contract Documents and specifically adapted for the Project.

6.13.6. Contractor shall be responsible for all damages to persons or property that occur as a result of its fault or negligence in connection with the performance of the Contract and shall take all necessary measures and be responsible for the proper care and completion and final acceptance by District. All Work shall be solely at Contractor's risk with the exception of damage to the Work caused by "acts of God" as defined in Public Contract Code section 7105.

6.13.7. Contractor shall take, and require Subcontractors to take, all necessary precautions for safety of workers on the Project and shall comply with all applicable federal, state, local, and other safety laws,

standards, orders, rules, regulations, and building codes to prevent accidents or injury to persons on, about, or adjacent to premises where Work is being performed and to provide a safe and healthful place of employment. Contractor shall furnish, erect, and properly maintain at all times, all necessary safety devices, safeguards, construction canopies, signs, nets, barriers, lights, and watchmen for protection of workers and the public and shall post danger signs warning against hazards created by such features in the course of construction.

6.13.8. Hazards Control. Contractor shall store volatile wastes in covered metal containers and remove them from the Site daily. Contractor shall prevent accumulation of wastes that create hazardous conditions. Contractor shall provide adequate ventilation during use of volatile or noxious substances.

6.13.9. Contractor shall designate a responsible member of its organization on the Project, whose duty shall be to post information regarding protection and obligations of workers and other notices required under occupational safety and health laws, to comply with reporting and other occupational safety requirements, and to protect the life, safety, and health of workers. Name and position of person so designated shall be reported to District by Contractor.

6.13.10. Contractor shall correct any violations of safety laws, rules, orders, standards, or regulations. Upon the issuance of a citation or notice of violation by the Division of Occupational Safety and Health, Contractor shall correct such violation promptly.

6.13.11. Storm Water. Contractor shall comply with the District's Storm Water Pollution Prevention Plan (SWPPP) and, if indicated in the Special Conditions, shall be the District's Qualified SWPPP Practitioner, at no additional cost to the District.

6.13.12. In an emergency affecting safety of life or of work or of adjoining property, Contractor, without special instruction or authorization, shall act, at its discretion, to prevent such threatened loss or injury. Any compensation claimed by Contractor on account of emergency work shall be determined by agreement.

6.13.13. All salvage materials will become the property of the Contractor and shall be removed from the Site unless otherwise called for in the Contract Documents. However, the District reserves the right to designate certain items of value that shall be turned over to the District unless otherwise directed by District.

6.13.14. All connections to public utilities and/or existing on-site services shall be made and maintained in such a manner as to not interfere with the continuing use of same by the District during the entire progress of the Work.

6.13.15. Contractor shall provide such heat, covering, and enclosures as are necessary to protect all Work, materials, equipment, appliances, and tools against damage by weather conditions, such as extreme heat, cold, rain, snow, dry winds, flooding, or dampness.

6.13.16. Contractor shall protect and preserve the Work from all damage or accident, providing temporary roofs, window and door coverings, boxing, or other construction as required by the Architect. Contractor shall be responsible for existing structures, walks, roads, trees, landscaping, and/or improvements in working areas; and shall provide adequate protection therefor. If temporary removal is necessary of any of the above items, or damage occurs due to the Work, the Contractor shall replace same at its expense with same kind, quality, and size of Work or item damaged. This shall include any adjoining property of the District and others.

6.13.17. Contractor shall take adequate precautions to protect existing roads, sidewalks, curbs, pavements, utilities, adjoining property, and structures (including, without limitation, protection from settlement or loss of lateral support), and to avoid damage thereto, and repair any damage thereto

caused by construction operations.

6.13.18. Contractor shall confine apparatus, the storage of materials, and the operations of workers to limits indicated by law, ordinances, permits, or directions of Architect, and shall not interfere with the Work or unreasonably encumber Premises or overload any structure with materials. Contractor shall enforce all instructions of District and Architect regarding signs, advertising, fires, and smoking, and require that all workers comply with all regulations while on Project Site.

6.13.19. Contractor, Contractor's employees, Subcontractors, Subcontractors' employees, or any person associated with the Work shall conduct themselves in a manner appropriate for a school site. No verbal or physical contact with neighbors, students, and faculty, profanity, or inappropriate attire or behavior will be permitted. District may require Contractor to permanently remove noncomplying persons from Project Site.

6.13.20. Contractor shall take care to prevent disturbing or covering any survey markers, monuments, or other devices marking property boundaries or corners. If such markers are disturbed, Contractor shall have a civil engineer, registered as a professional engineer in California, replace them at no cost to District.

6.13.21. In the event that the Contractor enters into any agreement with owners of any adjacent property to enter upon the adjacent property for the purpose of performing the Work, Contractor shall fully indemnify, defend, and hold harmless each person, entity, firm, or agency that owns or has any interest in adjacent property. The form and content of the agreement of indemnification shall be approved by the District prior to entering the adjacent property. The Contractor shall also indemnify the District as provided in the indemnification provision herein. These provisions shall be in addition to any other requirements of the owners of the adjacent property.

6.13.22. Use of Drones. Contractor may utilize drones or similar aerial equipment to monitor the progress of the Work and for security purposes, but Contractor must comply with all legal requirements of the Federal government, the State of California, and the County and City in which the Project is located, applicable to the use of drones or similar aerial equipment. In addition, Contractor shall ensure that no photographs, videos or digital recordings of any kind are taken of District students or staff.

6.14. Working Evenings and Weekends

Contractor may be required to work evenings and/or weekends at no additional cost to the District. Contractor shall give the District seventy-two (72) hours' notice prior to performing any evening and/or weekend work. Contractor shall perform all evening and/or weekend work only upon District's written approval and in compliance with all applicable rules, regulations, laws, and local ordinances including, without limitation, all noise and light limitations. Contractor shall reimburse the District for any Inspector charges necessitated by the Contractor's evening and/or weekend work.

6.15. Noise and Dust Control

6.15.1. In addition to the noise control, dust control and related requirements in the Specifications, Contractor shall control the noise and dust at the Site as indicated here.

6.15.2. Noise Control. The Contractor shall install noise reducing devices on construction equipment. Contractor shall comply with the requirements of the city and county having jurisdiction with regard to noise ordinances governing construction sites and activities. Construction equipment noise at the Site shall be limited as required by applicable law, rule or regulation. If classes are in session at any point during the progress of the Work, and, in the District's reasonable discretion, the noise from any Work disrupts or disturbs the students or faculty or the normal operation of the school at the Site, at the District's request, the Contractor shall schedule the performance of that Work around normal school

hours or make other arrangements so that the Work does not cause disruption or disturbance. In no event shall those arrangements result in adjustment of the Contract Price or the Contract Time.

6.15.3. Dust Control. The Contractor shall be fully and solely responsible for maintaining and upkeeping all areas of the Site and adjoining areas, outdoors and indoors, free from flying debris, grinding powder, sawdust, dirt and dust as well as any other product, product waste or work waste, that by becoming airborne may cause respiratory inconveniences to persons, particularly to students and District personnel. Additionally, the Contractor shall take specific care to avoid deposits of airborne dust or airborne elements. Those protection devices, systems or methods shall be in accordance with the regulations set forth by the EPA and OSHA, and other applicable law, rule or regulation. Additionally, the Contractor shall be responsible to regularly and routinely clean up and remove any and all deposits of dust and other elements. Damage and/or any liability derived from the Contractor's failure to comply with these requirements shall be exclusively at the cost of the Contractor, including, without limitation, any and all penalties that may be incurred for violations of applicable law, rule or regulation, and any amounts expended by the District to pay such damages shall be due and payable to the District on demand. Contractor shall replace any damages property or part thereof and professionally clean any and all items that become covered or partially covered to any degree by dust or other airborne elements. If classes are in session at any point during the progress of Work, and, in the District's reasonable discretion, flying debris, grinding powder, sawdust, dirt or dust from any Work disrupts or disturbs the students or faculty or the normal operation of the school, at the District's request, the Contractor shall schedule the performance of all that Work around normal school hours and make other arrangements so that the Work does not cause disruption or disturbance. In no event shall those arrangements result in adjustment of the Contract Price or the Contract Time.

6.15.4. Contractor Failure to Comply. If the Contractor fails to comply with the requirements for dust control, noise control, or any other maintenance or clean up requirement of the Contract Documents, the District, Architect, Project Inspector, or Construction Manager shall notify the Contractor in writing and the Contractor shall take immediate action. Should the Contractor fail to respond with immediate and responsive action and not later than twenty-four (24) hours from that notification, the District shall have the absolute right to proceed as it may deem necessary to remedy such matter. Any and all costs incurred by the District in connection with those actions shall be the sole responsibility of, and be borne by, the Contractor; the District may deduct those amounts from the Contract Price then or thereafter due the Contractor.

6.16. Cleaning Up

6.16.1. The Contractor shall provide all services, labor, materials, and equipment necessary for protecting the Work, all school occupants, furnishings, equipment, and building structure from damage until its Completion and final acceptance by District. Dust barriers shall be provided to isolate dust and dirt from construction operations. At Completion of the Work and portions thereof, Contractor shall clean to the original state any areas beyond the Work area that become dust laden as a result of the Work. The Contractor must erect the necessary warning signs and barricades to ensure the safety of all school occupants. The Contractor at all times must maintain good housekeeping practices to reduce the risk of fire damage and must make a fire extinguisher, fire blanket, and/or fire watch, as applicable, available at each location where cutting, braising, soldering, and/or welding is being performed or where there is an increased risk of fire.

6.16.2. Contractor at all times shall keep Premises free from debris such as waste, rubbish, and excess materials and equipment caused by the Work. Contractor shall not leave debris under, in, or about the Premises, but shall promptly remove same from the Premises on a daily basis. If Contractor fails to clean up, District may do so and the cost thereof shall be charged to Contractor. If Contract is for work on an existing facility, Contractor shall also perform specific clean-up on or about the Premises upon request by the District as it deems necessary for the continuing education process. Contractor shall comply with all related provisions of the Specifications.

6.16.3. If the Construction Manager, Architect, or District observes the accumulation of trash and debris, the District will give the Contractor a 24-hour written notice to mitigate the condition.

6.16.4. Should the Contractor fail to perform the required clean-up, or should the clean-up be deemed unsatisfactory by the District, the District will then perform the clean-up. All cost associated with the clean-up work (including all travel, payroll burden, and costs for supervision) will be deducted from the Contract Price, or District may withhold those amounts from payment(s) to Contractor.

7. SUBCONTRACTORS

- 7.1.** Contractor shall provide the District with information for all Subcontracts as required in the Contractor's Submittals and Schedules Section.
- 7.2.** No contractual relationship exists between the District and any Subcontractor, supplier, or sub-subcontractor by reason of the Contract.
- 7.3.** Contractor agrees to bind every Subcontractor by terms of the Contract as far as those terms are applicable to Subcontractor's work. If Contractor shall subcontract any part of the Contract, Contractor shall be as fully responsible to District for acts and omissions of any Subcontractor and of persons either directly or indirectly employed by any Subcontractor, as it is for acts and omissions of persons directly employed by Contractor. The divisions or sections of the Specifications are not intended to control the Contractor in dividing the Work among Subcontractors or limit the work performed by any trade.
- 7.4.** District's consent to, or approval of, or failure to object to, any Subcontractor under the Contract shall not in any way relieve Contractor of any obligations under the Contract and no such consent shall be deemed to waive any provisions of the Contract.
- 7.5.** Contractor acknowledges sections 4100 through 4114 of the Public Contract Code of the State of California, as regards subletting and subcontracting, and shall comply with all applicable requirements therein. In addition, Contractor acknowledges sections 1720 through 1861 of the Labor Code of the State of California, as regards the payment of prevailing wages and related issues, and shall comply with all applicable requirements therein all including, without limitation, section 1775 and the Contractor's and Subcontractors' obligations and liability for violations of prevailing wage law and other applicable laws.
- 7.6.** No Contractor whose Bid is accepted shall, without consent of the awarding authority and in full compliance with section 4100, et seq, of the Public Contract Code, including, without limitation, sections 4107, 4107.5, and 4109 of the Public Contract Code, either:
- 7.6.1.** Substitute any person as a Subcontractor in place of the Subcontractor designated in the original Bid; or
- 7.6.2.** Permit any Subcontract to be assigned or transferred, or allow any portion of the Work to be performed by anyone other than the original Subcontractor listed in the Bid; or
- 7.6.3.** Sublet or subcontract any portion of the Work in excess of one-half of one percent (1/2 of 1%) of the Contractor's total bid as to which his original bid did not designate a Subcontractor.
- 7.7.** The Contractor shall be responsible for the coordination of the trades, Subcontractors, sub-subcontractors, and material or equipment suppliers working on the Project.
- 7.8.** Contractor is solely responsible for settling any differences between the Contractor and its

Subcontractor(s) or between Subcontractors.

- 7.9. Contractor must include in all of its subcontracts the assignment provisions as indicated in the Termination section of these General Conditions.

8. OTHER CONTRACTS/CONTRACTORS

- 8.1. District reserves the right to let other contracts, and/or to perform work with its own forces, in connection with other portions of the Project or other construction or operations at or about the Site. Contractor shall afford other contractor's reasonable opportunity for introduction and storage of their materials and execution of their work and shall properly coordinate and connect Contractor's Work with the work of other contractors.
- 8.2. In addition to Contractor's obligation to protect its own Work, Contractor shall protect the work of any other contractor that Contractor encounters while working on the Site.
- 8.3. If any part of Contractor's Work depends for proper execution or results upon work of District or any other contractor, Contractor shall inspect and promptly report to the District in writing before proceeding with its Work any defects in District's or any other contractor's work that render Contractor's Work unsuitable for proper execution and results. Contractor shall be held accountable for damages to District for District's or any other contractor's work that Contractor failed to inspect or should have inspected. Contractor's failure to inspect and report shall constitute Contractor's acceptance of all District's or any other contractor's work as fit and proper for reception of Contractor's Work, except as to defects that may develop in District's or any other contractor's work after execution of Contractor's Work.
- 8.4. To ensure proper execution of its subsequent work, Contractor shall measure and inspect work already in place and shall at once report to the District in writing any discrepancy between that executed work and the Contract Documents.
- 8.5. Contractor shall ascertain to its own satisfaction the scope of the Project and nature of District's or any other contracts that have been or may be awarded by District in completion of the Project to the end that Contractor may perform this Contract in light of the other contracts, if any.
- 8.6. Nothing herein contained shall be interpreted as granting to Contractor exclusive occupancy of the Site, the Premises, or of the Project. The District shall have complete access to the Project Site for any reasonable purpose at all times. Contractor shall not cause any unnecessary hindrance or delay to the use and/or school operation(s) of the Premises and/or to District or any other contractor working on the Project. If simultaneous execution of any contract or school operation is likely to cause interference with performance of Contractor's Contract, Contractor shall coordinate with those contractor(s), person(s), and/or entity(s) and shall notify the District of the resolution.

9. DRAWINGS AND SPECIFICATIONS

- 9.1. A complete list of all Drawings that form a part of the Contract is to be found as an index on the Drawings themselves, and/or may be provided to the Contractor and/or in the Table of Contents.
- 9.2. Materials or Work described in words that so applied have a well-known technical or trade meaning shall be deemed to refer to recognized standards, unless noted otherwise.
- 9.3. Trade Name or Trade Term. It is not the intention of the Contract to go into detailed descriptions of any materials and/or methods commonly known to the trade under "trade name" or "trade term." The mere mention or notation of "trade name" or "trade term" shall be considered sufficient notice to Contractor that it will be required to complete the work so named, complete, finished, and operable,

with all its appurtenances, according to the best practices of the trade.

- 9.4. The naming of any material and/or equipment shall mean furnishing and installing of same, including all incidental and accessory items thereto and/or labor therefor, as per best practices of the trade(s) involved, unless specifically noted otherwise.
- 9.5. Contract Documents are complementary, and what is called for by one shall be binding as if called for by all. As such, Drawings and Specifications are intended to be fully cooperative and to agree. However, if Contractor observes that Drawings and Specifications are in conflict, Contractor shall promptly notify District and Architect in writing, and any necessary changes shall be made as provided in the Contract Documents.
- 9.6. In the case of discrepancy or ambiguity in the Contract Documents, the order of precedence in the Agreement shall prevail. However, in the case of discrepancy or ambiguity solely between and among the Drawings and Specifications, the discrepancy or ambiguity shall be resolved in favor of the interpretation that will provide District with the functionally complete and operable Project described in the Drawings and Specifications. In case of ambiguity, conflict, or lack of information, District will furnish clarifications with reasonable promptness.
- 9.7. Drawings and Specifications are intended to comply with all laws, ordinances, rules, and regulations of constituted authorities having jurisdiction, and where referred to in the Contract Documents, the laws, ordinances, rules, and regulations shall be considered as a part of the Contract within the limits specified. Contractor shall bear all expense of correcting work done contrary to said laws, ordinances, rules, and regulations.

9.8. Ownership of Drawings

9.8.1. All copies of the Drawings, Designs, Specifications, and copies of other incidental architectural and engineering work, or copies of other Contract Documents furnished by District, are the property of District. They are not to be used by Contractor in other work and, with the exception of signed sets of Contract Documents, are to be returned to District on request at Completion of Work, or may be used by District as it may require without any additional costs to District. Neither the Contractor nor any Subcontractor, or material or equipment supplier shall own or claim a copyright in the Drawings, Specifications, and other documents prepared by the Architect. District hereby grants the Contractor, Subcontractors, sub-subcontractors, and material or equipment suppliers a limited license to use applicable portions of the Drawings prepared for the Project in the execution of their Work under the Contract Documents.

10. CONTRACTOR'S SUBMITTALS AND SCHEDULES

Contractor's submittals shall comply with the provisions and requirements of the Specifications including, without limitation Submittals. No submittal, unless approved in writing by the District as acceptable and complete, shall be a Contract Document.

10.1. Schedules, Safety Plan and Complete Subcontractor List

10.1.1. Within **TEN (10)** calendar days after the date of the Notice to Proceed (unless otherwise specified in the Notice to Proceed or in the Special Conditions), Contractor shall prepare and submit to the District for review, in a form supported by sufficient data to substantiate its accuracy as the District may require:

10.1.1.1. **Schedule of Work.** Contractor shall provide a preliminary schedule of construction indicating the starting and completion dates of the various stages of the Work, including any information and following any form as may be specified in the Specifications. Once approved by District, this shall become the Construction Schedule. This schedule shall include and identify all tasks

that are on the Project's critical path with a specific determination of the start and completion of each critical path task, all contract milestones and each milestone's completion date(s) as may be required by the District, and the date of Project Completion.

10.1.1.1.1. Proposed Advanced Schedule. The District is not required to accept an early completion ("advanced") schedule; i.e., one that shows early completion dates for the Contract completion or milestones. Contractor shall not be entitled to extra compensation if the District allows the Contractor to proceed performing the Contract on an earlier ("advanced") schedule and Contractor completes the Project, for whatever reason, beyond the date shown in that earlier ("advanced") schedule, but within the Time for Completion indicated in the Contract. A schedule showing the work completed in less than the Time for Completion indicated in the Contract, shall be considered to have Project Float.

10.1.1.1.2. Float or Slack in the Schedule. Float or slack is the amount of time between the early start date and the late start date, or the early finish date and the late finish date, of any of the activities in the schedule. Float or slack is not for the exclusive use of or benefit of either the District or the Contractor, but its use shall be determined solely by the District.

10.1.1.2. Schedule of Submittals. The Contractor shall provide a preliminary schedule of submittals, including Shop Drawings, Product Data, and Samples submittals. Once approved by District, this shall become the Submittal Schedule. All submittals shall be forwarded to the District by the date indicated on the approved Submittal Schedule, unless an earlier date is necessary to maintain the Construction Schedule, in which case those submittals shall be forwarded to the District so as not to delay the Construction Schedule.

10.1.1.3. Schedule of Values. The Contractor shall provide a preliminary schedule of values for all component parts of the Work for which progress payments may be requested. The schedule of values must include quantities and prices of items totaling the Contract Price and must subdivide the Work into component parts in sufficient detail to serve as the basis for progress payments during construction. The preliminary schedule of values should include, at a minimum, the following information and the following structure:

10.1.1.3.1. Divided into at least the following categories:

- 10.1.1.3.1.1.** Overhead and profit;
- 10.1.1.3.1.2.** Supervision;
- 10.1.1.3.1.3.** General conditions;
- 10.1.1.3.1.4.** Layout;
- 10.1.1.3.1.5.** Mobilization;
- 10.1.1.3.1.6.** Submittals;
- 10.1.1.3.1.7.** Bonds and insurance;
- 10.1.1.3.1.8.** Closeout documentation;
- 10.1.1.3.1.9.** Demolition;
- 10.1.1.3.1.10.** Installation;
- 10.1.1.3.1.11.** Rough-in;
- 10.1.1.3.1.12.** Finishes;
- 10.1.1.3.1.13.** Testing;
- 10.1.1.3.1.14.** Punch List and acceptance.

10.1.1.3.2. Divided by each of the following areas:

- 10.1.1.3.2.1.** Site work;
- 10.1.1.3.2.2.** By each building;
- 10.1.1.3.2.3.** By each floor.

10.1.1.3.3. The preliminary schedule of values shall not provide for values any greater than the following percentages of the Contract value:

- 10.1.1.3.3.1.** Mobilization and layout combined to equal not more than 1%;
- 10.1.1.3.3.2.** Submittals, samples and shop drawings combined to equal not more than 3%;
- 10.1.1.3.3.3.** Bonds and insurance combined to equal not more than 2%.

10.1.1.3.4. Closeout Documentation. Closeout Documentation shall have a value in the preliminary schedule of not less than 5%. The value for Closeout Documentation shall be in addition to and shall not be a part of the Contract retention.

10.1.1.3.5. All items on the Schedule of Values must have a specific completion date on the Construction Schedule, or District has approved the Construction Schedule and the Construction Schedule is fully cost-loaded and resource-loaded, unless waived by the District in writing, and detailed as required by the Contract Documents

10.1.1.3.6. Contractor shall certify that the preliminary schedule of values as submitted to the District is accurate and reflects the costs as developed in preparing Contractor's bid. The preliminary schedule of values shall be subject to the District's review and approval of the form and content thereof. In the event that the District objects to any portion of the preliminary schedule of values, the District shall notify the Contractor, in writing, of the District's objection(s) to the preliminary schedule of values. Within five (5) calendar days of the date of the District's written objection(s), Contractor shall submit a revised preliminary schedule of values to the District for review and approval. The foregoing procedure for the preparation, review and approval of the preliminary schedule of values shall continue until the District has approved the entirety of the preliminary schedule of values.

10.1.1.3.7. Once the preliminary schedule of values is approved by the District, this shall become the Schedule of Values. The Schedule of Values shall not be thereafter modified or amended by the Contractor without the prior written consent and approval of the District, which may be granted or withheld in the sole discretion of the District.

10.1.1.3.8. Notwithstanding any provision of the Contract Documents to the contrary, payment of the Contractor's overhead, supervision, general conditions costs, and profit, as reflected in the Schedule of Values, shall be paid by the District in equal installments, based on percentage complete, with the disbursement of Progress Payments and the Final Payment.

10.1.1.3.9. The Contractor shall not "front-load" the Schedule of Values with false dollar amounts for activities to be performed in the early stages of the Project. The District may, in its sole discretion, utilize the costs listed in the Schedule of Values as the true cost of items to be deducted from the Contract Price through credit or deductive Change Order. The values for each line item shall include the amount of overhead and profit applicable to each item of work and shall include, at a minimum, a breakdown between rough and finish Work for the basic trades as well as individual dollar figures for large dollar equipment and materials to be installed or furnished for the Project. No individual line item or scope of work in the Schedule of Values shall exceed \$50,000, except with the express, written consent of the District. Exceptions will be given by the District for a single item of Equipment for which the true cost exceeds \$50,000. The Schedule of Values shall be subject to the District's review and approval of the form and content thereof. Upon request, Contractor shall provide District with data and documentation substantiating the accuracy of the proposed line items. In the event that the District shall reasonably object to any portion of the Schedule of Values, within ten (10) days of the District's receipt of the Schedule of Values, the District shall notify the Contractor, in writing of the District's objection(s) to the Schedule of Values together with any request for substantiating data

or documentation. Within five (5) days of the date of the District's written objection(s) and request for substantiating data and documentation, Contractor shall submit a revised Schedule of Values to the District for review and approval together with the requested data and documentation. The foregoing procedure for the preparation, review and approval of the Schedule of Values shall continue until the District has approved of the entirety of the Schedule of Values. Once the Schedule of Values is approved by the District, the Schedule of Values shall not be thereafter modified or amended by the Contractor without the prior consent and approval of the District, which may be granted or withheld in the sole reasonable discretion of the District. Notwithstanding any provision of the Contract Documents to the contrary, payment of the Contractor's overhead, supervision and general conditions costs and profit, as such items are reflected in the Schedule of Values, shall be made incrementally as included in the activities included in the Approved Construction Schedule.

10.1.1.4. Safety Plan. The Contractor shall provide a preliminary Contractor's Safety Plan specifically adapted for the Project. Contractor's Safety Plan shall comply with the following requirements:

10.1.1.4.1. All applicable requirements of California Division of Industrial Safety ("CalOSHA") and/or of the United States Occupational Safety and Health Administration ("OSHA").

10.1.1.4.2. All provisions regarding Project safety, including all applicable provisions in these General Conditions.

10.1.1.4.3. Contractor's Safety Plan shall be prepared in both English and in the predominant language(s) of the Contractor's and its Subcontractors' employees.

10.1.1.5. Complete Subcontractor List. Contractor shall provide a preliminary Subcontractor List stating the name, address, telephone number, facsimile number, California State Contractors License number, classification, and monetary value of all Subcontracts for parties furnishing labor, material, or equipment for the Project.

10.1.2. Contractor must provide all schedules both in hard copy and electronically, in a format (e.g., Microsoft Project or Primavera) approved in advance by the District.

10.1.3. The District will review the schedules submitted and the Contractor shall make changes and corrections in the schedules as requested by the District and resubmit the schedules until approved by the District.

10.1.4. The District shall have the right at any time to revise the Schedule of Values if, in the District's sole opinion, the Schedule of Values does not accurately reflect the value of the Work performed.

10.1.5. All submittals and schedules must be approved by the District before Contractor can rely on them as a basis for payment.

10.2. Monthly Progress Schedule(s)

10.2.1. Contractor shall provide Monthly Progress Schedule(s) to the District. A Monthly Progress Schedule shall update the approved Construction Schedule or the last Monthly Progress Schedule, showing all work completed and to be completed. The Monthly Progress Schedule shall be sent to the District and shall be in a format acceptable to the District and contain a written narrative of the progress of work that month and any changes, delays, or events that may affect the work. The process for District approval of the Monthly Progress Schedule shall be the same as the process for approval of the Construction Schedule.

10.2.2. Contractor shall also submit Monthly Progress Schedule(s) with all payment applications.

10.3. Material Safety Data Sheets (MSDS)

Contractor is required to ensure Material Safety Data Sheets are available in a readily accessible place at the Work Site for any material requiring a Material Safety Data Sheet per the Federal "Hazard Communication" standard, or employees right to know law. The Contractor is also required to ensure proper labeling on substances brought onto the Project Site and that any person working with the material or within the general area of the material is informed of the hazards of the substance and follows proper handling and protection procedures. Two additional copies of the Material Safety Data Sheets shall also be submitted directly to the District.

10.4. Logistic Plan

Contractor shall provide a staging and logistics plan identifying laydown areas, loading and unloading areas, crane locations, fence locations, temporary utility connections, trailer locations, and emergency evacuation meeting area. This Logistics Plan must be approved by the District prior to the Contractor mobilizing on the Site.

10.5. Information Included in Submittals.

All Submittals shall be accompanied by a written transmittal and each set of plans shall carry a "wet stamp" or other writing by the Contractor providing an identification of the portion of the Drawings or the Specifications pertaining to the Submittal, with each Submittal numbered consecutively for ease of reference along with the following information: (i) date of submission; (ii) Project name; (iii) name of submitting Subcontractor; and (iv) if applicable, the revision number. The foregoing information is in addition to, and not in lieu of, any other information required for the District's review, evaluation and approval of the Contractor's Submittals. Each Submittal shall be complete with its required number of copies, no piecemeal documentation is allowed. Any Submittal not bearing the required wet stamp as stated herein, shall be rejected until the appropriate wet stamp information is provided on each submittal.

10.6. Verification of Submittal Information.

By approving and submission of Submittals, the Contractor represents to the District and Architect that the Contractor has determined and verified materials, field measurements, field construction criteria, catalog numbers and similar data related thereto and has checked and coordinated the information contained within such Submittals with the requirements of the Work and of the Contract Documents. Each Submittal shall include the following certification duly executed by the Contractor's Superintendent or Project Manager for the Work: "The Contractor has reviewed and approved the field dimensions and construction criteria of the attached Submittal. The Contractor has verified that the Submittal is complete and includes notations of any portion of the Work depicted in the Submittal which is not in strict conformity with the Contract Documents. The information in the attached Submittal has been reviewed and coordinated by the Contractor with information included in other Submittals."

10.7. Contractor Responsibility for Deviations.

The Contractor shall not be relieved of responsibility for correcting deviations from the requirements of the Contract Documents by the District's and Architect's review of Submittals unless the Contractor has specifically informed the District in writing of such deviation at the time of submission of the Submittal and the District has given written approval to the specific deviation. The Contractor shall not be relieved of responsibility for errors or omissions in Submittals by the District's and Architect's review or comments thereon.

10.8. No Performance of Work Without Architect Review.

The Contractor shall perform no portion of the Work requiring the District's and Architect's review of Submittals until the District and Architect have completed their review and returned the Submittal to the Contractor indicating "No Exception Taken" to that Submittal. The Contractor shall not perform any portion of the Work forming a part of a Submittal or which is affected by a related Submittal until the entirety of the Submittal or other related Submittal has been fully processed. All Work shall be in accordance with the final action taken by the District and the Architect review in review of Submittals and other applicable portions of the Contract Documents.

10.9. District and Architect Review of Submittals.

The purpose of the District's and Architect's review of Submittals and the time for the District's and Architect's return of Submittals to the Contractor shall be as set forth elsewhere in the Contract Documents. If the District and/or Architect return a Submittal as rejected or requiring correction(s) with re-submission, the Contractor, so as not to delay the progress of the Work, shall promptly thereafter resubmit a Submittal conforming to the requirements of the Contract Documents; the resubmitted Submittal shall indicate the portions thereof modified in accordance with the District's and Architect's direction. When professional certification of performance criteria of materials, systems or equipment is required by the Contract Documents, the District shall be entitled to rely upon the accuracy and completeness of the Contractor's calculations and certifications accompanying Submittals. The District's and Architect's review of the Submittals is for the limited purposes described in the Contract Documents. The District and Architect will review each Submittal twice. Should additional Submittals be required as a result of failure of the Contractor to address comments, the Contractor will pay for the Architect's services on a time and material basis for each subsequent review.

10.10. Deferred Approval Items.

In the event that any portion of the Work is designated in the Contract Documents as a "Deferred Approval" item from DSA, Contractor shall be solely and exclusively responsible for the preparation of Submittals for such item(s) in a timely manner so as not to delay or hinder the completion of the Work within the Contract Time. All work, labor, materials, equipment or services necessary to complete the design, engineering and permitting/approval of the Deferred Approval items shall be provided by the Contractor without adjustment of the Contract Price or the Contract Time.

10.11. Contractor Responsibility for Deviations

The Contractor shall not be relieved of responsibility for correcting deviations from the requirements of the Contract Documents by the District's or Architect's review of Submittals unless the Contractor has specifically informed the District and the Architect in writing of such deviation at the time of submission of the Submittal and the District and the Architect have given written approval to the specific deviation. The Contractor shall not be relieved of responsibility for errors or omissions in Submittals by the District's or the Architect's review or comments thereon.

11. SITE ACCESS, CONDITIONS AND REQUIREMENTS

11.1. Site Investigation

Before bidding on the Work, Contractor shall make a careful investigation of the Site and thoroughly familiarize itself with the requirements of the Contract. By the act of submitting a bid for the Work included in the Contract, Contractor shall be deemed to have made a complete study and investigation, and to be familiar with and accepted the existing conditions of the Site.

11.2. Soils Investigation Report

11.2.1. When a soils investigation report obtained from test holes at Site is available, that report shall be available to the Contractor but shall not be a part of the Contract. Any information obtained from that report or any information given on Drawings as to subsurface soil condition or to elevations of existing grades or elevations of underlying rock is approximate only, is not guaranteed, does not form a part of the Contract, and Contractor may not rely thereon. By submitting its bid, Contractor acknowledges that it made visual examination of Site and made whatever tests Contractor deems appropriate to determine underground condition of soil.

11.2.2. Contractor agrees that no claim against District will be made by Contractor for damages and hereby waives any rights to damages if, during progress of Work, Contractor encounters subsurface or latent conditions at Site materially differing from those shown on Drawings or indicated in Specifications, or for unknown conditions of an unusual nature that differ materially from those ordinarily encountered in the work of the character provided for in Plans and Specifications, except as indicated in the provisions of these General Conditions regarding trenches, trenching, and/or existing utility lines.

11.3. Access to Work

District and its representatives shall at all times have access to Work wherever it is in preparation or progress, including storage and fabrication. Contractor shall provide safe and proper facilities for access so that District's representatives may perform their functions.

11.4. Layout and Field Engineering

11.4.1. All field engineering required for layout of this Work and establishing grades for earthwork operations shall be furnished by Contractor at its expense. This Work shall be done by a qualified, California-registered civil engineer approved in writing by District and Architect. Any required Record and/or As-Built Drawings of Site development shall be prepared by the approved civil engineer.

11.4.2. Contractor shall be responsible for having ascertained pertinent local conditions such as location, accessibility, and general character of the Site and for having satisfied itself as to the conditions under which the Work is to be performed. District shall not be liable for any claim for allowances because of Contractor's error or negligence in acquainting itself with the conditions at the Site.

11.4.3. Contractor shall protect and preserve established benchmarks and monuments and shall make no changes in locations without the prior written approval of District. Contractor shall replace any benchmarks or monuments that are lost or destroyed subsequent to proper notification of District and with District's approval.

11.5. Utilities for Construction

Utilities necessary to complete the Work and to completely perform all of the Contractors' obligations shall be obtained by the Contractor without adjustment of the Contract Price. The Contractor shall furnish and install necessary or appropriate temporary distributions of utilities, including utilities furnished by the District. Any such temporary distributions shall be removed by the Contractor upon completion of the Work. The costs of all such utility services, including the installation and removal of temporary distributions thereof, shall be borne by the Contractor and included in the Contract Price. Also refer to other utility requirements as indicated in the Specifications.

11.6. Sanitary Facilities

At all times during Work at the Site, the Contractor shall obtain and maintain temporary sanitary facilities in conformity with applicable law, rule or regulation. The Contractor shall maintain temporary sanitary facilities in a neat and clean manner with sufficient toilet room supplies. Personnel engaged in the Work are not permitted to use toilet facilities at the Site. Also refer to other Sanitary facility requirements as

indicated in the Specifications.

11.7. Surveys

Contractor shall provide surveys done by a California-licensed civil engineer surveyor to determine locations of construction, grading, and site work as required to perform the Work.

11.8. Regional Notification Center

Contractor, except in an emergency, shall contact the appropriate regional notification center at least two (2) days prior to commencing any excavation if the excavation will be conducted in an area or in a private easement that is known, or reasonably should be known, to contain subsurface installations other than the underground facilities owned or operated by the District, and obtain an inquiry identification number from that notification center. No excavation shall be commenced and/or carried out by the Contractor unless an inquiry identification number has been assigned to the Contractor or any Subcontractor and the Contractor has given the District the identification number. Any damages arising from Contractor's failure to make appropriate notification shall be at the sole risk and expense of the Contractor. Any delays caused by failure to make appropriate notification shall be at the sole risk of the Contractor and shall not be considered for an extension of the Contract time.

11.9. Existing Utility Lines

11.9.1. Pursuant to Government Code section 4215, District assumes the responsibility for removal, relocation, and protection of main or trunk utility lines and facilities located on the construction Site at the time of commencement of construction under the Contract with respect to any such utility facilities that are not identified in the Plans and Specifications. Contractor shall not be assessed for liquidated damages for delay in completion of the Project caused by failure of District or the owner of a utility to provide for removal or relocation of such utility facilities.

11.9.2. Locations of existing utilities provided by District shall not be considered exact, but approximate within reasonable margin and shall not relieve Contractor of responsibilities to exercise reasonable care nor costs of repair due to Contractor's failure to do so. District shall compensate Contractor for the costs of locating, repairing damage not due to the failure of Contractor to exercise reasonable care, and removing or relocating such utility facilities not indicated in the Plans and Specifications with reasonable accuracy, and for equipment necessarily idle during such work.

11.9.3. No provision herein shall be construed to preclude assessment against Contractor for any other delays in completion of the Work. Nothing in this Article shall be deemed to require District to indicate the presence of existing service laterals, appurtenances, or other utility lines, within the exception of main or trunk utility lines, whenever the presence of these utilities on the Site can be inferred from the presence of other visible facilities, such as buildings, meter junction boxes, on or adjacent to the Site.

11.9.4. If Contractor, while performing Work, discovers utility facilities not identified by District in Contract Plans and Specifications, Contractor shall immediately, but in no case longer than two (2) Business Days, notify the District and the utility in writing. The cost of repair for damage to above-mentioned visible facilities without prior written notification to the District shall be borne by the Contractor.

11.10. Notification

Contractor understands, acknowledges and agrees that the purpose for prompt notification to the District pursuant to these provisions is to allow the District to investigate the condition(s) so that the District shall have the opportunity to decide how the District desires to proceed as a result of the condition(s). Accordingly, failure of Contractor to promptly notify the District in writing, pursuant to the applicable

provisions of these General Conditions, shall constitute Contractor's waiver of any claim for damages or delay incurred as a result of the condition(s).

11.11. Hazardous Materials

Contractor shall comply with all provisions and requirements of the Contract Documents related to hazardous materials including, without limitation, certifications related to hazardous materials in the document entitled Certifications to be Completed by Contractor.

11.12. No Signs

Neither the Contractor nor any other person or entity shall display any signs not required by law or the Contract Documents at the Site, fences trailers, offices, or elsewhere on the Site without specific prior written approval of the District.

12. TRENCHES

12.1. Trenches Greater Than Five Feet

Pursuant to Labor Code section 6705, if the Contract Price exceeds \$25,000 and involves the excavation of any trench or trenches five (5) feet or more in depth, the Contractor shall, in advance of excavation, promptly submit to the District and/or a registered civil or structural engineer employed by the District or Architect, a detailed plan showing the design of shoring for protection from the hazard of caving ground during the excavation of such trench or trenches.

12.2. Excavation Safety

If such plan varies from the Shoring System Standards established by the Construction Safety Orders, the plan shall be prepared by a registered civil or structural engineer, but in no case shall such plan be less effective than that required by the Construction Safety Orders. No excavation of such trench or trenches shall be commenced until said plan has been accepted by the District or by the person to whom authority to accept has been delegated by the District.

12.3. No Tort Liability of District

Pursuant to Labor Code section 6705, nothing in this Article shall impose tort liability upon the District or any of its employees.

12.4. No Excavation without Permits

The Contractor shall not commence any excavation Work until it has secured all necessary permits including the required CAL OSHA excavation/shoring permit. Any permits shall be prominently displayed on the Site prior to the commencement of any excavation.

12.5. Discovery of Hazardous Waste, Unusual Conditions and/or Unforeseen Conditions

12.5.1. Pursuant to Public Contract Code section 7104, if the Work involves digging trenches or other excavations that extend deeper than four (4) feet below the surface, the Contractor shall immediately, but in no case longer than two (2) Business Days, and before the following conditions are disturbed, notify the District, in writing, of any:

12.5.1.1. Material that the Contractor believes may be material that is hazardous waste, as defined in section 25117 of the Health and Safety Code, and requires removal to a Class I, Class II, or Class III disposal site in accordance with provisions of existing law.

12.5.1.2. Subsurface or latent physical conditions at the Site differing from those indicated.

12.5.1.3. Unknown physical conditions at the Site of any unusual nature, different materially from those ordinarily encountered and generally recognized as inherent in work of the character provided for in the Contract.

12.5.2. The District shall promptly investigate the conditions, and if it finds that the conditions do materially so differ, or do involve hazardous waste, and cause a decrease or increase in the Contractor's cost of, or the time required for, performance of any part of the Work, shall issue a Change Order under the procedures described herein.

12.5.3. In the event that a dispute arises between District and the Contractor whether the conditions materially differ, or involve hazardous waste, or cause a decrease or increase in the Contractor's cost of, or time required for, performance of any part of the Work, the Contractor shall not be excused from any scheduled Completion date provided for by the Contract, but shall proceed with all work to be performed under the Contract. The Contractor shall retain any and all rights provided by the Contract or by law that pertain to the resolution of disputes and protests, which include the requirement that Contractor complies with the notice and PCO provisions of the Contract Documents. Contractor's failure to submit a proposed change order pursuant to the terms of the Contract Documents shall be deemed a waiver of Contractor's right to an adjustment of the Contract Price of Contract Time.

13. INSURANCE AND BONDS

13.1. Insurance

Unless different provisions and/or limits are indicated in the Special Conditions, all insurance required of Contractor and/or its Subcontractor(s) shall be in the amounts indicated herein and include the provisions set forth herein.

13.1.1. Commercial General Liability and Automobile Liability Insurance

13.1.1.1. Contractor shall procure and maintain, during the life of the Contract, Commercial General Liability Insurance and Automobile Liability Insurance that shall protect Contractor, District, State, Construction Manager(s), Project Inspector(s), and Architect(s) from all claims for bodily injury, property damage, personal injury, death, advertising injury, and medical payments arising from operations under the Contract. This coverage shall be provided in a form at least as broad as the Insurance Services Office (ISO) standard form. Contractor shall ensure that Products Liability and Completed Operations coverage, Fire Damage Liability, and any Auto including owned, non-owned, and hired, are included within the above policies and at the required limits, or Contractor shall procure and maintain these coverages separately.

13.1.1.2. Contractor's deductible or self-insured retention for its Commercial General Liability Insurance policy shall not exceed \$25,000 unless approved in writing by District.

13.1.2. Umbrella Liability Insurance

13.1.2.1. Contractor shall procure and maintain, during the life of the Contract, an Excess Liability and/or Umbrella Liability Insurance Policy. Any Umbrella Liability Insurance Policy shall protect Contractor, District, State, Construction Manager(s), Project Manager(s), and Architect(s) in the amounts indicated herein, and shall comply with all requirements for Commercial General Liability and Automobile Liability and Employers' Liability Insurance. This coverage shall be provided in a form at least as broad as the Insurance Services Office (ISO) standard form.

13.1.2.2. There shall be no gap between the per occurrence amount of any underlying policy and

the start of the coverage under the Umbrella Liability Insurance Policy.

13.1.2.3. Whether this Excess Liability and/or Umbrella Liability Insurance Policy is written on a “follow form” or “stand alone” form, the coverages shall equal or greater than the Contractor’s Commercial General Liability and Automobile Liability and Employers’ Liability Insurance with no exclusions that reduce or eliminate coverage items.

13.1.3. Subcontractor(s): Contractor shall require its Subcontractor(s), if any, to procure and maintain Commercial General Liability Insurance, Automobile Liability Insurance, and Umbrella Liability Insurance with minimum limits equal to at least fifty percent (50%) of the amounts required of the Contractor.

13.1.4. Workers’ Compensation and Employers’ Liability Insurance

13.1.4.1. In accordance with provisions of section 3700 of the California Labor Code, the Contractor and every Subcontractor shall be required to secure the payment of compensation to its employees.

13.1.4.2. Contractor shall procure and maintain, during the life of this Contract, Workers’ Compensation Insurance and Employers’ Liability Insurance for all of its employees engaged in Work under the Contract, on/or at the Site of the Project. This coverage shall cover, at a minimum, medical and surgical treatment, disability benefits, rehabilitation therapy, and survivors’ death benefits. Contractor shall require its Subcontractor(s), if any, to procure and maintain Workers’ Compensation Insurance and Employers’ Liability Insurance for all employees of Subcontractor(s). Any class of employee or employees not covered by a Subcontractor’s insurance shall be covered by Contractor’s insurance. If any class of employee or employees engaged in Work under the Contract, on or at the Site of the Project, are not protected under the Workers’ Compensation Insurance, Contractor shall provide, or shall cause a Subcontractor to provide, adequate insurance coverage for the protection of any employee(s) not otherwise protected before any of those employee(s) commence work.

13.1.5. Builder’s Risk Insurance: Builder’s Risk “All Risk” Insurance.

Contractor shall procure and maintain, during the life of this Contract, Builder’s Risk (Course of Construction), or similar first party property coverage acceptable to the District, issued on a replacement cost value basis. The cost shall be consistent with the total replacement cost of all insurable Work included within the Contract Documents. Coverage is to insure against all risks of accidental physical loss and shall include without limitation the perils of vandalism and/or malicious mischief (both without any limitation regarding vacancy or occupancy), sprinkler leakage, water damage, mold, civil authority, theft, sonic disturbance, earthquake, flood, collapse, wind, fire, war, terrorism, lightning, smoke, and rioting. Coverage shall include debris removal, demolition, increased costs due to enforcement of all applicable ordinances and/or laws in the repair and replacement of damaged and undamaged portions of the property, and reasonable costs for the Architect’s and engineering services and expenses required as a result of any insured loss upon the Work and Project, including completed Work and Work in progress, to the full insurable value thereof. Contractor must review the **Special Conditions** to confirm the scope of this requirement and if the District has modified this provision.

13.1.6. Proof of Carriage of Insurance and Other Requirements: Endorsements and Certificates

13.1.6.1. Contractor shall not commence Work nor shall it allow any Subcontractor to commence Work under the Contract, until Contractor and its Subcontractor(s) have procured all required insurance and Contractor has delivered in duplicate to the District complete endorsements (or entire insurance policies) and certificates indicating the required coverages have been obtained, and the District has approved these documents.

13.1.6.2. Endorsements, certificates, and insurance policies shall include the following:

13.1.6.2.1. A clause stating:

13.1.6.2.1.1. “This policy shall not be amended, canceled or modified and the coverage amounts shall not be reduced until notice has been mailed to District, Architect, and Construction Manager stating date of amendment, modification, cancellation or reduction. Date of amendment, modification, cancellation or reduction may not be less than thirty (30) days after date of mailing notice.”

13.1.6.2.1.2. In lieu of receiving an endorsement with this clause, the District may, at its sole discretion, accept written notification from Contractor and its insurer to the District of any amendments, modifications, cancellations or reduction in coverage, not less than thirty (30) days prior to such coverage changes occur.

13.1.6.2.2. Language stating in particular those insured, extent of insurance, location and operation to which insurance applies, expiration date, to whom cancellation and reduction notice will be sent, and length of notice period.

13.1.6.3. All endorsements, certificates and insurance policies shall state that District, its trustees, employees and agents, the State of California, Construction Manager(s), Project Manager(s), Inspector(s) and Architect(s) are named additional insureds under all policies except Workers’ Compensation Insurance and Employers’ Liability Insurance.

13.1.6.4. Contractor’s and Subcontractors’ insurance policy(s) shall be primary and non-contributory to any insurance or self-insurance maintained by District, its trustees, employees and/or agents, the State of California, Construction Manager(s), Project Manager(s), Inspector(s), and/or Architect(s).

13.1.6.5. All endorsements shall waive any right to subrogation against any of the named additional insureds.

13.1.6.6. All policies shall be written on an occurrence form.

13.1.6.7. Unless otherwise stated in the Special Conditions, all of Contractor’s insurance shall be placed with insurers **ADMITTED** in California with a current A.M. Best’s rating of no less than **A-** or **A:VII**.

13.1.6.8. The insurance requirements set forth herein shall in no way limit the Contractor’s liability arising out or relating to the performance of the Work or related activities.

13.1.6.9. Failure of Contractor and/or its Subcontractor(s) to comply with the insurance requirements herein shall be deemed a material breach of the Agreement.

13.1.7. Insurance Policy Limits

Unless different limits are indicated in the **Special Conditions**, the limits of insurance shall not be less than the following amounts:

Commercial General Liability	Includes: Personal & Advertising Injury, Product Liability and Completed Operations	\$2,000,000 each occurrence; \$4,000,000 general aggregate
Automobile Liability – <u>Any Auto</u>	Combined Single Limit	\$2,000,000 per occurrence
Excess Liability (Umbrella)		\$6,000,000 per occurrence;

		\$6,000,000 aggregate
Workers Compensation		Statutory limits pursuant to State law
Employers' Liability		\$2,000,000 each accident, each disease; \$2,000,000 policy limit
Builder's Risk (Course of Construction)		Issued for the value and scope of Work indicated herein.
Property of Others	Combined Single Limit General Aggregate	Issued for the value and scope of Work stored off-site.

13.2. Contract Security – Bonds

13.2.1. Contractor shall furnish two surety bonds issued by a California admitted surety insurer as follows:

13.2.1.1. Performance Bond: A bond in an amount at least equal to one hundred percent (100%) of Contract Price as security for faithful performance of this Contract.

13.2.1.2. Payment Bond: A bond in an amount at least equal to one hundred percent (100%) of the Contract Price as security for payment of persons performing labor and/or furnishing materials in connection with the Contract.

13.2.2. Cost of bonds shall be included in the Bid and Contract Price.

13.2.3. All bonds related to the Project shall be in the forms set forth in the Contract Documents and shall comply with all requirements of the Contract Documents, including, without limitation, the bond forms.

14. WARRANTY/GUARANTEE/INDEMNITY

14.1. Warranty/Guarantee

14.1.1. Contractor shall obtain and preserve for the benefit of the District, manufacturer's warranties on materials, fixtures, and equipment incorporated into the Work.

14.1.2. In addition to guarantees required elsewhere, Contractor shall, and hereby does guarantee and warrant all Work against all defects for a period of **ONE (1)** year after the later of the following dates:

14.1.2.1. The date of completion as defined in Public Contract Code section 7107, subdivision (c),

14.1.2.2. The commissioning date for the Project, if any.

14.1.3. At the District's sole option, Contractor shall repair or replace any and all of that Work, together with any other Work that may be displaced in so doing, that may prove defective in workmanship and/or materials within a **ONE (1)** year period from date of Completion as defined above without expense whatsoever to District. In the event of failure of Contractor and/or Surety to commence and pursue with diligence said replacements or repairs within **TEN (10)** days after being notified in writing, Contractor and Surety hereby acknowledge and agree that District is authorized to proceed to have defects repaired and made good at expense of Contractor and/or Surety who hereby agree to pay costs and charges therefore immediately on demand.

14.1.4. If, in the opinion of District, defective work creates a dangerous condition or requires immediate

correction or attention to prevent further loss to District or to prevent interruption of operations of District, District will attempt to give the notice required above. If Contractor or Surety cannot be contacted or neither complies with District's request for correction within a reasonable time as determined by District, District may, notwithstanding the above provision, proceed to make all corrections and/or provide attentions the District believes are necessary. The costs of correction or attention shall be charged against Contractor and Surety of the guarantees provided in this Article or elsewhere in the Contract Documents.

14.1.5. The above provisions do not in any way limit the guarantees on any items for which a longer guarantee is specified or on any items for which a manufacturer gives a guarantee for a longer period. Contractor shall furnish to District all appropriate guarantee or warranty certificates as indicated in the Specifications or upon request by District.

14.1.6. Nothing herein shall limit any other rights or remedies available to District.

14.2. Indemnity

14.2.1. To the furthest extent permitted by California law, Contractor shall indemnify, defend with legal counsel reasonably acceptable to the District, keep and hold harmless the District and its consultants, the Architect and its consultants, the Construction Manager and its consultants, separate contractors, and their respective board members, officers, representatives, contractors, agents, and employees, in both individual and official capacities ("Indemnitees"), against all suits, claims, damages, losses, and expenses, including but not limited to attorney's fees, caused by, arising out of, resulting from, or incidental to, the performance of the Work by Contractor, its Subcontractors, vendors, or suppliers, including, without limitation, any such suit, claim, damage, loss, or expense attributable to, without limitation, bodily injury, sickness, disease, death, alleged patent violation or copyright infringement, or to injury to or destruction of tangible property (including damage to the Work itself) including the loss of use resulting therefrom, except to the extent caused by the sole negligence, active negligence, or willful misconduct of the Indemnitees, and/or to any extent that would render these provisions void or unenforceable. This agreement and obligation of Contractor shall not be construed to negate, abridge, or otherwise reduce any right or obligation of indemnity that would otherwise exist as to any party or person described herein. This indemnification, defense, and hold harmless obligation includes any failure or alleged failure by Contractor to comply with any provision of law, any failure or alleged failure to timely and properly fulfill all of its obligations under the Contract Documents in strict accordance with their terms, and without limitation, any stop payment notice actions or liens, including liens by the California Department of Labor Standards Enforcement.

14.2.2. Contractor shall give prompt notice to the District in the event of any injury (including death), loss, or damage included herein. Without limitation of the provisions herein, if Contractor's agreement to indemnify, defend, and hold harmless the Indemnitees as provided herein against liability for damage arising out of bodily injury to persons or damage to property caused by or resulting from the negligence of any of the Indemnitees shall to any extent be or be determined to be void or unenforceable, it is the intention of the parties that these circumstances shall not otherwise affect the validity or enforceability of Contractor's agreement to indemnify, defend, and hold harmless the rest of the Indemnitees, as provided herein, and in the case of any such suits, claims, damages, losses, or expenses caused in part by the default, negligence, or act or omission of Contractor, any Subcontractor, anyone directly or indirectly employed by any of them or anyone for whose acts any of them may be liable, and in part by any of the Indemnitees, Contractor shall be and remain fully liable on its agreements and obligations herein to the full extent permitted by law.

14.2.3. In any and all claims against any of the Indemnitees by any employee of Contractor, any Subcontractor, anyone directly or indirectly employed by any of them or anyone for whose acts any of them may be liable, Contractor's indemnification obligation herein shall not be limited in any way by any limitation on the amount or type of damages, compensation, or benefits payable by or for Contractor or

any Subcontractor under workers' compensation acts, disability benefit acts, or other employee benefit acts.

14.2.4. The defense and indemnification obligations hereunder shall survive the Completion of Work, including the warranty/guarantee period, and/or the termination of the Agreement.

15. TIME

15.1. Notice to Proceed

District may issue a Notice to Proceed as indicated in the Instructions to Bidders.

15.2. Hours of Work

Work shall be performed during regular working hours as permitted by the appropriate governmental agency except that in the event of an emergency, or when required to complete the Work in accordance with job progress, Work may be performed outside of regular working hours with the advance written consent of the District and approval of any required governmental agencies. Contractor and Subcontractors shall continuously furnish sufficient forces to ensure the performance of the Work in accordance with the Construction Schedule.

15.3. Progress and Completion

15.3.1. Time of the Essence

Time limits stated in the Contract Documents are of the essence to the Contract. By executing the Agreement, Contractor confirms that the Contract Time is a reasonable period for performing the Work.

15.3.2. No Commencement Without Insurance

15.3.2.1. Contractor shall not commence operations on the Project or elsewhere prior to the effective date of insurance and bonds. The date of commencement of the Work shall not be changed by the effective date of such insurance. If Contractor commences Work without insurance and bonds, all Work is performed at Contractor's peril and shall not be compensable until and unless Contractor secures bonds and insurance pursuant to the terms of the Contract Documents and subject to District's claim for damages.

15.4. Schedule

Contractor shall provide to District, Construction Manager, and Architect a schedule in conformance with the Contract Documents and as required in the Notice to Proceed and the Contractor's Submittals and Schedules section of these General Conditions.

15.5. Expeditious Completion

The Contractor shall proceed expeditiously with adequate forces and shall achieve Completion within the Contract Time.

16. EXTENSIONS OF TIME –

16.1. Contractor's Notice of Delay

16.1.1. In addition to the requirements indicated in this subsection, Contractor shall submit any request for an adjustment of the Contract Price or the Contract Time through the Change Order provisions in

these General Conditions.

16.1.2. Contractor shall, within **FIVE (5)** calendar days of any delay impacting the critical path in completing the Work, notify District in writing of the causes of the delay including documentation and facts explaining the delay.

16.1.3. Any request by Contractor for an adjustment of the Contract Price or the Contract Time for a delay shall be submitted in accordance with the provisions in the Contract Documents governing changes in Work. When requesting time, requests must be submitted with full justification and documentation. Such justification must be based on the official Construction Schedule as updated at the time of occurrence of the delay or execution of Work related to any changes to the Scope of Work.

16.1.4. Any claim for delay must include the following information as support, without limitation:

16.1.4.1. Duration. The duration of the activity relating to the changes in the Work and the resources (manpower, equipment, material, etc.) required to perform the activities within the stated duration.

16.1.4.2. Logical Ties / Fragnets. Specific logical ties to the Contract Schedule for the proposed changes and/or delay showing the activity/activities in the Construction Schedule that are affected by the change and/or delay. (A portion of any delay of seven (7) days or more must be provided.) Include a "fragnet" analysis for the portion of the schedule and the activities the Contractor contends are impacted by the delay.

16.1.4.3. Updated Construction Schedule. A recovery or updated Construction Schedule must be submitted.

16.1.5. District shall review the facts and extent of any noticed delay and may grant Contract Time extension(s) of time for completing Work when, in the District's judgment, the findings of fact justify an extension.

16.1.6. Extension(s) of time shall apply only to that portion of Work affected by delay, and shall not apply to other portions of Work not so affected.

16.1.7. An extension of time may only be granted if Contractor has timely submitted the updated Construction Schedule as required herein.

16.1.8. Following submission of a notice of delay, the District may determine whether the delay is to be considered:

16.1.8.1. Excusable and Compensable, Excusable and Non-Compensable, or Unexcused;

16.1.8.2. How long the delay continues; and

16.1.8.3. To what extent the prosecution and Completion of the Work might be delayed thereby.

16.1.9. Contractor's failure to request adjustment(s) of the Contract Time in strict conformity with applicable provisions of the Contract Documents shall be deemed Contractor's waiver of its right to assert a claim for a delay.

16.1.10. Limitations Upon Adjustment of Contract Time on Account of Delays. Any adjustment of the Contract Time on account of an Excusable Delay or a Compensable Delay shall be limited as set forth herein. No adjustment of the Contract Time shall be made on account of any Excusable Delays or Compensable Delays unless those delay(s) actually and directly impact Work or Work activities on the

critical path of the then current and updated approved Construction Schedule as of the date on which a delay first occurs. The District shall not be deemed in breach of, or otherwise in default of any obligation hereunder, if the District shall deny a request by the Contractor for an adjustment of the Contract Time for any delay that does not actually and directly impact Work on the then current and updated approved Construction Schedule. In submitting a request for an adjustment of Contract Time, and as a condition precedent to the District's review of that request, Contractor shall insert into the then current and updated approved Construction Schedule a "fragnet" analysis representing the event that Contractor claims to result in delay to the critical path as depicted in the updated approved Construction Schedule. If an Excusable Delay and a Compensable Delay occur concurrently, the maximum extension of the Contract Time shall be the number of days from the commencement of the first delay to the cessation of the delay that ends last. If an Unexcused Delay occurs concurrently with either an Excusable Delay or a Compensable Delay, the maximum extension of the Contract Time shall be the number of days, if any, which the Excusable Delay or the Compensable Delay exceeds the period of time of the Unexcused Delay.

16.2. Excusable and Compensable Delay(s)

16.2.1. Contractor is **not** entitled to additional compensation for any delay, even a delay caused by Adverse Weather or an Excusable Delay, unless **all** of the following conditions are met:

16.2.1.1. The District is responsible for the delay;

16.2.1.2. The delay is unreasonable under the circumstances involved and impacts the critical path of the Work and extends the most current Contract Completion date;

16.2.1.3. The delay was not within the contemplation of District and Contractor;

16.2.1.4. Contractor complies with the Change Order procedures, and if necessary, the Claims procedures of the Contract Documents;

16.2.1.5. The delay could not have been avoided or mitigated by the Contractor's care, prudence, foresight, and diligence;

16.2.1.6. The delay extends the most current Contract Completion date; and

16.2.1.7. The delay is not concurrent with a Contractor-caused delay or other type of Excusable Delay.

16.2.2. In accordance with California Public Contract Code section 7102, if the Contractor's progress is delayed by the events described in the preceding subsection, Contractor shall not be precluded from the recovery of damages directly and proximately resulting therefrom. In that event, Contractor's damages, if any, shall be limited to direct, actual and unavoidable additional costs of labor, materials or construction equipment directly resulting from that delay, and shall exclude special, indirect or consequential damages. In no event shall Contractor seek costs or damages for delays, interruptions, hindrances or disruptions to the Work for on-Site or off-Site costs or damages based upon formulas, e.g. Eichleay or other formula. Except as expressly provided for herein, Contractor shall not have any other claim, demand or right to adjustment of the Contract Price arising out of delay, interruption, hindrance or disruption to the progress of the Work. Adjustments to the Contract Price and the Contract Time, if any, on account of Changes to the Work or Suspension of the Work shall be governed by the applicable provisions of the Contract Documents, including without limitation, the "Changes in the Work" section and the percentages in the "Format for Proposed Change" section of these General Conditions.

16.3. Excusable and Non-Compensable Delay(s)

16.3.1. An "Excusable Delay" shall mean an interruption of the Work beyond the reasonable control of

the Contractor and that:

16.3.1.1. Could have not been avoided by the Contractor exercising care, prudence, foresight, and diligence, and

16.3.1.2. Actually extended the most current Project Completion date.

16.3.2. The Contractor may be entitled to an extension of the Project Completion date if there is an Excusable Delay, but the Contractor shall not be entitled to additional compensation for an Excusable Delay.

16.3.3. Excusable Delays are limited to interruptions that satisfy the above requirements and that are acts of God; acts of a public enemy; fires; floods; windstorms; tornadoes; earthquakes; wars; riots; insurrections; epidemics; quarantine restrictions; strikes; lockouts; fuel shortages; freight embargoes; and Adverse Weather that satisfies the requirements herein.

16.3.4. Contractor is aware that governmental agencies and utilities, including, without limitation, the Division of the State Architect, the Department of General Services, gas companies, electrical utility companies, water districts, and other agencies may have to approve Contractor-prepared drawings or approve a proposed installation. Contractor shall include in its bid, time for possible review of its drawings and for reasonable delays and damages that may be caused by such agencies. Contractor is not entitled to make a claim for damages or delays or an Excusable Delay arising from the review of Contractor's drawings or other approvals from the Division of the State Architect, the Department of General Services, gas companies, electrical utility companies, water districts, and other agencies.

16.3.5. Neither the financial resources of the Contractor or any person or entity directly or indirectly engaged by the Contractor in performance of any portion of the Work shall be deemed conditions beyond the control of the Contractor. If an event of Excusable Delay occurs, the Contract Time shall be subject to adjustment hereunder only if the Contractor establishes: (i) full compliance with all applicable provisions of the Contract Documents relative to the method, manner and time for Contractor's notice and request for adjustment of the Contract Time; (ii) that the event(s) forming the basis for Contractor's request to adjust the Contract Time are outside the reasonable control and without any fault or neglect of the Contractor or any person or entity directly or indirectly engaged by Contractor in performance of any portion of the Work; and (iii) that the event(s) forming the basis for Contractor's request to adjust the Contract Time directly and adversely impacted the critical path of the Work as indicated in the approved Construction Schedule or the most recent updated approved Construction Schedule relative to the date(s) of the claimed event(s) of Excusable Delay.

16.3.6. Computation of Time / Adverse Weather

16.3.6.1. The Contractor will only be allowed a time extension for Adverse Weather conditions if requested by Contractor within five (5) calendar days of the Adverse Weather event, and only if all of the following conditions are met – thereby making the resulting delay an Excusable Delay.

16.3.6.1.1. The weather conditions constitute Adverse Weather, as defined herein and further specified in the Special Conditions;

16.3.6.1.2. Contractor can verify that the Adverse Weather caused delays in excess of five (5) hours of the indicated labor required to complete the scheduled tasks of Work on the day affected by the Adverse Weather;

16.3.6.1.3. The Contractor's crew is dismissed as a result of the Adverse Weather; and

16.3.6.1.4. The number of days of delay for the month exceed those indicated in the

Special Conditions.

16.3.6.2. A day-for-day extension will only be allowed for those days in excess of those indicated in the Special Conditions.

16.3.6.3. The Contractor shall work seven (7) days per week, if necessary, irrespective of inclement weather, to maintain access and the Construction Schedule, and to protect the Work under construction from the effects of Adverse Weather, all at no further cost to the District.

16.3.6.4. The Contract Time has been determined with consideration given to the average climate weather conditions prevailing in the County in which the Project is located.

16.4. Unexcused Delay(s) – Liquidated Damages

16.4.1. Unexcused Delays refer to any delay to the progress of the Work caused by events or factors other than those specifically identified in the “Excusable and Compensable Delay(s)” or the “Excusable and Non-Compensable Delay(s)” sections above. Neither the Contract Price nor the Contract Time shall be adjusted on account of Unexcused Delays.

16.4.2. Contractor and District hereby agree that the exact amount of damages for failure to complete the Work within the time specified is extremely difficult or impossible to determine. If the Work is not completed within the time specified in the Contract Documents, it is understood that the District will suffer damage. It being impractical and unfeasible to determine the amount of actual damage, it is agreed the Contractor shall forfeit and pay to District as fixed and liquidated damages, and not as a penalty, the amount set forth in the Agreement for each calendar day of delay in Completion. Contractor and its Surety shall be liable for the amount thereof pursuant to Government Code section 53069.85.

16.4.3. Contractor shall not forfeit or pay liquidated damages for an Excusable Delay or an Excusable and Compensable Delay.

17. CHANGES IN THE WORK

17.1. No Changes Without Authorization

17.1.1. There shall be no change whatsoever in the Drawings, Specifications, or in the Work without an executed Change Order, a written Unilateral Change Order, or a written Force Account Directive authorized by the District as herein provided. District shall not be liable for the cost of any extra work, any changes to the Contract Time, or any substitutions, changes, additions, omissions, or deviations from the Drawings and Specifications unless the District's governing board has authorized the same and the cost thereof has been approved in writing by an executed Change Order, a written Unilateral Change Order, or a written Force Account Directive.

17.1.2. Verbal Order of Change in the Work. Any verbal order, direction, instruction, interpretation, or determination from the District, the Project Inspector or the Architect which in the opinion of the Contractor causes any change to the scope of the Work, or otherwise requires an adjustment to the Contract Price or the Contract Time, shall be treated as a Change only if the Contractor gives the Architect written notice within three (3) Business Days of the order, directions, instructions, interpretation or determination and prior to acting in accordance therewith. Time is of the essence in Contractor's written notice pursuant to the preceding sentence so that the District can promptly investigate and consider alternative measures to address the order, direction, instruction, interpretation or determination giving rise to Contractor's notice. Accordingly, Contractor acknowledges that its failure, for any reason, to give written notice within three (3) Business Days of any verbal order, direction, instruction, interpretation or determination shall be deemed Contractor's waiver of any right to assert or claim any entitlement to an adjustment of the Contract Time or the Contract Price on account of that verbal order, direction,

instruction, interpretation or determination. The written notice shall state the date, circumstances, extent of adjustment to the Contract Price or the Contract Time, if any, requested, and the source of the verbal order, directions, instructions, interpretation or determination that the Contractor regards as a Change. Unless the Contractor acts in strict accordance with this procedure, any verbal order, direction, instruction, interpretation or determination shall not be treated as a Change and the Contractor hereby waives any claim for any adjustment to the Contract Price or the Contract Time on account thereof.

17.1.3. The Surety, in executing and providing the Performance Bond and the Payment Bond, shall be deemed to have expressly agreed to any change to the Contract and to any extension of time made by reason thereof.

17.1.4. No extension of time for performance of the Work shall be allowed hereunder unless claim for such extension is made at the time changes in the Work are ordered, and such time duly adjusted in writing in the Change Order, Unilateral Change Order, or Force Account Directive. The provisions of the Contract Documents shall apply to all such changes, additions, and omissions with the same effect as if originally embodied in the Drawings and Specifications.

17.1.5. Contractor shall perform immediately all work that has been authorized by a fully executed Change Order, Unilateral Change Order, or Force Account Directive. Contractor shall be fully responsible for any and all delays and/or expenses caused by Contractor's failure to expeditiously perform this Work and Contractor's failure or refusal to so proceed with that Work may be deemed to be Contractor's default of a material obligation of the Contractor under the Contract Documents.

17.1.6. Should any Change Order result in an increase in the Contract Price, the cost of that Change Order shall be agreed to, in writing, in advance by Contractor and District and be subject to the monetary limitations set forth in Public Contract Code section 20118.4. In the event that Contractor proceeds with any change in Work without a Change Order executed by the District, Unilateral Change Order, or Force Account Directive, Contractor waives any claim of additional compensation or time for that additional work.

17.1.7. Contractor understands, acknowledges, and agrees that the reason for District authorization is so that District may have an opportunity to analyze the Work and decide whether the District shall proceed with the Change Order or alter the Project so that a change in Work becomes unnecessary.

17.1.8. In an emergency affecting safety of life or of work or of adjoining property, Contractor, without special instruction or authorization, shall act, at its discretion, to prevent all threatened loss or injury. Any compensation or time claimed by Contractor on account of emergency work shall be determined as indicated herein as a PCO.

17.1.9. No payments will be made, nor will District accept proposed change orders until the Contractor has complied with all the requirements of the Escrow of Bid Documentation document (if applicable).

17.2. Architect Authority

The Architect will have authority to order minor changes in the Work not involving any adjustment in the Contract Price, or an extension of the Contract Time, or a change that is inconsistent with the intent of the Contract Documents. These changes shall be effected by written Change Order, Unilateral Change Order, or by Architect's response(s) to RFI(s).

17.3. Change Orders

17.3.1. A Change Order is a written instrument prepared and issued by the District and/or the Architect and signed by the District (as authorized by the District's governing board), the Contractor, the Architect, and approved by the Project Inspector (if necessary) and DSA (if necessary), stating their agreement

regarding all of the following:

- 17.3.1.1. A description of a change in the Work;
- 17.3.1.2. The amount of the adjustment in the Contract Price, if any; and
- 17.3.1.3. The extent of the adjustment in the Contract Time, if any.

17.3.2. If a Change Order is required to be approved by DSA, the District may call it a Construction Change Document.

17.3.3. If the District approves of a Change, the District or the Architect shall provide a written Change Order to the Contractor describing the Change and setting forth the adjustment to the Contract Time and the Contract Price, if any, on account of that Change. All Change Orders shall be full payment and final settlement of all rights for direct, indirect and consequential costs, including without limitation, costs of delays or impacts related to, or arising out of, items covered and affected by the Change Order, as well as any adjustments to the Contract Time. Any demand or request for an adjustment to the Contract Time or the Contract Price relating to any Change incorporated into a Change Order not presented by the Contractor for inclusion in the Change Order shall be deemed waived. The Contractor shall execute the Change Order prepared pursuant to the foregoing. After the Change Order has been prepared and forwarded to the Contractor for execution, the Contractor shall not modify or amend the form or content of such Change Order, or any portion thereof.

17.4. Unilateral Change Orders

17.4.1. A Unilateral Change Order is a written order prepared and issued by the District, the Construction Manager, and/or the Architect and signed by the District and the Architect, directing a change in the Work. The District may as provided by law, by Unilateral Change Order and without invalidating the Contract, order changes in the Work consisting of additions, deletions, or other revisions. Any dispute as to the sum of the Unilateral Change Order or timing of payment shall be resolved pursuant to the Payment provisions and the Claims and Disputes provisions herein. **A Unilateral Change Order is NOT a Construction Change Document (which is defined above as a Change Order that DSA must approve).**

17.4.2. The District may issue a Unilateral Change Order in the absence of agreement on the terms of a Change Order.

17.5. Force Account Directives

17.5.1. When work, for which a definite price has not been agreed upon in advance, is to be paid for on a force account basis, all direct costs necessarily incurred and paid by the Contractor for labor, material, and equipment used in the performance of that Work, shall be subject to the approval of the District and compensation will be determined as set forth herein.

17.5.2. District will issue a Force Account Directive to proceed with the Work on a force account basis, and a not-to-exceed budget will be established by District.

17.5.3. All requirements regarding direct cost for labor, labor burden, material, equipment, and markups on direct costs for overhead and profit described in this section shall apply to Force Account Directives. However, District will only pay for actual costs verified in the field by the District or its authorized representative(s) on a daily basis.

17.5.4. Contractor shall be responsible for all cost related to the administration of Force Account Directive. The markup for overhead and profit for Contractor modifications shall be full compensation to

the Contractor to administer Force Account Directive.

17.5.5. Contractor shall notify District or its authorized representative(s) at least twenty-four (24) hours prior to proceeding with any of the force account work. Furthermore, the Contractor shall notify the District when it has consumed eighty percent (80%) of the budget, and shall not exceed the budget unless specifically authorized in writing by the District. Contractor will not be compensated for force account work in the event that Contractor fails to timely notify the District regarding the commencement of force account work, or exceeding the force account budget.

17.5.6. Contractor shall diligently proceed with the work, and on a daily basis, submit a daily force account report on a form supplied by the District no later than 5:00 p.m. each day. The report shall contain a detailed itemization of the daily labor, material, and equipment used on the force account work only. The names of the individuals performing the force account work shall be included on the daily force account reports. The type and model of equipment shall be identified and listed. District will review the information contained in the reports, and sign the reports no later than the next work day, and return a copy of the report to Contractor for its records. District will not sign, nor will Contractor receive compensation for work District cannot verify. Contractor will provide a weekly force account summary indicating the status of each Force Account Directive in terms of percent complete of the not-to-exceed budget and the estimated percent complete of the work.

17.5.7. In the event Contractor and District reach a written agreement on a set cost for the work while the work is proceeding based on a Force Account Directive, the Contractor's signed daily force account reports shall be discontinued and all previously signed reports shall be invalid.

17.6. Price Request

17.6.1. Definition of Price Request. A Price Request ("PR") is a written request prepared by the Architect requesting the Contractor to submit to the District and the Architect an estimate of the effect of a proposed change in the Work on the Contract Price and the Contract Time.

17.6.2. Scope of Price Request. A Price Request shall contain adequate information, including any necessary Drawings and Specifications, to enable Contractor to provide the cost breakdowns required herein. Contractor shall not be entitled to any additional compensation for preparing a response to a Price Request, whether ultimately accepted or not.

17.6.3. Contractor shall not consider Price Requests to be instructions either to stop work in progress or to execute the proposed change.

17.6.4. Within the time specified in Price Request after receipt of Price Request, Contractor shall submit a quotation estimating cost adjustments to the Contract Price and the Contract Time necessary to execute the change, with the following documentation and information:

17.6.4.1. Include a list of quantities of products required or eliminated and unit costs, with total amount of purchases and credits to be made. If requested, furnish survey data to substantiate quantities.

17.6.4.2. Indicate applicable taxes, delivery charges, equipment rental, and amounts of trade discounts.

17.6.4.3. Include costs of labor and supervision directly attributable to the change.

17.6.4.4. Include an updated Contractor's Construction Schedule that indicates the effect of the change, including, but not limited to, changes in activity duration, start and finish times, and activity relationship. Use available total float before requesting an extension of the Contract Time.

17.7. Proposed Change Order

17.7.1. Proposed Change Order. The Contractor may issue a Proposed Change Order (“PCO”), only as a written request prepared by it to the District and the Architect, requesting that the District issue a Change Order based upon a proposed change to the Work.

17.7.2. Changes in Contract Price. A PCO shall include breakdowns pursuant to the provisions herein to validate any change in Contract Price and include all reasonable documentation as required herein.

17.7.3. Changes in Time. A PCO shall also include any changes in time required to complete the Project. Include an updated Contractor's Construction Schedule that indicates the effect of the change, including, but not limited to, changes in activity duration, start and finish times, and activity relationships. Use available total float before requesting an extension of the Contract Time. Any additional time requested shall not be the number of days to make the proposed change, but must be based upon the impact to the Construction Schedule as defined in the Contract Documents. If Contractor fails to request a time extension in a PCO, then the Contractor is thereafter precluded from requesting time and/or claiming a delay. If the Contractor is requesting additional time and believes that time is both Excusable and Compensable, then the Contractor must provide detailed documentation that supports its position and that addresses all the components of the “Excusable and Compensable Delay(s)” section above.

17.7.4. Unknown and/or Unforeseen Conditions. If Contractor submits a PCO requesting an increase in Contract Price and/or Contract Time that is based at least partially on Contractor's assertion that Contractor has encountered unknown and/or unforeseen condition(s) on the Project, then Contractor shall base the PCO on provable information that, beyond a reasonable doubt and to the District's satisfaction, demonstrates that the unknown and/or unforeseen condition(s) were actually unknown and/or unforeseen and that the condition(s) were reasonably unknown and/or unforeseen. If not, the District shall deny the PCO and the Contractor shall complete the Project without any increase in Contract Price and/or Contract Time based on that PCO.

17.7.5. Time to Submit PCO. Contractor shall submit its PCO within five (5) days of the date Contractor discovers, or reasonably should discover, the circumstances giving rise to the proposed change order, unless additional time to submit a proposed change order is granted in writing by the District. Time is of the essence in Contractor's written notice pursuant to the preceding sentence so that the District can promptly investigate and consider alternative measures to address the basis for the PCO. Accordingly, Contractor acknowledges that its failure, for any reason, to give written notice (with Supporting Documentation to permit the District's review and evaluation) within this time frame shall be deemed Contractor's waiver, release, discharge and relinquishment of any right to assert or claim any entitlement to an adjustment of the Contract Time or the Contract Price on account of the circumstances giving rise to the PCO.

17.8. Format for Proposed Change Order

17.8.1. The following “Format For Proposed Change For Subcontractor Performed Work” and “Format For Proposed Change For Contractor Performed Work” shall be used as applicable by the District and the Contractor (e.g. Change Orders, PCO's) to communicate proposed additions and deductions to the Contract, supported by attached documentation.

FORMAT FOR PROPOSED CHANGE FOR SUBCONTRACTOR PERFORMED WORK

	<u>SUBCONTRACTOR PERFORMED WORK</u>	<u>ADD</u>	<u>DEDUCT</u>
(A)	<u>Labor Charge</u> 1. Hours. Attach total itemized hours. 2. Rate. This shall be no more than the Straight-Time Total Hourly Rate as determined by the Department of Industrial Relations ("DIR") for the applicable labor category.		
(B)	<u>Labor Burden & Worker's Compensation Charge</u> 1. This shall be no more than twenty percent (20%) of item (A) , the Labor Charge. 2. This shall be the total cumulative charge permitted for all Subcontractors or all labor performed by the Subcontractor or Subcontractor's Subcontractor(s) (i.e., all "lower-tier" Subcontractor(s)).		
(C)	<u>Subtotal (A+B)</u>		
(D)	<u>Material Charge</u> Attach itemized quantity and unit cost plus sales tax and invoice(s) from vendor(s).		
(E)	<u>Equipment Charge</u> Attach invoice(s) from supplier(s).		
(F)	<u>Subtotal (C+D+E)</u>		
(G)	<u>Subcontractor's Overhead and Profit Charge</u> 1. This shall be no more than five percent (8%) of item (F) . 2. This shall be the total cumulative mark-up permitted for the Subcontractor and Subcontractor's Subcontractor(s) (i.e., all "lower-tier" Subcontractor(s)).		
(H)	<u>Subtotal (F+G)</u>		
(I)	<u>Contractor's Overhead, Profit, Bond and Insurance</u> 1. This shall be no more than six percent (6%) of Item (F) . 2. This shall be the total mark-up permitted for Contractor.		
(J)	<u>TOTAL (H+I)</u>		
(K)	<u>Time</u>	_____ Days	

FORMAT FOR PROPOSED CHANGE FOR CONTRACTOR PERFORMED WORK

	<u>CONTRACTOR PERFORMED WORK</u>	<u>ADD</u>	<u>DEDUCT</u>
(A)	<u>Labor Charge</u> 1. Hours. Attach total itemized hours. 2. Rate. This shall be no more than the Straight-Time Total Hourly Rate as determined by the Department of Industrial Relations ("DIR") for the applicable labor category.		
(B)	<u>Labor Burden & Worker's Compensation Charge</u> 1. This shall be no more than twenty percent (20%) of item (A) , the Labor Charge. 2. This shall be the total cumulative charge permitted for all labor performed by Contractor.		
(C)	<u>Subtotal (A+B)</u>		
(D)	<u>Material Charge</u> Attach itemized quantity and unit cost plus sales tax and invoice(s) from vendor(s).		
(E)	<u>Equipment Charge</u> Attach invoice(s) from supplier(s).		
(F)	<u>Subtotal (C+D+E)</u>		
(G)	<u>Contractor's Overhead, Profit, Bond and Insurance</u> 1. This shall be no more than six percent (6%) of Item (F) . 2. This shall be the total mark-up permitted for Contractor.		
(H)	<u>TOTAL (F+G)</u>		
(I)	<u>Time</u>	_____ Days	

17.8.2. All Proposed Change Order requests by Contractor for a change shall include a complete itemized breakdown with the following detail:

17.8.2.1. Labor. Labor breakdown by trade classification, wage rates, and estimated hours. Labor costs shall only include fringe benefits indicated by governing trade organizations. Wages shall not exceed current prevailing wages in the locality for performance of the changes.

17.8.2.1.1. The Contractor's or Subcontractors' labor burden and Workers' Compensation premium shall only be charged as indicated herein. In no event shall Contractor include any other charges than as indicated herein without the prior written approval of the District.

17.8.2.2. Material. Material quantities, and types of products, and transportation costs, if applicable.

17.8.2.3. Equipment. Equipment breakdown by make, type, size, rental rates (if not owned), equipment hours and transportation costs, if applicable.

17.8.2.3.1. The equipment costs shall not exceed one hundred percent (100%) of the Association of Equipment Distributors (AED) rental rates or Caltrans rates, whichever is less. Hourly, daily, weekly, or monthly rates shall be used, whichever is lower. Hourly rates including operator shall not be used.

17.8.2.3.2. The time to be paid for equipment shall be the actual time that the equipment is in productive operation on the Work or idled as a result of the event or circumstance giving rise to the Proposed Change Order. In computing the hourly rental of equipment, any time less than thirty (30) minutes shall be considered one-half (1/2) hour. No payment will be made for time while equipment is inoperative due to breakdown, or for non-workdays. In addition, the rental time shall not include the time required to move the equipment to and from the project site. No mobilization or demobilization will be allowed for equipment already on site. If such equipment is not moved by its own power, then loading and transportation costs will be paid in lieu of rental time thereof. However, neither moving time nor loading and transportation costs will be paid if the equipment is used on the Project Site in any other way than upon the work directly related to the event or circumstance giving rise to the Proposed Change Order.

17.8.2.3.3. Individual pieces of equipment having a replacement value of one thousand dollars (\$1,000) or less shall be considered to be small tools or small equipment, and no payment will be made since the costs of these tools and equipment is included as part of the markup for overhead and profit defined herein.

17.8.2.3.4. Payment to the Contractor for the use of equipment as set forth above shall constitute full compensation to the Contractor for the cost of fuel, power, oil, lubricants, supplies, small equipment, necessary attachments, repairs and maintenance of any kind, depreciation, storage, insurance, labor (except for equipment operators), and any and all costs to the Contractor incidental to the use of the equipment.

17.8.2.3.5. Should Contractor, or any of its owners, officers, directors or agents, hold any ownership interest in any company, organization, association or corporation from whom rental equipment is secured. Contractor shall immediately notify District of such and the price set for any such rental shall be agreed upon in advance by the Contractor and the District.

17.8.2.3.6. Overhead, Profit, Bond and Insurance Costs. Markup for overhead and profit, which shall be used to compensate Contractor for all costs for all administration, general conditions, and supervision, including, without limitation:

17.8.2.3.6.1. All home office overhead, field office overhead, field office personnel including, but not limited to, principals, project managers, superintendents, supervisory foremen, estimators, project engineers, detailers, draftsmen, schedulers, consultants, watchmen, payroll clerks, administrative assistants, labor compliance costs and secretaries.

17.8.2.3.6.2. All field and field office expenses including, but not limited to, field trailers, parking, storage sheds, office equipment and supplies, telephone service and long distance telephone calls, computers, fax machines, temporary utilities, sanitary facilities and services, janitorial services, small tools and equipment with a cost under \$1000 each, portable scaffolding, blocking, shores, appliances, job vehicles, security and fencing, conformance to regulatory requirements including compliance to safety regulations, safety programs and meetings, cartage, warranties, As-Built Drawings, as well as any related maintenance costs.

17.8.2.3.6.3. Administrative functions such as, but not limited to, reviewing, coordinating, distributing, processing, posting, recording, estimating, negotiating, expediting, engineering, drawing, detailing, revising shop drawings, carting, cleaning, protecting the work, and other incidental Work related to the change.

17.8.2.3.6.4. All other costs and taxes required to be paid, but not included under direct costs as defined above including, without limitation, payroll taxes, social security, etc.

17.8.2.3.6.5. All costs for Contractor's bonds and insurance.

17.8.2.3.6.6. Taxes: Federal excise tax shall not be included. District will issue an exemption on request.

17.8.2.3.7. Contract Time. Justification for any adjustment in Contract Time including a schedule analysis identifying critical schedule activities delayed by the request. Contract Time shall be extended or reduced by Change Orders, Unilateral Change Orders, or Force Account Directives for a period of time commensurate with the time reasonably necessary to perform a Change. This time must be requested in writing by the Contractor with the Price Request, PCO, or expressly in writing as part of its documentation for Unilateral Change Orders, or Force Account Directives. The Contractor shall justify any Contract Time extension by submittal of a schedule analysis as required in this Changes section of these General Conditions accurately portraying the impact of the change on the critical path of the Construction Schedule. Changes performed within available float shall not justify an extension to the Contract Time. The District shall make the final determination of the amount of Contract Time to allocate to any Change.

17.8.2.4. Supporting Documentation. Contractor shall include with each PCO, along with the itemized breakdown as required herein, reasonable documentation substantiating the requested change in the Contract Price and Contract Time. If the District deems Contractor's supporting documentation incomplete or inadequate to substantiate the requested change to the Contract Price and Contract Time, the District may request that Contractor supplement the PCO with additional, reasonable supporting documentation.

17.9. Change Order Certification

17.9.1. All Change Orders and PCOs shall include the following certification by the Contractor. The Parties acknowledged that if a Change Order is approved that does not include this language, that Change Order shall be deemed to include this certification language:

The Contractor approves the foregoing as to the changes, if any, and the price specified for each item and the extension of time allowed, if any, for completion of the entire Work as stated herein, and agrees to furnish all

labor, materials, and service, and perform all work necessary to complete all additional work specified for the consideration stated herein. Submission of sums which have no basis in fact or which Contractor knows are false are at the sole risk of Contractor and may be a violation of the False Claims Act set forth under Government Code section 12650 et seq. It is understood that the changes herein to the Contract shall only be effective when approved by the governing board of the District. It is expressly understood that the value of the extra Work or changes includes all of the Contractor's costs, expenses, field overhead, home office overhead, profit, both direct and indirect, resulting from additional time required on the Project or resulting from delay to the Project. Any costs, expenses, damages, or time extensions not included are deemed waived.

17.10. Determination of Change Order Cost

17.10.1. The amount of the increase or decrease in the Contract Price from a Change Order, if any, shall be determined in one or more of the following ways as applicable to a specific situation and at the District's discretion:

17.10.1.1. District acceptance of a PCO;

17.10.1.2. By agreement between District and Contractor.

17.10.1.3. By unit prices or alternates contained in Contractor's original bid. If the Bid for the Work included proposal(s) for Alternate Bid Item(s), during Contractor's performance of the Work, the District may elect to add any such Alternate Bid Item(s) if the that item did not form a basis for award of the Contract or delete any such Alternate Bid Item(s) if that item formed a basis for award of the Contract. If the District elects to add or delete an Alternate Bid Item(s) pursuant to the foregoing, the cost or credit for that Alternate Bid Item(s) shall be as set forth in the Contractor's Bid, at the District's discretion. If any Alternate Bid Item is added or deleted from the Work pursuant to the foregoing, the Contract Time shall be adjusted by the number of days allocated for the added or deleted Alternate Bid Item in the Contract Documents; if days are not allocated for any Alternate Bid Item added or deleted pursuant to the foregoing, the Contract Time shall be equitably adjusted.

17.10.1.4. By the District, based upon actual and necessary costs incurred by the Contractor as determined by the District on the basis of the Contractor's records. Promptly upon determining the extent of adjustment to the Contract Price, the District shall notify the Contractor in writing of the same; the Contractor shall be deemed to have accepted the District's determination of the amount of adjustment to the Contract Price on account of a Change to the Work unless Contractor shall notify the District, in writing, not more than fifteen (15) days from the date of the District's written notice, of any objection to the District's determination. Failure of the Contractor to timely notify the District of Contractor's objections to the District's determination of the extent of adjustment to the Contract Price shall be deemed Contractor's acceptance of the District's determination and a waiver of any right or basis of the Contractor to thereafter protest or otherwise object to the District's determination. Notwithstanding any objection of the Contractor to the District's determination of the extent of any adjustment to the Contract Price pursuant to this provision, Contractor shall diligently proceed to perform and complete any such Change.

17.11. Deductive Change Orders

If Contractor offers a proposed amount for a deductive Change Order(s), Contractor shall include a minimum of five percent (5%) total overhead and profit to be deducted with the amount of the work of the Change Order(s). If Subcontractor work is involved, Subcontractors shall also include a minimum of five percent (5%) overhead and profit to be deducted with the amount of its deducted work, for a total

minimum of ten percent (10%) total overhead and profit to be deducted. Any deviation from this provision shall not be allowed.

17.12. Discounts, Rebates and Refunds

For purposes of determining the cost, if any, of any change, addition, or omission to the Work hereunder, all trade discounts, rebates, refunds, and all returns from the sale of surplus materials and equipment shall accrue and be credited to the Contractor, and the Contractor shall make provisions so that such discounts, rebates, refunds, and returns may be secured, and the amount thereof shall be allowed as a reduction of the Contractor's cost in determining the actual cost of construction for purposes of any change, addition, or omission in the Work as provided herein.

17.13. Accounting Records

With respect to portions of the Work performed by Change Orders, Unilateral Change Orders, or Force Account Directives, Contractor shall keep and maintain cost-accounting records satisfactory to the District, which shall be available to the District on the same terms as any other books and records Contractor is required to maintain pursuant to the Contract Documents.

17.14. Notice Required

If Contractor is seeking an adjustment in the Contract Price, or any extension in the Contract Time for Completion, it shall notify District pursuant to the provisions of the Contract Documents. No adjustment in the Contract Price or Contract Time shall be considered unless made in accordance with the Contract Documents. Contractor shall proceed to execute the Work even though the adjustment may not have been agreed upon. Any change in the Contract Price or extension of the Contract Time resulting from such contract adjustment shall only be authorized by a Change Order.

17.15. Applicability to Subcontractors

Any requirements under this Article shall be equally applicable to Change Orders, Unilateral Change Orders, or Force Account Directives issued to Subcontractors by the Contractor to the extent as required by the Contract Documents.

17.16. Alteration to Change Order Language

Contractor shall not alter Change Orders or reserve time in Change Orders. Contractor shall execute finalized Change Orders and proceed under the provisions herein with proper notice.

17.17. Failure of Contractor to Execute Change Order

Contractor shall be in default of the Contract if Contractor fails to execute a Change Order when the Contractor agrees with the addition and/or deletion of the Work in that Change Order.

18. REQUEST FOR INFORMATION

18.1. Any Request for Information ("RFI") shall reference all applicable Contract Document(s), including Specification section(s), detail(s), page number(s), drawing number(s), and sheet number(s), etc. Contractor shall make suggestions and interpretations of the issue raised by each RFI. An RFI cannot modify the Contract Price, Contract Time, or the Contract Documents.

18.2. Contractor shall be liable to the District for all costs incurred by the District associated with the processing, reviewing, evaluating and responding to any RFI, including without limitation, fees of the Architect and any other design consultant to the Architect or the District, that District reasonably

determines:

18.2.1. Does not reflect adequate or competent supervision or coordination by the Contractor or any Subcontractor; or

18.2.2. Does not reflect the Contractor's adequate or competent knowledge of the requirements of the Work or the Contract; or

18.2.3. Requests an interpretation or decision of a matter where the information sought is equally available to the Contractor; or

18.2.4. Is not justified for any other reason.

18.3. Prior to submitting the RFI, Contractor shall diligently review the Contract Documents for information responsive to the RFI, including information incorporated by reference. Contractor should not issue an RFI regarding information contained in or inferable from the Contract Documents, including information incorporated by reference. An RFI is invalid if the RFI response is contained in or inferable from the Contract Documents.

18.4. Contractor shall be responsible for preparing and submitting each RFI so as to not cause delay to the progress of the Work nor to cause any impact to the Contractor's labor productivity. An RFI may be considered untimely if not submitted within **Forty Eight (48) hours** of receipt from a Contractor's subcontractor. Untimely submission of any RFI will preclude Contractor from asserting any claims for delay or for labor impact against the District.

18.5. If the Contractor fails to timely notify the Architect in writing of any Conditions encountered and the Contractor proceeds to perform any portion of the Work containing or affected by such Conditions the Contractor shall bear all costs associated with or required to correct, remove, or otherwise remedy any portion of the Work affected thereby without adjustment of the Contract Time or the Contract Price. In requesting information of the District to address and resolve any conditions, the Contractor shall act with promptness in submitting any written request so as to allow the District a reasonable period of time to review, evaluate and respond to any request, taking into account the then current status of the progress and completion of the Work and the actual or potential impact of any conditions upon the completion of the Work within the Contract Time. The Contract Time shall not be subject to adjustment in the event that the Contractor shall fail to timely request information from the District.

19. PAYMENTS

19.1. Contract Price

19.1.1. The Contract Price is stated in the Agreement and, including authorized adjustments, is the total amount payable by the District to the Contractor for performance of the Work pursuant to the Contract Documents. If all or a portion of the Project is being funded by funds requiring approval by the State Allocation Board (SAB), payment may be subject to that approval being received, funding by the SAB, and funds being released by the Office of Public School Construction (OPSC).

19.2. Applications for Progress Payments

19.2.1. Procedure for Applications for Progress Payments

19.2.1.1. Application for Progress Payment

19.2.1.1.1. Not before the fifth (5th) day of each calendar month during the progress of the Work, Contractor shall submit to the District and the Architect an itemized Application for

Payment for Work completed in accordance with the Schedule of Values. The Application for Payment shall be notarized, if required, and supported by the following or each portion thereof unless waived by the District in writing:

- 19.2.1.1.1.1.** The amount paid to the date of the Application for Payment to the Contractor, to all its Subcontractors, and all others furnishing labor, material, or equipment for its Contract;
- 19.2.1.1.1.2.** The amount being requested by the Application for Payment by the Contractor on its own behalf and separately stating the amount requested on behalf of each of the Subcontractors and all others furnishing labor, material, and equipment under the Contract;
- 19.2.1.1.1.3.** The balance that will be due to each of the entities after payment is made;
- 19.2.1.1.1.4.** A certification that the As-Built Drawings and annotated Specifications are current;
- 19.2.1.1.1.5.** An Itemized breakdown of Work performed;
- 19.2.1.1.1.6.** An updated and acceptable construction schedule in conformance with the provisions herein;
- 19.2.1.1.1.7.** The additions to and subtractions from the Contract Price and Contract Time;
- 19.2.1.1.1.8.** A total of the retention held;
- 19.2.1.1.1.9.** The material invoices, evidence of equipment purchases, rentals, and other support and details of cost as the District may require from time to time;
- 19.2.1.1.1.10.** The percentage of completion of the Contractor's Work by line item;
- 19.2.1.1.1.11.** The Schedule of Values updated from the preceding Application for Payment;
- 19.2.1.1.1.12.** A duly completed and executed conditional waiver and release upon progress payment compliant with Civil Code section 8132 from each subcontractor of any tier and supplier to be paid from the current progress payment;
- 19.2.1.1.1.13.** A duly completed and executed unconditional waiver and release upon progress payment compliant with Civil Code section 8134 from each subcontractor of any tier and supplier that was paid from the previous progress payment; and
- 19.2.1.1.1.14.** A certification by the Contractor of the following:

The Contractor warrants title to all Work performed as of the date of this payment application. The Contractor further warrants that all Work performed as of the date of this payment application is free and clear of liens, claims, security interests, or encumbrances in favor of the Contractor, Subcontractors, material and equipment suppliers, workers, or other persons or entities making a claim by reason of having provided labor, materials, and equipment relating to the Work, except those of which the District has been informed.
- 19.2.1.1.1.15.** If requested by the District, a third party, or as required by the California

Department of Industrial Relations, all requested or required certified payroll record ("CPR(s)") for each journeyman, apprentice, worker, or other employee employed by the Contractor and/or each Subcontractor in connection with the Work for the period of the Application for Payment.

19.2.1.1.2. Except as expressly provided for herein, no payments shall be made by the District on account of any item of the Work, including without limitation, materials or equipment that, at the time of the Contractor's submittal of an Application for Progress Payment, has/have not been incorporated into and made a part of the Work.

19.2.1.1.3. Contractor shall be subject to the False Claims Act set forth under Government Code section 12650 et seq., for information provided with any Application for Progress Payment.

19.2.2. Prerequisites for Progress Payments

19.2.2.1. First Payment Request: The following items, if applicable, must be completed before District will accept and/or process Contractor's first payment request:

- 19.2.2.1.1.** Installation of the Project sign;
- 19.2.2.1.2.** Installation of field office;
- 19.2.2.1.3.** Installation of temporary facilities and fencing;
- 19.2.2.1.4.** Schedule of Values;
- 19.2.2.1.5.** Contractor's Construction Schedule;
- 19.2.2.1.6.** Schedule of unit prices, if applicable;
- 19.2.2.1.7.** Submittal Schedule;
- 19.2.2.1.8.** Receipt by Architect of all submittals due as of the date of the payment application;
- 19.2.2.1.9.** Copies of necessary permits;
- 19.2.2.1.10.** Copies of authorizations and licenses from governing authorities;
- 19.2.2.1.11.** Initial progress report;
- 19.2.2.1.12.** Surveyor qualifications;
- 19.2.2.1.13.** Written acceptance of District's survey of rough grading, if applicable;
- 19.2.2.1.14.** List of all Subcontractors, with names, license numbers, telephone numbers, and Scope of Work;
- 19.2.2.1.15.** All bonds and insurance endorsements; and
- 19.2.2.1.16.** Resumes of Contractor's project manager, and if applicable, job site secretary, record documents recorder, and job site superintendent.

19.2.2.2. Second Payment Request: District will not process the second payment request until and unless all submittals and Shop Drawings have been accepted for review by the Architect.

19.2.2.3. No Waiver of Criteria: Any payment made to Contractor where criteria set forth herein have not been met shall not constitute a waiver of said criteria by District. The approval of any Application for Progress Payment or the disbursement of any Progress Payment to the Contractor shall not be deemed nor constitute acceptance of defective Work or Work not in conformity with the Contract Documents. Instead, such payment shall be construed as a good faith effort by District to resolve differences so Contractor may pay its Subcontractors and suppliers. Contractor agrees that failure to submit such items may constitute a material breach of the Contract by Contractor and may subject Contractor to termination.

19.3. Progress Payments

19.3.1. District's Approval of Application for Payment

19.3.1.1. Upon receipt of an Application for Payment, District shall act in accordance with the following:

19.3.1.1.1. Each Application for Payment shall be reviewed by the District as soon as practicable after receipt for the purpose of determining that the Application for Payment is a proper Application for Payment.

19.3.1.1.2. Any Application for Payment determined not to be a proper Application for Payment suitable for payment shall be returned to the Contractor as soon as practicable, but not later than seven (7) days, after receipt. An Application for Payment returned pursuant to this paragraph shall be accompanied by a document setting forth in writing the reasons why the Application for Payment is not proper. The number of days available to the District to make a payment without being subject to any applicable statute regarding prompt payment or interest accrual, shall be reduced by the number of days by which the District exceeds this seven-day return requirement.

19.3.1.1.3. An approved Application for Payment shall be considered payable if funds are available for payment after the deduction of amounts allowed by law and/or pursuant to the section herein entitled "Decisions to Withhold Payment,"

19.3.1.2. The District's review of the Contractor's Application for Payment will be based on the District's and the Architect's observations at the Site and the data comprising the Application for Payment that the Work has progressed to the point indicated and that, to the best of the District's and the Architect's knowledge, information, and belief, the quality of the Work is in accordance with the Contract Documents. The foregoing representations are subject to:

19.3.1.2.1. Observation of the Work for general conformance with the Contract Documents,

19.3.1.2.2. Results of subsequent tests and inspections,

19.3.1.2.3. Minor deviations from the Contract Documents correctable prior to Completion, and

19.3.1.2.4. Specific qualifications expressed by the Architect.

19.3.1.3. District's approval of each Application for Payment shall be based on Contractor complying with all requirements for a fully complete and valid Application for Payment.

19.3.2. Payments to Contractor

19.3.2.1. Within thirty (30) days after District's receipt of each undisputed and properly submitted Application for Payment, Contractor shall be paid a sum equal to ninety-five percent (95%) of the value of the Work performed (as verified by Architect and Inspector and certified by Contractor) up to the last day of the previous month, less the aggregate of previous payments and amount to be withheld. The value of the Work completed shall be Contractor's best estimate. No inaccuracy or error in Contractor's estimate shall operate to release the Contractor, or any Surety upon any bond, from damages arising from such Work, or from the District's right to enforce each and every provision of this Contract, and the District shall have the right subsequently to correct any error made in any estimate for payment.

19.3.2.2. District shall withhold five percent (5%) retention from all Progress Payments.

19.3.2.3. District may withhold ten percent (10%) retention from all Progress Payments pursuant to Public Contract Code section 7201, if the Project is determined to be "substantially complex."

19.3.2.4. The Contractor shall not be entitled to have any payment requests processed, or be entitled to have any payment made for Work performed, so long as any lawful or proper direction given by the District concerning the Work, or any portion thereof, remains incomplete.

19.3.2.5. In accordance with Public Contract Code §20104.50, in the event that the District shall fail to make any Progress Payment within thirty (30) days after receipt of an undisputed and properly submitted Application for Progress Payment, the District shall pay the Contractor interest on the undisputed amount of such Application for Progress Payment equal to the legal rate of interest set forth in California Code of Civil Procedure §685.010(a).

19.3.3. No Waiver

No payment by District hereunder shall be interpreted so as to imply that District has inspected, approved, or accepted any part of the Work. Notwithstanding any payment, the District may enforce each and every provision of this Contract. The District may correct or require correction of any error subsequent to any payment.

19.3.4. Warranty of Title

19.3.4.1. If a lien or a claim based on a stop notice or stop payment notice of any nature should at any time be filed against the Work or any District property, by any entity that has supplied material or services at the request of the Contractor, Contractor and Contractor's Surety shall promptly, on demand by District and at Contractor's and Surety's own expense, take any and all action necessary to cause any such lien or a claim based on a stop notice or stop payment notice to be released or discharged immediately therefrom.

19.3.4.2. If the Contractor fails to furnish to the District within ten (10) calendar days after demand by the District, satisfactory evidence that a lien or a claim based on a stop notice or stop payment notice has been so released, discharged, or secured, the District may discharge such indebtedness and deduct the amount required therefore, together with any and all losses, costs, damages, and attorney's fees and expense incurred or suffered by District from any sum payable to Contractor pursuant to the Contract.

19.4. Decisions to Withhold Payment

19.4.1. Reasons to Withhold Payment

District may withhold payment in whole, or in part, to the extent reasonably necessary to protect the District if, in the District's opinion, the representations to the District required herein cannot be

made. District may withhold payment, in whole, or in part, to such extent as may be necessary to protect the District from loss because of, but not limited to:

- 19.4.1.1.** Defective Work not remedied within **FORTY-EIGHT (48)** hours of written notice to Contractor;
- 19.4.1.2.** Stop notices, stop payment notices or other liens served upon the District as a result of the Contract;
- 19.4.1.3.** Liquidated damages assessed against the Contractor;
- 19.4.1.4.** The cost to complete the Work if there exists reasonable doubt that the Work can be completed for the unpaid balance of the Contract Price or by the Completion Date;
- 19.4.1.5.** Damage to the District or other contractor(s);
- 19.4.1.6.** Unsatisfactory performance of the Work by Contractor;
- 19.4.1.7.** Failure to store and properly secure materials;
- 19.4.1.8.** Failure of the Contractor to submit, on a timely basis, proper, sufficient, and acceptable documentation required by the Contract Documents, including, without limitation, a Construction Schedule, Schedule of Submittals, Schedule of Values, Monthly Progress Schedules, Shop Drawings, Product Data and samples, Proposed product lists, executed Change Orders, and/or verified reports;
- 19.4.1.9.** Failure of the Contractor to maintain As-Built Drawings;
- 19.4.1.10.** Erroneous estimates by the Contractor of the value of the Work performed, or other false statements in an Application for Payment;
- 19.4.1.11.** Unauthorized deviations from the Contract Documents;
- 19.4.1.12.** Failure of the Contractor to perform the Work in a timely manner in compliance with the Construction Schedule, established progress schedules, and/or completion dates;
- 19.4.1.13.** If requested by the District, or the failure to provide to the DIR, certified payroll records acceptable to the District and the DIR for each journeyman, apprentice, worker, or other employee employed by the Contractor and/or each Subcontractor in connection with the Work for the period of the Application for Payment;
- 19.4.1.14.** Failure to properly pay prevailing wages as defined in Labor Code sections 1720 et seq. and/or failure to comply with any other Labor Code requirements;
- 19.4.1.15.** Failure to properly maintain or clean up the Site;
- 19.4.1.16.** Failure to timely indemnify, defend or hold harmless the District;
- 19.4.1.17.** Any payments due to the District, including but not limited to payments for failed tests, utilities changes, or permits;
- 19.4.1.18.** Failure to pay Subcontractor(s) or supplier(s) as required by law and by the Contract Documents;
- 19.4.1.19.** Failure to pay any royalty, license or similar fees;

19.4.1.20. Failure of the Contractor to submit on a timely basis all Closeout Documentation in a manner and form that is proper, sufficient, and reasonably acceptable to the District, and to not cause a delay in the Completion or approval of the Project; or

19.4.1.21. Failure to perform any implementation and/or monitoring required by any SWPPP for the Project and/or the imposition of any penalties or fines imposed therefore against Contractor or District.

19.4.1.22. Payment is delayed due to an audit inquiry by the State, the County Office of Education, the County, or any entity with jurisdiction related to the Project.

19.4.1.23. Contractor is otherwise in breach, default or in substantial violation of any provision of the Contract;

19.4.2. Reallocation of Withheld Amounts

19.4.2.1. District may, in its discretion, apply any withheld amount to pay outstanding claims or obligations as defined herein. In so doing, District shall make such payments on behalf of Contractor. If any payment is so made by District, then that amount shall be considered a payment made pursuant to the Contract and District shall not be liable to Contractor for any payment made in good faith. These payments may be made without prior judicial determination of claim or obligation. District will render Contractor an accounting of funds disbursed on behalf of Contractor.

19.4.2.2. If Contractor defaults or neglects to perform the Work in accordance with the Contract Documents or fails to perform any provision thereof, District may, after **FORTY-EIGHT (48)** hours written notice to the Contractor and, without prejudice to any other remedy, make good such deficiencies. District shall adjust the total Contract Price by reducing the amount thereof by the cost of making good such deficiencies. If District deems it inexpedient to correct Work that is damaged, defective, or not done in accordance with Contract provisions, an equitable reduction in the Contract Price (of at least one hundred twenty-five percent (125%) of the estimated reasonable value of the nonconforming Work) shall be made therefor.

19.4.3. Payment After Cure

When Contractor cures the grounds for declining approval, payment shall be made for amounts so withheld. No interest shall be paid on any retention or amounts withheld due to the failure of the Contractor to perform in accordance with the terms and conditions of the Contract Documents.

19.5. Subcontractor Payments

19.5.1. Payments to Subcontractors. No later than seven (7) days after receipt, or pursuant to Business and Professions Code section 7108.5 and Public Contract Code section 7107, the Contractor shall pay to each Subcontractor, out of the amount paid to the Contractor on account of such Subcontractor's portion of the Work, the amount to which said Subcontractor is entitled. Contractor shall, by appropriate agreement with each Subcontractor, require each Subcontractor to make payments to its Sub-subcontractors in a similar manner.

19.5.2. No Obligation of District for Subcontractor Payment. District shall have no obligation to pay, or to see to the payment of, money to a Subcontractor except as may otherwise be required by law.

19.5.3. Joint Checks. District shall have the right in its sole discretion, if necessary for the protection of the District, to issue joint checks made payable to the Contractor and Subcontractors and material or equipment suppliers. The joint check payees shall be responsible for the allocation and disbursement of funds included as part of any such joint payment. In no event shall any joint check payment be construed

to create any contract between the District and a Subcontractor of any tier, any obligation from the District to such Subcontractor, or rights in such Subcontractor against the District.

20. COMPLETION OF THE WORK

20.1. Completion

20.1.1. The Project may only be accepted by action of the governing board of the District.

20.1.2. District shall accept the Project and may have a Notice of Completion recorded when Project Completion has been achieved in accordance with the Contract Documents and to the satisfaction of District. For purposes of the payment of Retention, Completion is defined in Public Contract Code section 7107. For purposes of the timely filing of Stop Payment Notices, Completion is defined in California Civil Code section 9200, et seq.

20.1.3. Although there is no “substantial completion” for this Project, the District, at its sole option, may accept the Project and record a Notice of Completion when Project Completion has been completed to the satisfaction of District, except for minor corrective items, as distinguished from incomplete items. If Contractor fails to complete all minor corrective items within thirty-five (35) days after the date of the District's acceptance of the Project, District shall withhold from the final payment one hundred fifty percent (150%) of an estimate of the amount sufficient to complete the corrective items, as determined by District, until the item(s) are completed.

20.1.4. At the end of the thirty-five (35) day period, if there are any items remaining to be corrected, District may elect to proceed as provided herein related to adjustments to Contract Price, and/or District's right to perform the Work of the Contractor.

20.2. Closeout Procedures

20.2.1. Punch List

Contractor shall notify the Architect when Contractor considers the Work complete. Upon notification, Architect will prepare a list of minor items to be completed or corrected (“Punch List”). Contractor and/or its Subcontractors shall proceed promptly to complete and correct items on the Punch List. Failure to include an item on Punch List does not alter the responsibility of the Contractor to complete all Work in accordance with the Contract Documents.

20.2.2. Closeout Requirements

20.2.2.1. Utility Connections

Buildings shall be connected to water, gas, sewer, and electric services, complete and ready for use. Service connections shall be made and existing services reconnected.

20.2.2.2. As-Built Drawings

20.2.2.2.1. In addition to its requirement to provide monthly As-Built Drawings to the District, the Contractor shall provide a final set of As-Built Drawings, sometimes referred to as “Record Drawings,” showing all of the Work as actually constructed upon Completion of the Project as indicated in the Specifications.

20.2.2.2.2. Contractor is liable and responsible for any and all inaccuracies in the As-Built Drawings, even if inaccuracies become evident at a future date.

20.2.2.2.3. Upon Completion of the Work and as a condition precedent to approval of final payment, Contractor shall obtain the Inspector's approval of the final set of As-Built Drawings.

20.2.2.3. Operations & Maintenance Manuals: Contractor shall prepare all operation and maintenance manuals and date as indicated in the Specifications.

20.2.2.4. Closeout Documentation: Contractor shall provide all Closeout Documentation, which shall include the following, without limitation:

20.2.2.4.1. A full set of final As-Built Drawings, as further defined herein.

20.2.2.4.2. All Operations & Maintenance Manuals and information, as further defined herein.

20.2.2.4.3. All Warranties, as further defined herein.

20.2.2.4.4. Verified report(s) for all scope(s) of work (DSA 6-C, Rev 03/22/13, or more recent revision if available).

20.3. Final Inspection

20.3.1. Contractor shall comply with Punch List procedures as provided herein, and maintain the presence of a Project Superintendent and Project Manager until the Punch List is complete to ensure proper and timely completion of the Punch List. Under no circumstances shall Contractor demobilize its forces prior to completion of the Punch List. Upon receipt of Contractor's written notice that all of the Punch List items have been fully completed and the Work is ready for final inspection and acceptance, Architect and Project Inspector will inspect the Work and shall submit to Contractor and District a final inspection report noting the Work, if any, required in order to complete in accordance with the Contract Documents. Absent unusual circumstances, this report shall consist of the Punch List items not yet satisfactorily completed.

20.3.2. Upon Contractor's completion of all items on the Punch List and any other uncompleted portions of the Work, the Contractor shall notify the District and Architect, who shall again inspect such Work. If the Architect finds the Work complete and acceptable under the Contract Documents, the Architect will notify Contractor, who shall then jointly submit to the Architect and the District its final Application for Payment.

20.3.3. Final Inspection Requirements

20.3.3.1. Before calling for final inspection, Contractor shall determine that the following have been performed:

20.3.3.1.1. The Work has been completed.

20.3.3.1.2. All life safety items are completed and in working order.

20.3.3.1.3. Mechanical and electrical Work are complete and tested, fixtures are in place, connected, and ready for tryout.

20.3.3.1.4. Electrical circuits scheduled in panels and disconnect switches labeled.

20.3.3.1.5. Painting and special finishes complete.

20.3.3.1.6. Doors complete with hardware, cleaned of protective film, relieved of sticking

or binding, and in working order.

20.3.3.1.7. Tops and bottoms of doors sealed.

20.3.3.1.8. Floors waxed and polished as specified.

20.3.3.1.9. Broken glass replaced and glass cleaned.

20.3.3.1.10. Grounds cleared of Contractor's equipment, raked clean of debris, and trash removed from Site.

20.3.3.1.11. Work cleaned, free of stains, scratches, and other foreign matter, of damaged and broken material replaced.

20.3.3.1.12. Finished and decorative work shall have marks, dirt, and superfluous labels removed.

20.3.3.1.13. Final cleanup, as provided herein.

20.4. Costs of Multiple Inspections

More than two (2) requests of the District to make a final inspection shall be considered an additional service of District, Architect, Construction Manager, and/or Project Inspector, and all subsequent costs will be invoiced to Contractor and if funds are available, withheld from remaining payments.

20.5. Partial Occupancy or Use Prior to Completion

20.5.1. District's Rights to Occupancy. The District may occupy or use any completed or partially completed portion of the Work at any stage. Neither the District's Final Acceptance, the making of Final Payment, any provision in Contract Documents, nor the use or occupancy of the Work, in whole or in part, by District shall constitute acceptance of Work not in accordance with the Contract Documents nor relieve the Contractor or the Contractor's Performance Bond Surety from liability with respect to any warranties or responsibility for faulty or defective Work or materials, equipment and workmanship incorporated therein. The District and the Contractor shall agree in writing to the responsibilities assigned to each of them for payments, security, maintenance, heat, utilities, damage to the Work, insurance, the period for correction of the Work, and the commencement of warranties required by the Contract Documents. Any dispute as to responsibilities shall be resolved pursuant to the Claims and Disputes provisions herein, with the added provision that during the dispute process, the District shall have the right to occupy or use any portion of the Work that it needs or desires to use.

20.5.2. Inspection Prior to Occupancy or Use. Immediately prior to partial occupancy or use, the District, the Contractor, and the Architect shall jointly inspect the area to be occupied or portion of the Work to be used in order to determine and record the condition of the Work.

20.5.3. No Waiver. Unless otherwise agreed upon, partial or entire occupancy or use of a portion or portions of the Work shall not constitute beneficial occupancy or acceptance of the Work not complying with the requirements of the Contract Documents.

21. FINAL PAYMENT AND RETENTION

21.1. Final Payment

21.1.1. Upon receipt and approval of a valid and final Application for Payment, the Architect will issue a final Certificate of Payment or similar document indicating Architect's agreement that the Project has

reached Completion. The District shall thereupon jointly inspect the Work and either accept the Work as complete or notify the Architect and the Contractor in writing of reasons why the Work has not reached Completion to the satisfaction of the District.

21.1.2. Upon acceptance of the Work of the Contractor as having reached Completion to the satisfaction of the District (that, absent unusual circumstances, will occur when the Punch List items have been satisfactorily completed), the District may record a Notice of Completion with the County Recorder, and the Contractor shall, upon receipt of final payment from the District, pay all the amount(s) due to its Subcontractors.

21.2. Prerequisites for Final Payment

The following conditions must be fulfilled prior to Final Payment:

21.2.1. A full and final waiver or release of all stop notices and stop payment notices in connection with the Work shall be submitted by Contractor, including a release of stop notice or stop payment notice in recordable form, together with (to the extent permitted by law) a copy of the full and final release of all stop notice or stop payment notice rights.

21.2.2. A duly completed and executed conditional waiver and release upon final payment compliant with Civil Code section 8136 from each subcontractor of any tier and supplier to be paid from the current progress payment;

21.2.3. A duly completed and executed unconditional waiver and release upon final payment compliant with Civil Code section 8138 from each subcontractor of any tier and supplier that was paid from the previous progress payment; and

21.2.4. Contractor shall have made all corrections to the Work that are required to remedy any defects therein, to obtain compliance with the Contract Documents or any requirements of applicable codes and ordinances, or to fulfill any of the orders or directions of District required under the Contract Documents.

21.2.5. Each Subcontractor shall have delivered to the Contractor all written guarantees, warranties, applications, and bonds required by the Contract Documents for its portion of the Work.

21.2.6. Contractor must have completed all requirements set forth under "Closeout Procedures," including, without limitation, submission of an approved set of complete Record Drawings.

21.2.7. Architect shall have issued its written approval that final payment can be made.

21.2.8. Contractor shall have delivered to the District all manuals and materials required by the Contract Documents.

21.2.9. Contractor shall have completed final clean up as provided herein.

21.3. Retention

21.3.1. The retention, less any amounts disputed by the District or that the District has the right to withhold pursuant to provisions herein, shall be paid:

21.3.1.1. After approval of the District by the Architect's Certificate of Payment;

21.3.1.2. After the satisfaction of the conditions set forth herein;

21.3.1.3. Within sixty (60) days after Completion;

21.3.1.4. No earlier than thirty-five (35) days of the recording of the Notice of Completion by District, if a Notice of Completion is recorded by the District.

21.3.2. No interest shall be paid on any retention, or on any amounts withheld due to a failure of the Contractor to perform, in accordance with the terms and conditions of the Contract Documents, except as provided to the contrary in any Escrow Agreement between the District and the Contractor pursuant to Public Contract Code section 22300.

21.4. Substitution of Securities

The District will permit the substitution of securities in accordance with the provisions of Public Contract Code section 22300.

21.5. Claims Asserted After Final Payment

Any lien, stop payment notice or other claim filed or asserted after the Contractor's acceptance of the Final Payment by any Subcontractor, of any tier, laborer, Material Supplier or others in connection with or for Work performed under the Contract Documents shall be the sole and exclusive responsibility of the Contractor pursuant to the indemnification obligations of the Contract Documents. In the event any lien, stop payment notice or other claim of any Subcontractor, Laborer, Material Supplier or others performing Work under the Contract Documents remain unsatisfied after Final Payment is made, Contractor shall refund to District all monies that the District may pay or be compelled to pay in discharging any lien, stop payment notice or other claim, including, without limitation all costs and reasonable attorneys' fees incurred by District in connection therewith.

22. UNCOVERING WORK, CORRECTION OF WORK AND RIGHT TO TAKEOVER WORK

22.1. Uncovering of Work

If a portion of the Work is covered without Project Inspector or Architect approval or not in compliance with the Contract Documents, it must, if required in writing by the District, the Project Inspector, or the Architect, be uncovered for the Project Inspector's or the Architect's observation and be replaced at the Contractor's expense without change in the Contract Price or Contract Time.

22.2. Rejection of Work

Prior to the District's Acceptance of the Work, any Work or materials or equipment forming a part of the Work or incorporated into the Work that is defective or not in conformity with the Contract Documents may be rejected by the District, the Architect or the Project Inspector and the Contractor shall correct all rejected Work without any adjustment to the Contract Price or the Contract Time, even if the Work, materials or equipment have been previously inspected by the Architect or the Project Inspector or even if they failed to observe the defective or non-conforming Work, materials or equipment.

22.3. Nonconforming Work

22.3.1. Contractor shall promptly remove from Premises all Work identified by District as failing to conform to the Contract Documents whether incorporated or not. Contractor shall promptly replace and re-execute its own Work to comply with the Contract Documents without additional expense to the District and shall bear the expense of making good all work of other contractors destroyed or damaged by any removal or replacement pursuant hereto and/or any delays to the District or other Contractors caused thereby.

22.3.2. If Contractor does not remove Work that District has identified as failing to conform to the Contract Documents within a reasonable time, not to exceed **FORTY-EIGHT (48)** hours, District may

remove it and may store any material at Contractor's expense. If Contractor does not pay expense(s) of that removal within ten (10) days' time thereafter, District may, upon ten (10) days' written notice, sell any material at auction or at private sale and shall deduct all costs and expenses incurred by the District and/or District may withhold those amounts from payment(s) to Contractor.

22.4. Correction of Work

22.4.1. Correction of Rejected Work. Pursuant to the notice provisions herein, the Contractor shall promptly correct the Work rejected by the District, the Architect, or the Project Inspector as failing to conform to the requirements of the Contract Documents, whether observed before or after Completion and whether or not fabricated, installed, or completed. The Contractor shall bear costs of correcting the rejected Work, including additional testing, inspections, and compensation for the Inspector's or the Architect's services and expenses made necessary thereby.

22.4.2. One-Year Warranty Corrections. If, within one (1) year after the date of Completion of the Work or a designated portion thereof, or after the date for commencement of warranties established hereunder, or by the terms of an applicable special warranty required by the Contract Documents, any of the Work is found to be not in accordance with the requirements of the Contract Documents, the Contractor shall correct it promptly after receipt of written notice from the District to do so. This period of one (1) year shall be extended with respect to portions of the Work first performed after Completion by the period of time between Completion and the actual performance of the Work. This obligation hereunder shall survive acceptance of the Work under the Contract and termination of the Contract. The District shall give such notice promptly after discovery of the condition.

22.5. District's Right to Takeover Work

22.5.1. If the Contractor should neglect to prosecute the Work properly or fail to perform any provisions of this Contract, the District, after **FORTY-EIGHT (48)** hours written notice to the Contractor, may, without prejudice to any other remedy it may have, make good such deficiencies and may deduct the cost thereof from the payment then or thereafter due the Contractor.

22.5.2. If it is found at any time, before or after Completion of the Work, that Contractor has varied from the Drawings and/or Specifications, including, but not limited to, variation in material, quality, form, or finish, or in the amount or value of the materials and labor used, District may require at its option:

22.5.2.1. That all such improper Work be removed, remade or replaced, and all work disturbed by these changes be made good by Contractor at no additional cost to the District;

22.5.2.2. That the District deduct from any amount due Contractor the sum of money equivalent to the difference in value between the work performed and that called for by the Drawings and Specifications; or

22.5.2.3. That the District exercise any other remedy it may have at law or under the Contract Documents, including but not limited to the District hiring its own forces or another contractor to replace the Contractor's nonconforming Work, in which case the District shall either issue a deductive Change Order, a Unilateral Change Order, or invoice the Contractor for the cost of that work. Contractor shall pay any invoices within thirty (30) days of receipt of same or District may withhold those amounts from payment(s) to Contractor.

22.5.3. Acceptance of Defective or Non-Conforming Work. The District may, in its sole and exclusive discretion, elect to accept Work that is defective or that is not in accordance with the requirements of the Contract Documents, instead of requiring its removal and correction, in which case the Contract Price shall be reduced as appropriate and equitable.

23. TERMINATION AND SUSPENSION

23.1. District's Right to Terminate Contractor for Cause

23.1.1. Grounds for Termination. The District, in its sole discretion, may terminate the Contract and/or terminate the Contractor's right to perform the work of the Contract based upon the following:

23.1.1.1. Contractor refuses or fails to execute the Work or any separable part thereof with sufficient diligence as will ensure its completion within the time specified or any extension thereof, or

23.1.1.2. Contractor fails to complete said Work within the time specified or any extension thereof, or

23.1.1.3. Contractor persistently fails or refused to perform Work or provide material of sufficient quality as to be in compliance with Contract Documents; or

23.1.1.4. Contractor files a petition for relief as a debtor, or a petition is filed against the Contractor without its consent, and the petition not dismissed within sixty (60) days; or

23.1.1.5. Contractor makes a general assignment for the benefit of its creditors, or a receiver is appointed on account of its insolvency; or

23.1.1.6. Contractor persistently or repeatedly refuses fails, except in cases for which extension of time is provided, to supply enough properly skilled workers or proper materials to complete the Work in the time specified; or

23.1.1.7. Contractor fails to make prompt payment to Subcontractors, or for material, or for labor; or

23.1.1.8. Contractor persistently disregards laws, or ordinances, or instructions of District; or

23.1.1.9. Contractor fails to supply labor, including that of Subcontractors, that can work in harmony with all other elements of labor employed or to be employed on the Work; or

23.1.1.10. Contractor or its Subcontractor(s) is/are otherwise in breach, default, or in substantial violation of any provision of this Contract.

23.1.2. Notification of Termination

23.1.2.1. Upon the occurrence at District's sole determination of any of the above conditions, District may, without prejudice to any other right or remedy, serve written notice upon Contractor and its Surety of District's termination of this Contract and/or the Contractor's right to perform the work of the Contract. This notice will contain the reasons for termination. Unless, within three (3) days after the service of the notice, any and all condition(s) shall cease, and any and all violation(s) shall cease, or arrangement satisfactory to District for the correction of the condition(s) and/or violation(s) be made, this Contract and/or the Contractor's right to perform the Work shall cease and terminate. Upon termination, Contractor shall not be entitled to receive any further payment until the entire Work is finished.

23.1.2.2. Upon termination, District may immediately serve written notice of tender upon Surety whereby Surety shall have the right to takeover and perform this Contract only if Surety:

23.1.2.2.1. Within three (3) days after service upon it of the notice of tender, gives District written notice of Surety's intention to takeover and perform this Contract; and

23.1.2.2.2. Commences performance of the Contract within seven (7) days from date of serving of its notice to District.

23.1.2.3. If Surety fails to notify District or begin performance as indicated herein, District may takeover the Work and execute the Work to completion by any method it may deem advisable at the expense of Contractor and/or its Surety. Contractor and/or its Surety shall be liable to District for any excess cost or other damages the District incurs thereby. Time is of the essence in the Contract. If the District takes over the Work as herein provided, District may, without liability for so doing, take possession of and utilize in completing the Work such materials, appliances, plan, and other property belonging to Contractor as may be on the Site of the Work, in bonded storage, or previously paid for.

23.1.2.4. Conversion to Termination for Convenience. In the event the Contract is terminated under this "District's Right to Terminate Contractor for Cause" section and it is finally determined by an arbitrator, court, jury or other tribunal having jurisdiction, for any reason, that the Contractor was not in default under the provisions hereof or that the District's exercise of its rights under this section was defective, deficient, ineffective, invalid or improper for any reason, the termination shall be deemed a termination for convenience of the District under the "Termination of Contractor for Convenience" section herein and thereupon, the rights and obligations of the District and the Contractor shall be determined in accordance with the "Termination of Contractor for Convenience" section herein.

23.1.3. Effect of Termination

23.1.3.1. Contractor shall, only if ordered to do so by the District, immediately remove from the Site all or any materials and personal property belonging to Contractor that have not been incorporated in the construction of the Work, or which are not in place in the Work. District retains the right, but not the obligation, to keep and use any materials and personal property belonging to Contractor that have not been incorporated in the construction of the Work, or which are not in place in the Work. Contractor and its Surety shall be liable upon the performance bond for all damages caused the District by reason of the Contractor's failure to complete the Contract.

23.1.3.2. In the event that the District shall perform any portion of, or the whole of the Work, pursuant to the provisions of the General Conditions, the District shall not be liable nor account to the Contractor in any way for the time within which, or the manner in which, the Work is performed by the District or for any changes the District may make in the Work or for the money expended by the District in satisfying claims and/or suits and/or other obligations in connection with the Work.

23.1.3.3. In the event that the Contract is terminated for any reason, no allowances or compensation will be granted for the loss of any anticipated profit by the Contractor or any impact or impairment of Contractor's bonding capacity.

23.1.3.4. If the expense to the District to finish the Work exceeds the unpaid Contract Price, Contractor and Surety shall pay difference to District within twenty-one (21) days of District's request.

23.1.3.5. Assignment and Assumption of Subcontracts. District shall have the right (but shall have no obligation) to assume and/or assign to a general contractor or construction manager or other third party who is qualified and has sufficient resources to complete the Work, the rights of the Contractor under its subcontracts with any or all Subcontractors. In the event of an assumption or assignment by the District, no Subcontractor shall have any claim against the District or third party for Work performed by Subcontractor or other matters arising prior to termination of the Contract. The District or any third party, as the case may be, shall be liable only for obligations to the Subcontractor arising after assumption or assignment. Should the District so elect, the Contractor shall execute and deliver all documents and take all steps, including the legal assignment of its contractual rights, as the District may require, for the purpose of fully vesting in the District the rights and benefits of it

Subcontractor under Subcontracts or other obligations or commitments. All payments due the Contractor hereunder shall be subject to a right of offset by the District for expenses and damages suffered by the District as a result of any default, acts, or omissions of the Contractor. Contractor must include this assignment provision in all of its contracts with its Subcontractors.

23.1.3.6. The foregoing provisions are in addition to and not in limitation of any other rights or remedies available to District.

23.2. Emergency Termination of Public Contracts Act of 1949

23.2.1. The Contract is subject to termination as provided by sections 4410 and 4411 of the Government Code of the State of California, being a portion of the Emergency Termination of Public Contracts Act of 1949.

23.2.1.1. Section 4410 of the Government Code states:

In the event a national emergency occurs, and public work, being performed by contract, is stopped, directly or indirectly, because of the freezing or diversion of materials, equipment or labor, as the result of an order or a proclamation of the President of the United States, or of an order of any federal authority, and the circumstances or conditions are such that it is impracticable within a reasonable time to proceed with a substantial portion of the work, then the public agency and the contractor may, by written agreement, terminate said contract.

23.2.1.2. Section 4411 of the Government Code states:

Such an agreement shall include the terms and conditions of the termination of the contract and provision for the payment of compensation or money, if any, which either party shall pay to the other or any other person, under the facts and circumstances in the case.

23.2.2. Compensation to the Contractor shall be determined at the sole discretion of District on the basis of the reasonable value of the Work done, including preparatory work. As an exception to the foregoing and at the District's discretion, in the case of any fully completed separate item or portion of the Work for which there is a separate previously submitted unit price or item on the accepted Schedule of Values, that price shall control. District, in its sole discretion, may adopt the Contract Price as the reasonable value of the Work performed or any portion thereof.

23.3. Termination of Contractor for Convenience

23.3.1. District in its sole discretion may terminate the Contract upon three (3) days written notice to the Contractor. Under a termination for convenience, the District retains the right to all the options available to the District if there is a termination for cause. In case of a termination for convenience, Contractor shall have no claims against the District except:

23.3.1.1. The actual cost for labor, materials, and services performed that is unpaid and can be documented through timesheets, invoices, receipts, or otherwise, and

23.3.1.2. Five percent (5%) of the total cost of work performed as of the date of termination, or five percent (5%) of the value of the Work yet to be performed, whichever is less. This five percent (5%) amount shall be full compensation for all Contractor's and its Subcontractor(s)' mobilization and/or demobilization costs and any anticipated loss profits resulting from termination of the Contractor for convenience.

23.4. Suspension of Work

23.4.1. District may, without cause, order Contractor in writing to suspend, delay or interrupt the Project in whole or in part for such period of time as District may determine. When the District resumes the Project, the Parties will attempt to negotiate an adjustment in the Contract Price for increases or decreases in the cost of performance of the Project caused by suspense, delay or interruption. If the parties cannot agree on an adjusted Contract Price, the District may terminate the Contract as permitted herein.

23.4.2. In the event the District shall order suspension of the Work, an adjustment shall be made to the Contract Price for increases in the direct cost of performance of the Work of the Contract Documents, actually caused by suspension, delay or interruption ordered by the District; provided however that no adjustment of the Contract Price shall be made to the extent: (i) that performance is, was or would have been so suspended, delayed or interrupted by another cause for which the Contractor is responsible under the Contract Documents; or (ii) that an equitable adjustment is made or denied under another provision of the Contract Documents. The foregoing notwithstanding, any adjustment of the Contract Price shall not include any adjustment to increase the Contractor's overhead, general administrative costs or profit, all of which will remain as reflected in the Schedule of Values submitted by the Contractor pursuant to the Contract Documents. In the event of the District's suspension of the Work, the Contract Time shall be equitably adjusted.

23.5. Scope Reduction

In cases of suspension, partial or complete termination, or at the discretion of the District, the District reserves the right to unilaterally approve a deductive Change Order to reduce scope of work or perform work with other forces or its own forces.

24. CLAIMS RESOLUTION

24.1. Exclusive Remedy.

24.1.1. Compliance with the claim resolution process and timelines described in this Claims Resolution section as well as the notice provisions of the Contract are express conditions precedent to Contractor's right to commence litigation or arbitration, file a claim under the California Government Code, or commence any other legal action related to the Project ("Claims Resolution Process").

24.1.2. Contractor acknowledges that its failure, for any reason, to provide written notice and all required supporting documentation to permit the District's review and evaluation within the time frame required by this Claims Resolution Process, shall be deemed Contractor's waiver, release, discharge and relinquishment of any right to assert, request, or demand any entitlement to an adjustment of the Contract Time or the contract Price on account of any instruction, request, drawings, specifications, action, condition, omission, default or other situation.

24.1.3. To the extent any provision(s) of this Claims Resolution Process conflict with or otherwise impair the timeframes and procedures of Public Contract Code section 9204, the provisions of Section 9204 shall control. If provisions of this Claims Resolution Process are supplementary and/or in addition to the requirements of Section 9204, but do not conflict with or otherwise impair the timeframes and procedures of Section 9204, the provisions of this Claims Resolution Process and the Contract shall control.

24.2. Performance during Claim Resolution Process.

The Contractor shall diligently proceed with Work on the Project at the same time that Claims are addressed under the Claims Resolution Process. It is the intent of District to resolve Claims with the Contractor as close to the events giving rise to the Claims as possible, and to avoid stale or late Claims and the late documenting of Claims. Contractor's failure to diligently proceed in accordance with the District's

instructions or the Contract terms will be considered a material breach of the Contract and a waiver of Contractor's rights under this Contract.

24.3. Waiver.

If Contractor fails to timely submit any written notices required under the terms of the Contract or in this Claims Resolution section, Contractor waives and releases its rights regarding further review of its Claim, unless Contractor and District mutually agree in writing to other time limits.

24.4. Intention.

The Claims Resolution Process required herein is intended to provide a concise mechanism for resolving Claims as they arise during the Project, while requiring accurate documentation related to contested issues as to those Claims that are not contemporaneously resolved.

24.5. Other Provisions.

If portions of the Contract, other than this Claims Resolution Process, establish a specific process regarding a specific subject, then that process shall govern and control the resolutions of any disagreements thereunder. Otherwise, the provisions in this Claims Resolution Process shall control the resolution of all Claims.

24.6. Claim Presentation

24.6.1. Claim: A claim is a written demand by Contractor (or by Contractor on behalf of a Subcontractor) that the Contractor must submit by **registered mail or certified mail return receipt requested** for:

24.6.1.1. An extension to the Contract Time, including relief from damages or penalties assessed by the District for delay;

24.6.1.2. Payment of money or damages arising from work done by, or on behalf of, the Contractor pursuant to the Contract and payment that is not otherwise expressly provided for in the Contract Documents or the Contractor is not otherwise entitled; or

24.6.1.3. Payment that is disputed by the District.

("Claim")

24.6.2. A PCO may be a Claim, but the Parties agree that a PCO shall only be a Claim if:

24.6.2.1. The District states in writing that it disagrees with the terms of a PCO and directs the Contractor to utilize the Claim Resolution Process, or

24.6.2.2. The District rejects in whole or in part a PCO and the Contractor states in writing that it is utilizing the Claim Resolution Process for the portion of the PCO that the District rejected.

24.7. Subcontractors.

24.7.1. Public Contract Code section 9204(d)(5) states that the Contractor may present to the District a Claim on behalf of a Subcontractor or lower tier Subcontractor. A Subcontractor may request in writing, either on his or her own behalf or on behalf of a lower tier Subcontractor, that the Contractor present a claim for Work which was performed by the Subcontractor or by a lower tier Subcontractor on behalf of the Subcontractor. The Subcontractor requesting that the Claim be presented to the District shall furnish reasonable documentation to support the Claim. Within 45 days of receipt of this written request, the

Contractor shall notify the Subcontractor in writing as to whether the Contractor presented the claim to the District and, if the Contractor did not present the Claim, provide the Subcontractor with a statement of the reasons for not having done so.

24.7.2. Contractor is responsible for providing this Claims Resolution Process to its Subcontractors and for ensuring that all Subcontractors or others who may assert Claims by and through Subcontractors and/or the Contractor are informed of this Claims Resolution Process. No Claim submitted by any party that fails to follow the provisions of this Claims Resolution Process will be considered. Contractor shall indemnify, keep and hold harmless the District and its consultants, against all suits, claims, damages, losses, and expenses, including but not limited to attorney's fees, caused by, arising out of, resulting from, or incidental to, the failure to provide this Claims Resolution Process to its Subcontractors or others who may assert Claims by and through Subcontractors and/or the Contractor.

24.7.3. Contractor Must Timely Identify, Present and Document Any Claim

24.7.3.1. Every Claim shall be stated with specificity in writing and signed by Contractor under penalty of perjury and presented to the District within ten (10) calendar days from the date Contractor discovers or reasonably should discover, that an act, error or omission of District, its agents or employees, or action, condition or other situation has occurred that may entitle Contractor to make a Claim. This shall include the Contractor's actual or constructive knowledge of any instruction, request, drawings, specifications, action, condition, omission, default or other situation for which the contractor believes there should an adjustment of the Contract Price or Contract Time. Contractor shall provide this writing even if Contractor has not yet been damaged, delayed, or incurred extra cost when Contractor discovers, or reasonably should discover, the act, error, omission, action, condition or situation giving rise to the incidents giving rise to the Claim. The writing shall:

24.7.3.1.1. Identify all of the issues, events, conditions, circumstances and/or causes giving rise to the Claim;

24.7.3.1.2. Identify all pertinent dates and/or durations and all actual and/or anticipated effects on the Contract Price, milestones and/or Contract Time adjustments; and

24.7.3.1.3. Identify in detail line-item costs if the Claim seeks money.

24.7.3.1.4. If the Claim involves extra work, a detailed cost breakdown of the amounts the Contractor is seeking, including actual cost records (including without limitation, payroll records, material and rental invoices and the like) demonstrating that those costs have actually been incurred. To the extent costs have not yet been incurred at the time the Claim is submitted, actual cost records must be submitted on a current basis not less than once a week during any periods costs are incurred. A cost record will be considered current if submitted within seven (7) days of the date the cost reflected in the record is incurred. At the request of District, extra costs may be subject to further verification procedures (such as having an inspector verify the performance of alleged extra work on a daily basis).

24.7.3.1.5. If the Claim involves an error or omission in the Contract Documents:

24.7.3.1.5.1. An affirmative representation under penalty of perjury by Contractor and any affected Subcontractors and suppliers that the error or omission was not discovered prior to submitting a proposal for the Work, and

24.7.3.1.5.2. A detailed statement demonstrating that the error or omission reasonably should not have been discovered, by Contractor, its Subcontractors and suppliers, prior to submitting a proposal for the Work.

24.7.3.1.6. If the Claim involves a request for additional compensation for escalation of materials costs, then this provision exclusively governs those request(s) by Contractor and the following are **all** conditions precedent to Contractor's submission of a Change Order Request or Claim for additional compensation for escalation of materials costs.

24.7.3.1.6.1. Contractor shall not be entitled to submit a request for compensation for escalation of materials unless the actual cost of materials exceeds ten percent (10%) of the **total** material costs on the Project.

24.7.3.1.6.2. The cost escalation is the result of unusual and unforeseeable market conditions not reasonably foreseeable at the time of award of the Contract and was not an escalated cost resulting from any action or inaction of the Contractor.

24.7.3.1.6.3. Contractor timely ordered and/or purchased the materials at issue.

24.7.3.1.6.4. Contractor's material costs were reasonable at the time of Contractor's bid for the Project.

24.7.3.1.6.5. Contractor demonstrates an actual increase in the cost of materials in its Contract Price at the time of award of the Contract and/or as reflected in Contractor's escrowed bid documents compared to Contractor's actual material payment cost paid either at time of purchase or delivery, whichever is earlier.

24.7.3.1.6.6. An actual year-to-date price increase has occurred and can be substantiated by the E.N.R. 20-City Average Material Cost Index for the material at issue that demonstrates the claim for an increase in price of the material at the time of delivery of the higher priced material to the Project.

24.7.3.2. The writing shall be accompanied by all documents substantiating Contractor's position regarding the Claim.

24.7.3.3. A Claim that asserts an effect on any schedule milestones and/or Contract Time shall include all pertinent scheduling data demonstrating the impact(s) on the critical path(s), milestone(s) and/or Contract Time.

24.7.3.4. Contractor agrees that it shall not base its damages, its calculations or its Claim on a "total cost" approach, a "modified total cost" approach or a "jury verdict method" approach.

24.7.4. Certification. Each copy of the Claim Documentation shall be certified by a responsible officer of the Contractor in accordance with the requirements of the Contract Documents. This certification shall be under penalty of perjury and must include the following language immediately above or before the Contractor's signature: ***"I declare under penalty of perjury under the laws of the State of California that the information provided and statements made in this Claim are true and correct, substantiated and of merit."*** The Contractor acknowledges that this requirement is not a mere formality but is intended to ensure that the Contractor only submits Claims that it believes are true and correct, substantiated and have merit. Should Contractor fail to submit the foregoing written statement signed under penalty of perjury, Contractor waives and releases its Claim, including all rights and remedies in connection therewith. This certification must include a certification of any portion of the Claim from Subcontractor(s) or others who are asserting Claims by and through Subcontractors and/or the Contractor

24.7.5. District's Written Statement/Decision on Claim. The District shall issue a written statement/decision regarding the Claim to the Contractor within forty-five (45) days of receipt of the written Claim from the Contractor, or three (3) days after the District's first regular governing board meeting after that 45-day period if the District's governing board does not meet within that first 45-day

period. If the District fails to timely provide a written statement/decision regarding the Claim, the Claim shall be deemed rejected in its entirety.

24.7.6. Contractor Must Demand an Informal Meet and Confer Conference if Contractor Pursues Any Claim

24.7.6.1. FAILURE OF A CONTRACTOR TO TIMELY DEMAND A MEET AND CONFER CONFERENCE IS A WAIVER OF ITS RIGHT TO PURSUE ALL OR A PORTION OF ITS CLAIM.

24.7.6.2. Where There Is No Agreement: If there is no agreement between Contractor and the District on a Claim, then within ten (10) calendar days of the date of the District's written statement/decision in response to a Claim or PCO, if Contractor pursues that Claim, then Contractor must demand, by **registered mail or certified mail return receipt requested**, a meet and confer conference with District staff. A meet and confer conference with District staff shall be a condition precedent to Contractor seeking any further relief, including a mediation as indicated below.

24.7.6.3. Where There Is Partial Agreement: If Contractor and the District partially agree on a Claim but do not reach complete agreement, then the Parties shall complete a Change Order, if applicable, for the issues and/or amounts agreed to. For those issues not agreed to, if Contractor pursues those issues from that Claim, then Contractor must demand, by **registered mail or certified mail return receipt requested**, a meet and confer conference with District staff regarding those issues. A meet and confer conference with District staff shall be a condition precedent to Contractor seeking any further relief, including a mediation as indicated below, in connection with the District's rejection.

24.7.6.4. Meet and Confer Conference. District and Contractor shall schedule the meet and confer conference as soon as reasonably possible after Contractor's written demand for a meet and confer conference, but in no case later than thirty (30) days after Contractor's demand.

24.7.6.5. District's Written Decision. Within ten (10) **business** days of the meet and confer conference, the District shall issue a written decision. If the District fails to timely provide a written statement/decision after the meet and confer conference, all Claim issues that were part of the meet and confer conference shall be deemed rejected in their entirety.

24.7.6.5.1. If the District's decision completely resolves the Claim, then the Parties shall complete a Change Order, if applicable, for the issues and/or amounts agreed to.

24.7.6.5.2. If the District rejects the Contractor's Claim in whole or in part or does not issue a timely written response, then the parties shall mediate the remaining issues of the Claim.

24.7.6.5.3. Contractor's costs incurred in seeking relief for Claims are not recoverable from District.

24.7.7. Mediation.

24.7.7.1. At the District's sole discretion, this mediation may be a multiple-party mediation with the Architect, the Construction Manager, the Inspector, and/or other District consultants.

24.7.7.2. The District and Contractor shall mutually agree to a mediator within ten (10) **business** days after the disputed portion of the Claim has been identified in writing. If the parties cannot agree upon a mediator, each party shall select a mediator and those mediators shall select a qualified neutral third party to mediate with regard to the disputed portion of the Claim. Each party shall bear the fees and costs charged by its respective mediator in connection with the selection of the neutral mediator.

24.7.8. Contractor's Obligation to File a Government Code Claim. Nothing in this Contract, including this Claims Resolution Process, waives, modifies or tolls the Contractor's obligation to present a timely claim under Government Code section 910, et seq. Therefore, in addition to complying with this Claims Resolution Process, the Contractor is required to present claims to the District pursuant to Government Code section 910, et seq. If after the requirements of this Claims Resolution Process are satisfied, and all or a portion of the Claim remains unresolved, and if the Government Code claim is rejected by the District, the Contractor may proceed under the post-mediation provisions of this Claims Resolution Process.

24.7.9. Post Mediation Provisions

24.7.9.1. Claims of \$375,000 or Less: The provisions of Public Contract Code § 20104.4 shall apply. Pursuant to Public Contract Code § 20104.4(a), within sixty (60) days, but no earlier than thirty (30) days, following the filing of responsive pleadings, the court shall submit the matter to nonbinding mediation unless waived by mutual stipulation of both parties. Pursuant to Public Contract Code § 9204(d)(2)(D), a mediation conducted pursuant to this Claims Resolution Process shall excuse the obligation under Public Contract Code § 20104.4(a) to mediate after litigation has been commenced unless otherwise agreed to by the parties in writing.

24.7.9.2. Litigation of Claims in Excess of \$375,000. If, after a mediation as indicated above, the Parties have not resolved the Claim, either Party may commence an action in a court of competent jurisdiction to contest that decision within ninety (90) days following the conclusion of that mediation or one (1) year following the accrual of the cause of action, whichever is later. By mutual agreement, the Parties can agree to instead resolve the Claim through arbitration.

24.7.10. The District shall be entitled to remedy any false claims, as defined in California Government Code section 12650 *et seq.*, made to the District by the Contractor or any Subcontractor under the standards set forth in Government Code section 12650 *et seq.* Any Contractor or Subcontractor who submits a false claim shall be liable to the District for three times the amount of damages that the District sustains because of the false claim. A Contractor or Subcontractor who submits a false claim shall also be liable to the District for (a) the costs, including attorney fees, of a civil action brought to recover any of those penalties or damages, and (b) a civil penalty of up to \$11,000 for each false claim. In addition, Contractor may be subject to criminal prosecution under California Penal Code §72 and/or civil liability under False Claims Act. If so, the District may be entitled to recover its costs incurred to investigate any False Claim, including but not limited to attorneys' fees and expert fees incurred in connection with that investigation.

24.8. Documentation of Resolution.

If a Claim is resolved, the District shall determine if that resolution shall be documented in an Agreement and Release of Any and All Claims form or other document, as appropriate.

24.9. Claim Resolution Process – Non-Applicability.

The procedures and provisions in this Claims Resolution section shall **not** apply to:

24.9.1. District's determination of what Work is or will be constructed, or whether the Work complies with the Contract Documents for purposes of accepting the Work;

24.9.2. District's rights and obligations as a public entity, such as, but without limitation, the revocation of pre-qualified or qualified status, barring a contractor from District contracts, the imposition of penalties or forfeitures prescribed by statute or regulation; provided, however, that penalties imposed against a public entity by statutes such as Public Contract Code section 7107, shall be subject to the mandatory dispute resolution provisions of this Claims Resolution section and the Contract;

24.9.3. Personal injury, wrongful death or property damage claims;

24.9.4. Latent defect or breach of warranty or guarantee to repair;

24.9.5. Stop notices or stop payment notices; or

24.9.6. Any other District rights as set forth herein.

24.10. The District's failure to respond to a Claim from the Contractor within the time periods described herein or to otherwise meet the time requirements of Public Contract Code section 9204 shall automatically result in the Claim being deemed rejected in its entirety, with no admission by the District as to the merits of the Claim.

24.11. If District fails to timely issue payment for any Claim or portion of a Claim as required pursuant to these Claim Resolution Procedures, the Contractor is permitted to assess interest indicated in Public Contract Code section 9204. Notwithstanding this provision, and in accordance with Public Contract Code section 7107, the District is entitled to withhold up to 150% of disputed amounts and the District shall not be liable for payment of interest on such disputed amounts pending final adjudication of such disputes.

25. LABOR, WAGE & HOUR, APPRENTICE AND RELATED PROVISIONS

25.1. Contractor & Subcontractor Registration

25.1.1. Contractor shall comply with the registration and compliance monitoring provisions of Labor Code section 1771.4, including furnishing its CPRs to the Labor Commissioner of California and complying with any applicable enforcement by the Department of Industrial Relations. Labor Code section 1771.1(a) states the following:

"A contractor or subcontractor shall not be qualified to bid on, be listed in a bid proposal, subject to the requirements of Section 4104 of the Public Contract Code, or engage in the performance of any contract for public work, as defined in this chapter, unless currently registered and qualified to perform public work pursuant to Section 1725.5. It is not a violation of this section for an unregistered contractor to submit a bid that is authorized by Section 7029.1 of the Business and Professions Code or by Section 10164 or 20103.5 of the Public Contract Code, provided the contractor is registered to perform public work pursuant to Section 1725.5 at the time the contract is awarded."

25.1.2. Contractor acknowledges that, for purposes of Labor Code section 1725.5, all or some of the Work is a public work to which Labor Code section 1771 applies. Contractor shall comply with Labor Code section 1725.5, including without limitation the registration requirements. Additionally, all Contractor's Subcontractors shall comply with Labor Code section 1725.5 to be qualified to bid on, be listed in a bid proposal, subject to the requirements of Section 4104 of the Public Contract Code, or engage in the performance of the Contract. Contractor represents that all of its Subcontractors are registered pursuant to Labor Code section 1725.5.

25.1.3. The Project is subject to compliance monitoring and enforcement by the Department of Industrial Relations. Contractor shall post job site notices, as prescribed by regulation. Contractor shall comply with all requirements of Labor Code section 1771.4, except the requirements that are exempted by the Labor Commissioner for the Project.

25.2. Wage Rates, Travel and Subsistence

25.2.1. Pursuant to the provisions of article 2 (commencing at section 1770), chapter 1, part 7, division 2,

of the Labor Code of California, the general prevailing rate of per diem wages and the general prevailing rate for holiday and overtime work in the locality in which this public work is to be performed for each craft, classification, or type of worker needed to execute this Contract are on file at the District's principal office and copies will be made available to any interested party on request and are available to any interested party on request or at www.dir.ca.gov/oprl/statistics_and_databases.html. Contractor shall obtain and post a copy of these wage rates at the job site.

25.2.2. Holiday and overtime work, when permitted by law, shall be paid for at a rate of at least one and one-half times the above specified rate of per diem wages, unless otherwise specified. The holidays upon which those rates shall be paid need not be specified by the District, but shall be all holidays recognized in the applicable collective bargaining agreement. If the prevailing rate is not based on a collectively bargained rate, the holidays upon which the prevailing rate shall be paid shall be as provided in Section 6700 of the Government Code.

25.2.3. Contractor shall pay and shall cause to be paid each worker engaged in Work on the Project not less than the general prevailing rate of per diem wages determined by the Director of the Department of Industrial Relations ("DIR") ("Director"), regardless of any contractual relationship which may be alleged to exist between Contractor or any Subcontractor and such workers.

25.2.4. If during the period this bid is required to remain open, the Director determines that there has been a change in any prevailing rate of per diem wages in the locality in which the Work under the Contract is to be performed, such change shall not alter the wage rates in the Invitation to Bid or the Contract subsequently awarded.

25.2.5. Pursuant to Labor Code section 1775, Contractor shall, as a penalty to District, forfeit the statutory amount, (currently not to exceed two hundred dollars (\$200) for each calendar day, or portion thereof), for each worker paid less than the prevailing rates, as determined by the District and/or the Director, for the work or craft in which that worker is employed for any public work done under Contract by Contractor or by any Subcontractor under it.

25.2.5.1. The amount of the penalty shall not be less than forty dollars (\$40) for each calendar day, or portion thereof, unless the failure of Contractor was a good faith mistake and, if so, the error was promptly and voluntarily corrected when brought to the attention of Contractor.

25.2.5.2. The amount of the penalty shall not be less than eighty dollars (\$80) for each calendar day or portion thereof, if Contractor has been assessed penalties within the previous three (3) years for failing to meet Contractor's prevailing wage obligations on a separate contract, unless those penalties were subsequently withdrawn or overturned.

25.2.5.3. The amount of the penalty may not be less than one hundred twenty dollars (\$120) for each calendar day, or portion thereof, if the Labor Commissioner determines the Contractor willfully violated Labor Code section 1775.

25.2.5.4. The difference between such prevailing wage rates and the amount paid to each worker for each calendar day or portion thereof for which each worker was paid less than the prevailing wage rate, shall be paid to each worker by Contractor.

25.2.6. Any worker employed to perform Work on the Project, which Work is not covered by any classification listed in the general prevailing wage rate of per diem wages determined by the Director, shall be paid not less than the minimum rate of wages specified therein for the classification which most nearly corresponds to Work to be performed by him, and such minimum wage rate shall be retroactive to time of initial employment of such person in such classification.

25.2.7. Pursuant to Labor Code section 1773.1, per diem wages are deemed to include employer

payments for health and welfare, pension, vacation, travel time, subsistence pay, and apprenticeship or other training programs authorized by section 3093, and similar purposes.

25.2.8. Contractor shall post at appropriate conspicuous points on the Site of Project, a schedule showing all determined minimum wage rates and all authorized deductions, if any, from unpaid wages actually earned. In addition, Contractor shall post a sign-in log for all workers and visitors to the Site, a list of all subcontractors of any tier on the Site, and the required Equal Employment Opportunity poster(s).

25.3. Hours of Work

25.3.1. As provided in article 3 (commencing at section 1810), chapter 1, part 7, division 2, of the Labor Code, eight (8) hours of labor shall constitute a legal days work. The time of service of any worker employed at any time by Contractor or by any Subcontractor on any subcontract under this Contract upon the Work or upon any part of the Work contemplated by this Contract shall be limited and restricted by Contractor to eight (8) hours per day, and forty (40) hours during any one week, except as hereinafter provided. Notwithstanding the provisions hereinabove set forth, Work performed by employees of Contractor in excess of eight (8) hours per day and forty (40) hours during any one week, shall be permitted upon this public work upon compensation for all hours worked in excess of eight (8) hours per day at not less than one and one-half times the basic rate of pay.

25.3.2. Contractor shall keep and shall cause each Subcontractor to keep an accurate record showing the name of and actual hours worked each calendar day and each calendar week by each worker employed by Contractor in connection with the Work or any part of the Work contemplated by this Contract. The record shall be kept open at all reasonable hours to the inspection of District and to the Division of Labor Standards Enforcement of the DIR.

25.3.3. Pursuant to Labor Code section 1813, Contractor shall as a penalty to the District forfeit the statutory amount (believed by the District to be currently twenty five dollars (\$25)) for each worker employed in the execution of this Contract by Contractor or by any Subcontractor for each calendar day during which such worker is required or permitted to work more than eight (8) hours in any one calendar day and forty (40) hours in any one calendar week in violation of the provisions of article 3 (commencing at section 1810), chapter 1, part 7, division 2, of the Labor Code.

25.3.4. Any Work necessary to be performed after regular working hours, or on Sundays or other holidays shall be performed without additional expense to the District.

25.4. Payroll Records

25.4.1. If requested by the District, Contractor shall provide to the District and shall cause each Subcontractor performing any portion of the Work to provide the District and an accurate and certified payroll record ("CPR(s)"), showing the name, address, social security number, work classification, straight time, and overtime hours worked each day and week, and the actual per diem wages paid to each journeyman, apprentice, worker, or other employee employed by the Contractor and/or each Subcontractor in connection with the Work.

25.4.1.1. In addition to any other requirements pursuant to Labor Code sections 1770, et seq., the CPRs enumerated hereunder shall be certified and shall be provided to the District on a weekly basis. The CPRs from the Contractor and each Subcontractor for each week shall be provided on or before Wednesday of the week following the week covered by the CPRs. District shall not make any payment to Contractor until:

25.4.1.1.1. Contractor and/or its Subcontractor(s) provide CPRs acceptable to the District, and

25.4.1.1.2. The District is given sufficient time to review and/or audit the CPRs to determine their acceptability. Any delay in Contractor and/or its Subcontractor(s) providing CPRs to the District in a timely manner will directly delay the District's review and/or audit of the CPRs and Contractor's payment.

25.4.2. All CPRs shall be available for inspection at all reasonable hours at the principal office of Contractor on the following basis:

25.4.2.1. A certified copy of an employee's CPR shall be made available for inspection or furnished to the employee or his/her authorized representative on request.

25.4.2.2. CPRs shall be made available for inspection or furnished upon request to a representative of District, Division of Labor Standards Enforcement, Division of Apprenticeship Standards, and/or the Department of Industrial Relations.

25.4.2.3. CPRs shall be made available upon request by the public for inspection or copies thereof made; provided, however, that a request by the public shall be made through either the District, Division of Apprenticeship Standards, or the Division of Labor Standards Enforcement. If the requested CPRs have not been provided pursuant to the provisions herein, the requesting party shall, prior to being provided the records reimburse the costs of preparation by Contractor, Subcontractors, and the entity through which the request was made. The public shall not be given access to the records at the principal office of Contractor.

25.4.3. The form of certification for the CPRs shall be as follows:

I, _____ (Name-Print), the undersigned, am the _____
_____ (Position in business) with the authority to act for and on behalf of _____
_____ (Name of business and/or Contractor), certify under penalty of perjury that the records or copies thereof submitted and consisting of _____
(Description, number of pages) are the originals or true, full, and correct copies of the originals which depict the payroll record(s) of actual disbursements by way of cash, check, or whatever form to the individual or individual named, and (b) we have complied with the requirements of sections 1771, 1811, and 1815 of the Labor Code for any work performed by our employees on the Project.

Date: _____ Signature: _____
(Section 16401 of Title 8 of the California Code of Regulations)

25.4.4. Each Contractor shall file a certified copy of the CPRs with the entity that requested the records within ten (10) days after receipt of a written request.

25.4.5. Any copy of records made available for inspection as copies and furnished upon request to the public or any public agency by District, Division of Apprenticeship Standards, or Division of Labor Standards Enforcement shall be marked or obliterated in such a manner as to prevent disclosure of an individual's name, address, and social security number. The name and address of Contractor awarded Contract or performing Contract shall not be marked or obliterated.

25.4.6. Contractor shall inform District of the location of the records enumerated hereunder, including the street address, city, and county, and shall, within five (5) Business Days, provide a notice of change of location and address.

25.4.7. In the event of noncompliance with the requirements of this section, Contractor shall have ten (10) days in which to comply subsequent to receipt of written notice specifying in what respects Contractor must comply with this section. Should noncompliance still be evident after the ten (10) day

period, Contractor shall, as a penalty to District, forfeit one hundred dollars (\$100) for each calendar day, or portion thereof, for each worker, until strict compliance is effectuated. Upon the request of Division of Apprenticeship Standards or Division of Labor Standards Enforcement, these penalties shall be withheld from progress payments then due.

25.4.8. It shall be the responsibility of Contractor to ensure compliance with the provisions of Labor Code section 1776.

25.5. Apprentices

25.5.1. Contractor acknowledges and agrees that, if this Contract involves a dollar amount greater than or a number of working days greater than that specified in Labor Code section 1777.5, then this Contract is governed by the provisions of Labor Code Section 1777.5. It shall be the responsibility of Contractor to ensure compliance with this Article and with Labor Code section 1777.5 for all apprenticeship occupations.

25.5.2. Apprentices of any crafts or trades may be employed and, when required by Labor Code section 1777.5, shall be employed provided they are properly registered in full compliance with the provisions of the Labor Code.

25.5.3. Every such apprentice shall be paid the standard wage paid to apprentices under the regulations of the craft or trade at which he/she is employed, and shall be employed only at the work of the craft or trade to which she/he is registered.

25.5.4. Only apprentices, as defined in section 3077 of the Labor Code, who are in training under apprenticeship standards and written apprentice agreements under chapter 4 (commencing at section 3070), division 3, of the Labor Code, are eligible to be employed. The employment and training of each apprentice shall be in accordance with the provisions of the apprenticeship standards and apprentice agreements under which he/she is training.

25.5.5. Pursuant to Labor Code section 1777.5, if that section applies to this Contract as indicated above, Contractor and any Subcontractors employing workers in any apprenticeable craft or trade in performing any Work under this Contract shall apply to the applicable joint apprenticeship committee for a certificate approving the Contractor or Subcontractor under the applicable apprenticeship standards and fixing the ratio of apprentices to journeymen employed in performing the Work.

25.5.6. Pursuant to Labor Code section 1777.5, if that section applies to this Contract as indicated above, Contractor and any Subcontractor may be required to make contributions to the apprenticeship program.

25.5.7. If Contractor or Subcontractor willfully fails to comply with Labor Code section 1777.5, then, upon a determination of noncompliance by the Administrator of Apprenticeship, it shall:

25.5.7.1. Be denied the right to bid on any subsequent project for one (1) year from the date of such determination;

25.5.7.2. Forfeit as a penalty to District the full amount as stated in Labor Code section 1777.7. Interpretation and enforcement of these provisions shall be in accordance with the rules and procedures of the California Apprenticeship Council and under the authority of the Chief of the Division of Apprenticeship Standards.

25.5.8. Contractor and all Subcontractors shall comply with Labor Code section 1777.6, which section forbids certain discriminatory practices in the employment of apprentices.

25.5.9. Contractor shall become fully acquainted with the law regarding apprentices prior to

commencement of the Work. Special attention is directed to sections 1777.5, 1777.6, and 1777.7 of the Labor Code, and title 8, California Code of Regulations, section 200 et seq. Questions may be directed to the State Division of Apprenticeship Standards, 455 Golden Gate Avenue, San Francisco, California 94102.

25.5.10. Contractor shall ensure compliance with all certification requirements for all workers on the Project including, without limitation, the requirements for electrician certification in Labor Code sections 108, et seq.

25.6. Non-Discrimination

25.6.1. Contractor herein agrees not to discriminate in its recruiting, hiring, promotion, demotion, or termination practices on the basis of race, religious creed, national origin, ancestry, sex, age, or physical handicap in the performance of this Contract and to comply with the provisions of the California Fair Employment and Housing Act as set forth in part 2.8 of division 3 of the California Government Code, commencing at section 12900; the Federal Civil Rights Act of 1964, as set forth in Public Law 88-352, and all amendments thereto; Executive Order 11246, and all administrative rules and regulations found to be applicable to Contractor and Subcontractor.

25.6.2. Special requirements for Federally Assisted Construction Contracts: During the performance of this Contract, Contractor agrees to incorporate in all subcontracts the provisions set forth in Chapter 60-1.4(b) of Title 41 published in Volume 33 No. 104 of the Federal Register dated May 28, 1968.

25.7. Labor First Aid

Contractor shall maintain emergency first aid treatment for Contractor's workers on the Project which complies with the Federal Occupational Safety and Health Act of 1970 (29 U.S.C. § 651 et seq.) the California Occupational Safety and Health Act of 1973, and all related regulations, including without limitation section 330 et seq. of Title 8 of the California Code of Regulations.

26. MISCELLANEOUS

26.1. Assignment of Antitrust Actions

26.1.1. Section 7103.5(b) of the Public Contract Code states:

In entering into a public works contract or subcontract to supply goods, services, or materials pursuant to a public works contract, the Contractor or subcontractor offers and agrees to assign to the awarding body all rights, title, and interest in and to all causes of action it may have under Section 4 of the Clayton Act (15 U.S.C. Sec. 15) or under the Cartwright Act (Chapter 2 (commencing with Section 16700) of Part 2 of Division 7 of the Business and Professions Code), arising from purchases of goods, made and become effective at the time the awarding body tenders final payment to the Contractor, without further acknowledgment by the parties.

26.1.2. Section 4552 of the Government Code states:

In submitting a bid to a public purchasing body, the bidder offers and agrees that if the bid is accepted, it will assign to the purchasing body all rights, title, and interest in and to all causes of action it may have under Section 4 of the Clayton Act (15 U.S.C. Sec. 15) or under the Cartwright Act (Chapter 2 (commencing with Section 16700) of Part 2 of Division 7 of the Business and Professions Code), arising from purchases of goods, materials, or services by the bidder for sale to the purchasing body pursuant to the bid. Such assignment shall be made and become effective at the time the purchasing body tenders final payment to the bidder.

26.1.3. Section 4553 of the Government Code states:

If an awarding body or public purchasing body receives, either through judgment or settlement, a monetary recovery for a cause of action assigned under this chapter, the assignor shall be entitled to receive reimbursement for actual legal costs incurred and may, upon demand, recover from the public body any portion of the recovery, including treble damages, attributable to overcharges that were paid by the assignor but were not paid by the public body as part of the bid price, less the expenses incurred in obtaining that portion of the recovery.

26.1.4. Section 4554 of the Government Code states:

Upon demand in writing by the assignor, the assignee shall, within one year from such demand, reassign the cause of action assigned under this part if the assignor has been or may have been injured by the violation of law for which the cause of action arose and (a) the assignee has not been injured thereby, or (b) the assignee declines to file a court action for the cause of action.

26.1.5. Under this Article, “public purchasing body” is District and “bidder” is Contractor.

26.2. Excise Taxes

If, under Federal Excise Tax Law, any transaction hereunder constitutes a sale on which a Federal Excise Tax is imposed and the sale is exempt from such Federal Excise Tax because it is a sale to a State or Local Government for its exclusive use, District, upon request, will execute documents necessary to show (1) that District is a political subdivision of the State for the purposes of such exemption, and (2) that the sale is for the exclusive use of District. No Federal Excise Tax for such materials shall be included in any Contract Price.

26.3. Taxes

Contract Price is to include any and all applicable sales taxes or other taxes that may be due in accordance with section 7051 of the Revenue and Taxation Code; Regulation 1521 of the State Board of Equalization or any other tax code that may be applicable.

26.4. Shipments

All shipments must be F.O.B. destination to Site or sites, as indicated in the Contract Documents. There must be no charge for containers, packing, unpacking, drayage, or insurance. The total Contract Price shall be all inclusive (including sales tax) and no additional costs of any type will be considered.

26.5. Compliance with Government Reporting Requirements

If this Contract is subject to federal or other governmental reporting requirements because of federal or other governmental financing in whole or in part for the Project which it is part, or for any other reason, Contractor shall comply with those reporting requirements at the request of the District at no additional cost.

END OF DOCUMENT

SECTION 01 64 00

OWNER FURNISHED PRODUCTS

PART 1 GENERAL

1.01 SUMMARY

- A. DESCRIPTION: The Owner shall procure and provide certain products for installation as shown and specified per Contract Documents.
- B. RELATED WORK SPECIFIED ELSEWHERE
 - 1. **General.** Products furnished and paid for by the Owner are described in the following technical sections and /or in the Drawings.
 - 2. **District Supplies Material.**
Note that this project includes the installation of owner-supplied material; the District has acquired roofing material through the CMAS (California Multiple Award Schedules) program.

1.02 DEFINITIONS

- A. GENERAL: The following are used to identify products as noted on the Drawings.
- B. OWNER FURNISHED CONTRACTOR INSTALLED (O.F.C.I.): Products or equipment furnished by the Owner for installation under this contract.
- C. OWNER FURNISHED OWNER INSTALLED (O.F.O.I.): Products or equipment to be provided and installed by the Owner, but requiring surfacing, backing, utility connections or other preparation under this contract, for proper installation.
- D. NOT IN CONTRACT (N.I.C.): Products or equipment to be provided and installed by Owner, not requiring surfacing, backing, utility connections or other preparation under this contract.

PART 2 PRODUCTS

2.01 PRODUCTS

- A. ROOFING MATERIAL FURNISHED BY OWNER (O.F.C.I.): District supplied material through the CMAS (California Multiple Award Schedules) program. Related specification sections include Section 075360 Modified Bituminous Membrane Roofing
- B. MATERIAL LIST:

1.	StressPly Plus FR Mineral	500	Rolls
2.	StressBase 80 Plus	250	Rolls
3.	Pyramic Plus LO	200	Buckets
4.	Weatherking Plus WC	300	Buckets
5.	Weatherking Flashing Adhesive	70	Buckets
6.	Tuff-Stuff MS	3	Cases
7.	Garla-Prime VOC	10	Buckets
8.	Freight to Jobsite	1	Each

PART 3 EXECUTION**3.01 OWNER'S RESPONSIBILITIES**

- A. SUBMITTALS: Arrange for and deliver necessary shop drawings, product data and samples to Contractor
- B. DELIVERY:
 - 1. **General**: Arrange and pay for product delivery to site, in accordance with construction schedule
 - 2. **Bill of Materials**: Deliver supplier's documentation to Contractor.
 - 3. **Inspection**. Inspect jointly with Contractor.
 - 4. **Claims**. Submit for transportation damage and replacement of otherwise damaged, defective, or missing items.
- C. **GUARANTEES**: Arrange for manufacturer's warranties, bonds, service, inspections, as required.

3.02 CONTRACTOR'S RESPONSIBILITIES

- A. SUBMITTALS: Arrange for and deliver necessary shop drawings, product data and samples to Contractor
- B. DELIVERY:
 - 1. **General**: Designate delivery date for each product in Progress Schedule
 - 2. **Receiving**: Receive and unload products at site. Handle products at site, including uncrating and storage.
 - 3. **Inspection**: Promptly inspect products jointly with Owner; record shortages, damaged or defective items.
 - 4. **Storage**: Protect products from damage or exposure to elements.
- C. INSTALLATION:
 - 1. **General**: Assemble, install, connect, adjust, and finish products, as stipulated in the respective section of Specifications.
 - 2. **Repair and Replacement**: Items damaged during handling and installation are the responsibility of the contractor.

END OF SECTION

SECTION 07 22 16**ROOF INSULATION****PART 1 GENERAL****1.01 SECTION INCLUDES**

- A. Roof insulation and installation.
 - 1. HCFC FREE "Green" Polyiso Rigid board type roof insulation(s) for thermal protection as part of roofing assemblies.

1.02 RELATED SECTIONS

- A. Section 07 5550 - Modified Bitumen Roofing
- B. Section 07 6200 - Sheet Metal Flashing and Trim

1.03 REFERENCES

- A. ASTM A-167-94a Specification for Stainless and Heat-Resisting Chromium Nickel Steel Plate, Sheet and Strip
- B. ASTM A- 653 Specification for Steel Sheet, Zinc-Coated (Galvanized) or Zinc - Iron Alloy-Coated (Galvanized) by the Hot-Dip Process
- C. ASTM B-29 Pig Lead
- D. ASTM B-32 Solder Metal
- E. ASTM C-165-95 Test Method for Measuring Compressive Properties of Thermal Insulation
- F. ASTM C-208-95 Specifications for Cellulosic Fiber Insulating Board
- G. ASTM C-209-92 Test Method for Cellulosic Fiber Insulating Board
- H. ASTM C-272-91 Test Method for Water Absorption of Core Materials for Structural Sandwich Constructions
- I. ASTM C 518 - Standard Test Method for Steady-State Heat Flux Measurements and Thermal Transmission Properties by Means of the Heat Flow Meter Apparatus.
- J. ASTM C-728-91 Specification for Perlite Thermal Insulation Board
- K. ASTM D-5 Test Method for Penetration of Bituminous Materials
- L. ASTM D-36 Test Method for Softening Point of Bitumen (Ring and Ball Apparatus)
- M. ASTM D-92 Test Method for Flash and Fire Pints by Cleveland Open Cup
- N. ASTM D-312 Specification for Asphalt Used in Roofing
- O. ASTM D-5147 Sampling and Testing Modified Bituminous Sheet Material
- P. ASTM E 84 - Standard Test Method for Surface Burning Characteristics of Building Materials.
- Q. ASTM E 96 - Standard Test Methods for Water Vapor Transmission of Materials.
- R. ASTM E 2114-01 - Standard Terminology for Sustainability Relative to the Performance of Buildings

- S. ASTM 2129 -01 - Standard Practice for Data Collection for Sustainability Assessment of Building Product
- T. FM Factory Mutual System, Norwood, Massachusetts
- U. NRCA National Roofing Contractors Association, Chicago, IL
- V. SMACNA Sheet Metal and Air Conditioning Contractors National Association
- W. UL Underwriter's Laboratories, Inc., Northbrook, Illinois
- X. FS HH-I-1972 Insulation Board, Polyisocyanurate
- Y. WH Warnock Hersey International, Inc. Middleton, WI

1.04 DEFINITIONS

- A. HCFC FREE "Green" Polyiso Roof Board Insulation is defined as environmentally friendly, with Zero Global Warming, Zero Ozone Depletion (ODP) as in compliance with the US EPA requirements of January 1, 2003 requirement to eliminate production of HCFC 141b.
- B. LTTR (Long Term Thermal Resistance) is defined as using techniques from ASTM C1303, CAN/ULC S770 predicting a foam's R-Value that has been shown to be equivalent to the average performance of a permeably faced foam insulation product over 15 years. In Canada this method is used as the Design R-Value. This applies to ALL foam insulation products with blowing agents other than air, such as Polyiso, "Green" Polyiso, extruded polystyrene and polyurethane. The new method is based on consensus standards in the US and Canada. PIMA has reported this method as providing a better understanding of the thermal performance of foam.

1.05 SUBMITTALS

- A. See Section 01 3300 - Submittals, for submittal procedures.
- B. Product Data: Manufacturer's specifications and installation instructions for each product specified.
- C. Provide approval letters from insulation manufacturer for use of their insulation within this particular roofing system type.
- D. Provide a sample of each insulation type.
- E. Shop Drawings:
- F. Indicate complete installation details of tapered insulation system, including identification of each insulation block, sequence of installation, layout, drain locations, roof slopes, thicknesses, crickets and saddles.
- G. Include: Outline of roof, location of drains and scuppers, complete board layout of tapered insulation components, thickness and the average "R" value for the completed insulation system.
- H. Certifications: Submit all of the following;
 - 1. Roof manufacturer's certification that insulation fasteners furnished are acceptable to roof manufacturer.
 - 2. Roof manufacturer's certification that insulation furnished is acceptable to roofing manufacturer as a component of roofing system and is eligible for roof manufacturer's system warranty.

3. Wind uplift calculation, per CBC, Chapter 15, 1504 utilizing ASCE 7. Wind uplift shall be provided by the roofing system manufacturer. Calculation shall be signed and sealed by a CA licensed Structural II engineer.
4. System Manufacturer's or insulation manufacturer's certification that HCFC FREE "Green" Polyiso materials meet Zero ODP (Ozone Depletion Potential) and Zero GWP (Global Warming Potential) specification requirements.

1.06 DESIGN REQUIREMENTS

- A. No ponding of water on roof, all runoff flows to drain.
- B. All roof insulation overlaid with perlite board. No roofing installed over exposed insulation.

1.07 PERFORMANCE REQUIREMENTS

- A. General: Fire Classification, ASTM E-108; Section specifies a roof system with an external fire rating. The descriptions given below are general descriptions. The insulation, recovery board, and all other components shall be included as required by the membrane manufacturer to provide a Factory Mutual Class 1A fire resistance rating or Listed by Underwriter's Laboratories or Warnock Hersey for external fire tests of ASTM - E - 108 Class A.
- B. Provide continuity of thermal barrier at building enclosure elements.
- C. Flame spread less than 25 when tested in accordance with ASTM E84.
- D. Smoke density less than 50 when tested in accordance with ASTM E84.

1.08 DELIVERY, STORAGE, AND HANDLING

- A. Deliver materials in manufacturer's original, unopened packaging, with identifying tags or labels intact and legible.
- B. Coordinate scheduling for timely deliveries and prompt installation of materials.
- C. Store insulation and support system in a dry, protected area out of direct sunlight. If storage area is outdoors, store material off the ground and protected by a suitable waterproof cover.
- D. Remove insulation which is warped, broken or exposed from moisture from the site.

1.09 ENVIRONMENTAL REQUIREMENTS

- A. Handle and install insulation system only under conditions and temperatures recommended by the manufacturer.
- B. Coordinate insulation placement to assure that material can be covered promptly with roof. Do not leave insulation exposed overnight or to inclement weather.

1.10 WARRANTY

- A. Provide warranty coordinated with the requirements of other sections specifying roof products.

PART 2 PRODUCTS

2.01 MANUFACTURER

- A. Acceptable Manufacturers:
 1. Viking Products Group, www.vikingpg.com

2. Dow, www.dow.com
3. GAF, www.gaf.com.
4. U. S. Intec Inc., www.usintec.com.

B. Substitutions: See Section 01 6000 - Product Requirements.

2.02 MATERIALS

- A. Polyisocyanurate Roof Insulation: Provide thicknesses of insulation as indicated. Provide combination of types and thicknesses to provide a complete system.
1. Surface Burning Characteristics: Provide assembly with composite flame spread rating of 25 or less and smoke developed of 50 or less, as determined in accordance with ASTM E 84.
 2. Closed cell polyisocyanurate foam.
 - a. R-Value: Minimum 10.
 3. Insulation board shall meet the following requirements:
 - a. UL, WH or FM listed under Roofing Systems
 - b. Federal Specification HH-I-1972, Class 1
 - c. Dimensional Stability ASTM D2126 2% max.
 - d. Compressive Strength ASTM D1621 25 psi min.
 - e. Vapor Permeability ASTM E-96 1 perm max.
 - f. Foam Core Density ASTM D1622 2.0 pcf min.
 - g. Water Absorption ASTM C209 <1 %
 - h. Flame Spread ASTM E 84, 25 max.
 - i. R-Factor HR per inch thickness ASTM C 518 (Design Value)
- B. Related Materials:
1. Fiber Cant and Tapered Edge Strips: Performed rigid insulation units of sizes/shapes indicated or as required to achieve configurations shown, of perlite or organic fiberboard:
- C. Protection Board: preprimed gypsum board 1/2 inch thickness.
- D. Adhesive: Insul-Lock HR – The Garland Company.
- E. Sprayed in place backfill insulation: Dow Great Stuff or as approved by roofing system manufacturer.
- F. Fasteners:
1. Corrosion resistant screw fastener as recommended by roof membrane manufacturer.
 2. Factory Mutual Tested and Approved with 3 in. coated disc for 1-90 rating, length required to penetrate deck one inch.

PART 3 EXECUTION

3.01 EXAMINATION

- A. Verify that roof framing system is complete and ready to receive insulation system. Do not proceed with installation until unsatisfactory conditions have been corrected.
1. Verify that work which penetrates roof deck has been completed.
 2. Verify that wood nailers are properly and securely installed.
 3. Examine surfaces for defects, rough spots, ridges, depressions, foreign material, moisture, and unevenness.
 4. Do not proceed until defects are corrected.

5. Do not apply insulation until substrate is sufficiently dry, 12 percent moisture maximum, and ready to receive insulation and adhesive.
6. Broom clean substrate immediately prior to application.
7. Use additional insulation to fill depressions and low spots that would otherwise cause ponding water.

3.02 INSTALLATION

- A. General: Install roof insulation in strict accordance with manufacturer's instructions and approved shop drawings.
- B. Roofing insulation attachment with mechanical fasteners:
 1. Approved insulation board shall be fully attached to the deck with an approved mechanical fastening system. Attachment shall be per roofing system manufacturer's wind uplift calculation.
 2. Place boards in a method to maximize contact bedding. Notch out undersides of insulation where insulation directly covers structural fasteners which are attached to the roof deck. Make notch equal to the length, width and depth of steel strap.
 3. Filler pieces of insulation require at least two fasteners per piece if size of insulation is less than four square feet.
 4. Provide spacing pattern of fasteners manufacturer's recommendations to meet wind uplift requirements. Placement of any fastener from edge of insulation board shall be a minimum of three inches, and a maximum of six inches.
 5. Minimum penetration into deck shall be as recommended by the fastener manufacturer, and one inch (1") minimum for wood or metal decks where not specified by the manufacturer
 6. Backfill around all conduit, junction boxes, etc. in roof insulation with spray foam insulation. Shave solidified spray foam even with board insulation surface.
 7. Subsequent layers of insulation will be set in insulation adhesive. Stagger the joints of subsequent layers of polyisocyanurate and protection board over the initial layer.
 8. Adhere cover board in foam insulation adhesive.

3.03 CLEANING AND PROTECTION

- A. Remove debris and cartons from roof deck. Protect finished work to insure that insulation remains clean and dry, ready to receive roofing membrane.

END OF SECTION

SECTION 07 55 00

MODIFIED BITUMINOUS MEMBRANE ROOFING

PART 1 GENERAL

1.1 SCOPE OF WORK

- A. The work under this contract shall include all labor, non-owner supplied materials, tools, transportation, equipment, services, and facilities necessary for, and reasonably incidental to, the completion of the work as shown on the drawings and/or described in the specifications, for the following scope of work:
1. Remove and dispose of all roofing, gutters, coping, edge metal, and associated materials down to the structural deck.
 2. Inspect deck and perform repairs as needed.
 3. Mechanically fasten or adhere R-10 polyiso and ½" densdeck prime per manufacturers ASCE-7 wind uplift calculations.
 4. Install new .040 aluminum counter flashing, detail flashings, coping, and edge metal.
 5. Install 2 ply modified bitumen StressPly system in cold applied asphalt. Allow roof to cure for 30 days.
 6. Apply Title 24 approved Pyramic Plus LO in 2 coats of 1.5 gallons per square (3 gal total).
 7. Paint all conduit lines with Pyramic Plus LO. Install conduits on new Dura-Block supports.
 8. Install new R-Mer Edge Coping in .040 aluminum per districts color choice.
 9. Add Alternate: Apply Tuff-Coat to the interior stucco of parapet walls on each building. Apply in 2 coats of 1 gallon per 100 square feet.

1.2 REFERENCES

- A. ASTM D 41 - Standard Specification for Asphalt Primer Used in Roofing, Dampproofing, and Waterproofing.
- B. ASTM D 312 - Standard Specification for Asphalt used in Roofing.
- C. ASTM D 451 - Standard Test Method for Sieve Analysis of Granular Mineral Surfacing for Asphalt Roofing Products.
- D. ASTM D 1079 Standard Terminology Relating to Roofing, Waterproofing and Bituminous Materials.
- E. ASTM D 1863 Standard Specification for Mineral Aggregate Used as a Protective Coating for Roofing.
- F. ASTM D 4601 Standard Specification for Asphalt Coated Glass Fiber Base Sheet Used in Roofing.
- G. ASTM D 5147 Standard Test Method for Sampling and Testing Modified Bituminous Sheet

Materials.

- H. ASTM D 6162 Standard Specification for Styrene Butadiene Styrene (SBS) Modified Bituminous Sheet Materials Using a Combination of Polyester and Glass Fiber Reinforcements.
- I. ASTM E 108 - Standard Test Methods for Fire Test of Roof Coverings
- J. Factory Mutual Research (FM): Roof Assembly Classifications.
- K. National Roofing Contractors Association (NRCA): Roofing and Waterproofing Manual.
- L. Sheet Metal and Air Conditioning Contractors National Association, Inc. (SMACNA) - Architectural Sheet Metal Manual.
- M. Underwriters Laboratories, Inc. (UL): Fire Hazard Classifications.
- N. Warnock Hersey (WH): Fire Hazard Classifications.
- O. ANSI-SPRI ES-1 Wind Design Standard for Edge Systems used with Low Slope Roofing Systems.
- P. ASCE 7, Minimum Design Loads for Buildings and Other Structures
- Q. UL - Fire Resistance Directory.
- R. FM Approvals - Roof Coverings and/or RoofNav assembly database.
- S. California Title 24 Energy Efficient Standards.

1.3 DESIGN / PERFORMANCE REQUIREMENTS

- A. Perform work in accordance with all federal, state and local codes.
- B. Exterior Fire Test Exposure: Roof system shall achieve a UL, FM or WH Class rating for roof slopes indicated on the Drawings as follows:
 - 1. Factory Mutual Class A Rating.
 - 2. Underwriters Laboratory Class A Rating.
 - 3. Warnock Hersey Class A Rating.
- C. Design Requirements:
 - 1. Uniform Wind Uplift Load Capacity
 - a. Installed roof system shall withstand negative (uplift) design wind loading pressures complying with the following criteria.
 - 1) Design Code: ASCE 7, Method 2 for Components and Cladding.
 - 2) Importance Category:
 - a) IV
 - 3) Importance Factor of:

- a) 2.0
 - 4) Wind Speed: 120 mph
 - 5) Exposure Category:
 - a) B.
 - 6) Roof Pitch: 1/4" :12.
 - 7) Roof Area Design Uplift Pressure:
 - a) Zone 1 - Field of roof 10.3 psf
 - b) Zone 2 - Eaves, ridges, hips and rakes 17.9 psf
 - c) Zone 3 – Corners 23.6 psf
- 2. Live Load: 20 psf, or not to exceed original building design.
- 3. Dead Load:
 - a. Installation of new roofing materials shall not exceed the dead load capacity of the existing roof structure.
- D. Energy Star: Roof System shall comply with the initial and aged reflectivity required by the U.S. Federal Government's Energy Star program.
- E. LEED: Roof system shall meet the reflectivity and emissivity criteria to qualify for one point under the LEED credit category, Credit 7.2, Landscape & Exterior Design to Reduce Heat Island - Roof.
- F. Roof System membranes containing recycled or bio-based materials shall be third party certified through UL Environment.
- G. Roof system shall have been tested in compliance with the following codes and test requirements:
 - 1. Cool Roof Rating Council:
 - 2. International Code Council Evaluation Service (ICC-ES):
 - 3. Underwriters Laboratories:
 - 4. Warnock Hersey
 - a. ITS Directory of Listed Products
 - 5. FM Approvals:
 - a. RoofNav Website

1.4 SUBMITTALS

- A. Submit the following to the Project representative for review and approval.
- B. Product Data: Manufacturer's data sheets on each product to be used, including:
 - 1. Preparation instructions and recommendations.
 - 2. Storage and handling requirements and recommendations.
 - 3. Installation instructions.
- C. Shop Drawings: Submit shop drawings including installation details of roofing, flashing, fastening, insulation and vapor barrier, including notation of roof slopes and fastening patterns of insulation and base modified bitumen membrane, prior to job start.
- D. Design Pressure Calculations: Submit design pressure calculations for the roof area in accordance with ASCE 7 and local Building Code requirements. Include a roof system

attachment analysis report, certifying the system's compliance with applicable wind load requirements before Work begins.

- E. Wind Uplift Calculation: Per CBC using ASCE 7-10. Calculation shall diagrammatically show fastening pattern and be stamped by the roofing system manufacturer's CA licensed structural engineer.
- F. Recycled or Bio-Based Materials: Provide third party certification through UL Environment of roof System membranes containing recycled or bio based materials.
- G. Verification Samples: For each modified bituminous membrane ply product specified, two samples, minimum size 6 inches (150 mm) square, representing actual product, color, and patterns.
- H. Manufacturer's Certificates: Provide to certify products meet or exceed specified requirements.
- I. Test Reports: Submit test reports, prepared by an independent testing agency, for all modified bituminous sheet roofing, indicating compliance with ASTM D5147.
- J. Manufacturer's Fire Compliance Certificate: Certify that the roof system furnished is approved by Factory Mutual (FM), Underwriters Laboratories (UL), Warnock Hersey (WH) or approved third party testing facility in accordance with ASTM E108, Class A for external fire and meets local or nationally recognized building codes.
- K. Any material submitted as equal to or better than the specified material must be accompanied by a report signed and sealed by a professional engineer licensed in the state in which the installation is to take place. This report shall show that the submitted equal meets the Design and Performance criteria in this specification. Material substitutions may only be submitted by prime bidding contractors. Substitution requests submitted without a licensed engineer stamp or by non-prime bidding contractors will be rejected for non-conformance.
- L. Closeout Submittals: Provide manufacturer's maintenance instructions that include recommendations for periodic inspection and maintenance of all completed roofing work. Provide product warranty executed by the manufacturer. Assist Owner in preparation and submittal of roof installation acceptance certification as may be necessary in connection with fire and extended coverage insurance on roofing and associated work.

1.5 QUALITY ASSURANCE

- A. Perform Work in accordance with NRCA Roofing and Waterproofing Manual.
- B. Manufacturer Qualifications: Company specializing in manufacturing products specified with documented ISO 9001 certification and minimum of twelve years of documented experience and must not have been in Chapter 11 bankruptcy during the last five years.
- C. Installer Qualifications: Company specializing in performing Work of this section with minimum five years documented experience and a certified Pre-Approved Garland Contractor.

- D. Installer's Field Supervision: Maintain a full-time Supervisor/Foreman on job site during all phases of roofing work while roofing work is in progress.
- E. Product Certification: Provide manufacturer's certification that materials are manufactured in the United States and conform to requirements specified herein, are chemically and physically compatible with each other, and are suitable for inclusion within the total roof system specified herein.
- F. Manufacturers Inspections: Provide on manufacturers letterhead, a certification that a full-time employee of the manufacturer will inspect the project a minimum 3 times per week as indicated in section (3.7). Letter must be signed and notarized by a corporate officer of the manufacturing company.
- G. Source Limitations: Obtain all components of roof system from a single manufacturer. Secondary products that are required shall be recommended and approved in writing by the roofing system Manufacturer. Upon request of the Architect or Owner, submit Manufacturer's written approval of secondary components in list form, signed by an authorized agent of the Manufacturer.

1.6 PRE-INSTALLATION MEETINGS

- A. Convene minimum two weeks prior to commencing Work of this section.
- B. Review installation procedures and coordination required with related Work.
- C. Inspect and make notes of job conditions prior to installation:
 - 1. Record minutes of the conference and provide copies to all parties present.
 - 2. Identify all outstanding issues in writing designating the responsible party for follow-up action and the timetable for completion.
 - 3. Installation of the roofing system shall not begin until all outstanding issues are resolved to the satisfaction of the Architect.

1.7 DELIVERY, STORAGE, AND HANDLING

- A. Deliver and store products in manufacturer's unopened packaging with labels intact until ready for installation.
- B. Store all roofing materials in a dry place, on pallets or raised platforms, out of direct exposure to the elements until time of application. Store materials at least 4 inches above ground level and covered with "breathable" tarpaulins.
- C. Stored in accordance with the instructions of the manufacturer prior to their application or installation. Store roll goods on end on a clean flat surface except store KEE-Stone FB 60 rolls flat on a clean flat surface. No wet or damaged materials will be used in the application.
- D. Store at room temperature wherever possible, until immediately prior to installing the roll. During winter, store materials in a heated location with a 50 degree F (10 degree C) minimum temperature, removed only as needed for immediate use. Keep materials away from open flame or welding sparks.

- E. Avoid stockpiling materials on roofs without first obtaining acceptance from the Architect/Engineer.
- F. Adhesive storage shall be between the range of above 50 degree F (10 degree C) and below 80 degree F (27 degree C). Area of storage shall be constructed for flammable storage.

1.8 COORDINATION

- A. Coordinate Work with installing associated metal flashings as work of this section proceeds.

1.9 PROJECT CONDITIONS

- A. Maintain environmental conditions (temperature, humidity, and ventilation) within limits recommended by manufacturer for optimum results. Do not install products under environmental conditions outside the manufacturer's absolute limits.

1.10 WARRANTY

- A. Upon completion of the work, provide the Manufacturer's written and signed NDL Warranty, warranting that, if a leak develops in the roof during the term of this warranty, due either to defective material or defective workmanship by the installing contractor, the manufacturer shall provide the Owner, at the Manufacturer's expense, with the labor and material necessary to return the defective area to a watertight condition.
 - 1. Warranty Period:
 - a. 30 years from date of acceptance.
 - 1) Warranty shall cover the calculated windspeed of 120 mph.
 - 2) Warranty must be provided solely by the manufacturer.
 - 3) No 3rd party insurance riders or 3rd party warranty holders will be accepted.

PART 2 PRODUCTS

2.1 MANUFACTURERS

- A. Acceptable Manufacturer: Garland Company, Inc. (The); 3800 E. 91st St., Cleveland, OH 44105. Local Representative: Doug Clark (925) 784-6701 Email: dclark@garlandind.com Web Site: www.garlandco.com.
 - 1. *Materials to be furnished and provided by Alameda USD through CMAS.*
- B. The Products specified are intended and the Standard of Quality for the products required for this project. If other products are proposed the bidder must disclose in the bid the manufacturer and the products that they intend to use on the Project. If no manufacturer and products are listed, the bid may be accepted only with the use of products specified.
 - 1. Bidder will not be allowed to change materials after the bid opening date.
 - 2. If alternate products are included in the bid, the products and specified overall performance requirements must be equal to or exceed the products and requirements specified. Supporting technical data shall be submitted to the Architect/ Owner for approval prior to acceptance.

3. In making a request for substitution, the Bidder/Roofing Contractor represents that it has:
 - a. Personally, investigate the proposed product or method, and determined that it is equal or superior in all respects to that specified.
 - b. Will provide the same guarantee for substitution as for the product and method specified.
 - c. Will coordinate installation of accepted substitution in work, making such changes as may be required for work to be completed in all respects.
 - d. Will waive all claims for additional cost related to substitution, which consequently become apparent.
 - e. Cost data is complete and includes all related cost under his/her contract or other contracts, which may be affected by the substitution.
 - f. Will reimburse the Owner for all redesign cost by the Architect for accommodation of the substitution.
4. Architect/ Owner reserves the right to be the final authority on the acceptance or rejection of any or all bids, proposed alternate roofing systems or materials that has met ALL specified requirement criteria.
5. Failure to submit substitution package, or any portion thereof requested, will result in immediate disqualification and consideration for that particular contractors request for manufacturer substitution.
6. Any substitution requests must be provided to the architect 10 days before the original bid date. Substitutions outside of this timeline will not be considered.

2.2 COLD APPLIED 2-PLY SOLVENT FREE ASPHALT ROOFING

- A. Base (Ply) Sheet: One ply bonded to the prepared substrate with Interply Adhesive:
 1. StressBase 80 Plus:
- B. Modified Cap (Ply) Sheet: One ply bonded to the prepared substrate with interplay adhesive.
 1. StressPly Plus FR Mineral:
- C. Interply Adhesive: (Layer 1 and 2)
 1. Weatherking Plus WC: 2.5 gallons per square.
- D. Flashing Base Ply: One ply bonded to the prepared substrate with Interply Adhesive:
 1. StressBase 80 Plus:
- E. Flashing Cap (Ply) Sheet: One ply bonded to the prepared substrate with Interply Adhesive:
 1. StressPly Plus FR Mineral
- F. Flashing Ply Adhesive:
 1. Weatherking Flashing Adhesive: 6 gallons per square.
- G. Surfacing: Requires 5 days wait before applying.
 1. Surface Coatings
 - a. Pyramic Plus LO: 2 coats of 1.5 gallons per square. (3 gal/square total)

2.3 ACCESSORIES:

EXHIBIT A – PROJECT SPECIFICATIONS

- A. Walkway Pads – TrafGuard by Viking Products Group.
- B. Urethane Sealant Hybrid - Tuff-Stuff MS: One-part, non-sag sealant as approved and furnished by the membrane manufacturer for moving joints.
 - 1. Tensile Strength, ASTM D 412: 250 psi
 - 2. Elongation, ASTM D 412: 450%
 - 3. Hardness, Shore A ASTM C 920: 35
 - 4. Adhesion-in-Peel, ASTM C 92: 30 pli
- C. Sealant - Green-Lock Structural Adhesive: Single component, 100% solids structural adhesive as furnished and recommended by the membrane manufacturer.
 - 1. Elongation, ASTM D 412: 300%
 - 2. Hardness, Shore A, ASTM C 920: 50
 - 3. Shear Strength, ASTM D 1002: 300 psi
- D. Coverboard – ½" Densdeck Prime or approved equal.
- E. Coping: R-Mer Edge coping by The Garland Company.
 - 1. 0.040 Aluminum
- F. Tuff-Coat: Semi-Permeable waterproof wall coating: 2 coats of 1 gallon per 100 square feet.

PART 3 EXECUTION**3.1 EXAMINATION**

- A. Do not begin installation until substrates have been properly prepared.
- B. Inspect and approve the deck condition, slopes and fastener backing if applicable, parapet walls, expansion joints, roof drains, stack vents, vent outlets, nailers and surfaces and elements.
- C. Verify that work penetrating the roof deck, or which may otherwise affect the roofing, has been properly completed.
- D. If substrate preparation and other conditions are the responsibility of another installer, notify Architect of unsatisfactory preparation before proceeding.

3.2 PREPARATION

- A. General: Clean surfaces thoroughly prior to installation.
 - 1. Prepare surfaces using the methods recommended by the manufacturer for achieving the best result for the substrate under the project conditions.
 - 2. Fill substrate surface voids that are greater than 1/4 inch wide with an acceptable fill material.
 - 3. Roof surface to receive roofing system shall be smooth, clean, free from loose gravel, dirt and debris, dry and structurally sound.

EXHIBIT A – PROJECT SPECIFICATIONS

4. Wherever necessary, all surfaces to receive roofing materials shall be power broom and vacuumed to remove debris and loose matter prior to starting work.
5. Do not apply roofing during inclement weather. Do not apply roofing membrane to damp, frozen, dirty, or dusty surfaces.
6. Fasteners and plates for fastening components mechanically to the substrate shall provide a minimum pull-out capacity of 300 lbs. (136 k) per fastener. Base or ply sheets attached with cap nails require a minimum pullout capacity of 40 lb. per nail.
7. Prime decks where required, in accordance with requirements and recommendations of the primer and deck manufacturer.

B. Wood Deck:

1. The dimensional wood deck shall be minimum 1 inch (25 mm) thick, knotholes and cracks larger than 1/4 inch shall be covered with sheet metal. All boards shall be appropriately nailed and have adequate end bearing to the centers of beams/rafters. Lumber shall be kiln dried.
2. Plywood shall be a minimum 15/32 inch (11.9 mm) thick and conform to the standards and installation requirements of the American Plywood Association (APA).
3. If no roof insulation is specified, provide a suitable dry sheathing paper, followed by an approved base sheet nailed appropriately for the specified roof system, with 1 inch (25 mm) diameter caps and annular nails unless otherwise required by the applicable Code or Approval agency.
4. Insulation is to be mechanically attached in accordance with the insulation manufacturer's recommendations unless otherwise required by the applicable Code.
5. In all retrofit roof applications, it is required that deck be inspected for defects. Any defects are to be corrected per the deck manufacturer's recommendations and standards of the APA/Engineered Wood Association prior to new roof application.
6. Light metal wall ties or other structural metal exposed on top of the wood deck shall be covered with one ply of a heavy roofing sheet, such as HPR Glasbase Base Sheet, extending 2 inches to 6 inches (51 mm to 152 mm) beyond the metal in all directions. Nail in place before applying the base ply.

3.3 INSTALLATION - GENERAL

- A. Install modified bitumen membranes and flashings in accordance with manufacturer's instructions and with the recommendations provided by the National Roofing Contractors Association's Roofing & Waterproofing Manual, the Asphalt Roofing Manufacturers Association, and applicable codes.
- B. General: Avoid installation of modified bitumen membranes at temperatures lower than 40-45 degrees F. When work at such temperatures unavoidable use the following precautions:
 1. Take extra care during cold weather installation and when ambient temperatures are affected by wind or humidity, to ensure adequate bonding is achieved between the surfaces to be joined. Use extra care at material seam welds and where adhesion of the applied product to the appropriately prepared substrate as the substrate can be affected by such temperature constraints as well.
 2. Unrolling of cold materials, under low ambient conditions must be avoided to prevent the likelihood of unnecessary stress cracking. Rolls must be at least 40

EXHIBIT A – PROJECT SPECIFICATIONS

degrees F at the time of application. If the membrane roll becomes stiff or difficult to install, it must be replaced with roll from a heated storage area.

- C. Commence installation of the roofing system at the lowest point of the roof (or roof area), working up the slope toward the highest point. Lap sheets shingle fashion so as to constantly shed water
- D. All slopes greater than 2:12 require back-nailing to prevent slippage of the ply sheets. Use ring or spiral-shank 1 inch cap nails, or screws and plates at a rate of 1 fastener per ply (including the membrane) at each insulation stop. Place insulation stops at 16 ft o.c. for slopes less than 3:12 and 4 feet o.c. for slopes greater than 3:12. On non-insulated systems, nail each ply directly into the deck at the rate specified above. When slope exceeds 2:12, install all plies parallel to the slope (strapping) to facilitate backnailing. Install 4 additional fasteners at the upper edge of the membrane when strapping the plies.

3.4 INSTALLATION COLD APPLIED ROOF SYSTEM

Base Ply: Cut base ply sheets into 18 foot lengths and allow plies to relax before installing. Install base sheet in Interply Adhesive: applied at the rate required by the manufacturer. Shingle base sheets uniformly to achieve one ply throughout over the prepared substrate. Shingle in proper direction to shed water on each large area of roofing.

1. Lap ply sheet ends 8 inches. Stagger end laps 12 inches minimum.
2. Solidly bond to the substrate and adjacent ply with specified cold adhesive at the rate of 2.5 gallons per 100 square feet.
3. Roll must push a puddle of adhesive in front of it with adhesive slightly visible at all side laps. Use care to eliminate air entrapment under the membrane.
4. Install subsequent rolls of modified across the roof as above with a minimum of 4 inch side laps and 8 inch staggered end laps. Lay modified membrane in the same direction as the underlayers but the laps shall not coincide with the laps of the base layers.
5. Extend plies 2 inches beyond top edges of cants at wall and projection bases.
6. Install base flashing ply to all perimeter and projection details.
7. Allow the one ply of base sheet to cure at least 30 minutes before installing the modified membrane. However, the modified membrane must be installed the same day as the base plies.

Modified Cap Ply(s): Cut cap ply sheets into 18 foot lengths and allow plies to relax before installing. Install in interplay adhesive applied at the rate required by the manufacturer. Shingle sheets uniformly over the prepared substrate to achieve the number of plies specified. Shingle in proper direction to shed water on each large area of roofing.

1. Lap ply sheet ends 8 inches. Stagger end laps 12 inches minimum.
2. Solidly bond to the base layers with specified cold adhesive at the rate of 2.5 gallons per 100 square feet.
3. Roll must push a puddle of adhesive in front of it with adhesive slightly visible at all side laps. Care should be taken to eliminate air entrapment under the membrane.
4. Install subsequent rolls of modified across the roof as above with a minimum of 4 inch side laps and 8 inch staggered end laps. Lay modified membrane in the same

EXHIBIT A – PROJECT SPECIFICATIONS

direction as the underlayers but the laps shall not coincide with the laps of the base layers.

5. Allow cold adhesive to set for 5 to 10 minutes before installing the top layer of modified membrane.
6. Extend membrane 2 inches beyond top edge of all cants in full moppings of the cold adhesive as shown on the Drawings.

Fibrous Cant Strips: Provide non-combustible perlite or glass fiber cant strips at all wall/curb detail treatments where angle changes are greater than 45 degrees. Cant may be set in approved cold adhesives, hot asphalt or mechanically attached with approved plates and fasteners.

Wood Blocking, Nailers and Cant Strips: Provide wood blocking, nailers and cant strips as specified in Section 06114.

1. Provide nailers at all roof perimeters and penetrations for fastening membrane flashings and sheet metal components.
2. Wood nailers should match the height of any insulation, providing a smooth and even transition between flashing and insulation areas.
3. Nailer lengths should be spaced with a minimum 1/8 inch gap for expansion and contraction between each length or change of direction.
4. Nailers and flashings should be fastened in accordance with Factory Mutual "Loss Prevention Data Sheet 1- 49, Perimeter Flashing" and be designed to be capable of resisting a minimum force of 200 lbs/lineal foot in any direction.

Metal Work: Provide metal flashings, counter flashings, parapet coping caps and thru-wall flashings as specified in Section 07620 or Section 07710. Install in accordance with the SMACNA "Architectural Sheet Metal Manual" or the NRCA Roofing Waterproofing manual.

- B. Termination Bar: Provide a metal termination bar or approved top edge securement at the terminus of all flashing sheets at walls and curbs. Fasten the bar a minimum of 8 inches (203 mm) o/c to achieve constant compression. Provide suitable, sealant at the top edge if required.

- C. Flashing Base Ply: Install flashing sheets by same application method used for the Base Ply.

1. Seal curb, wall, and parapet flashings with an application of mastic and mesh on a daily basis. Do not permit conditions to exist that will allow moisture to enter behind, around or under the roof or flashing membrane.
2. Prepare all walls, penetrations, expansion joints and where shown on the Drawings to be flashed with required primer at the rate of 100 square feet per gallon. Allow primer to dry tack free.
3. Adhere to the underlying base ply with specified flashing ply adhesive unless otherwise specified. Nail off at a minimum of 8 inches (203 mm) o.c. from the finished roof at all vertical surfaces.
4. Solidly adhere the entire flashing ply to the substrate. Run first ply of membrane 4' up wall and secure with a termination bar fastened at 6 inches (152 mm) O.C. and sealed at top. Apply second ply with a minimum 8" overlap of lower ply and upper ply. Fasten and secure with termination bar fastened at 6 inches O.C. and sealed.

EXHIBIT A – PROJECT SPECIFICATIONS

5. Coordinate counter flashing, cap flashings, expansion joints and similar work with modified bitumen roofing work as specified.
6. Coordinate roof accessories, miscellaneous sheet metal accessory items, including piping vents and other devices with the roofing system work.
7. Secure the top edge of the flashing sheet using a termination bar only when the wall surface above is waterproofed, or nailed 4 inches on center and covered with an acceptable counter flashing.

D. Flashing Cap Ply:

1. Seal curb, wall, and parapet flashings with an application of mastic and mesh on a daily basis. Do not permit conditions to exist that will allow moisture to enter behind, around or under the roof or flashing membrane.
2. Prepare all walls, penetrations, expansion joints and were shown on the Drawings to be flashed with required primer at the rate of 100 square feet per gallon. Allow primer to dry tack free.
3. Adhere to the underlying base flashing ply with specified flashing ply adhesive unless otherwise specified. Run flashing cap ply 4 feet up wall and fasten with termination bar fastened every 6 inches O.C. Adhere additional cap ply on remaining wall section in specified adhesive with a minimum 8 inch overlap of lower flashing cap ply. Heat weld seam. Nail off at a minimum of 8 inches (203 mm) o.c. from the finished roof at all vertical surfaces.
4. Coordinate counter flashing, cap flashings, expansion joints and similar work with modified bitumen roofing work as specified.
5. Coordinate roof accessories, miscellaneous sheet metal accessory items with the roofing system work.
6. All stripping shall be installed prior to flashing cap sheet installation.
7. Heat and scrape granules when welding or adhering at cut areas and seams to granular surfaces at all flashings.
8. Secure the top edge of the flashing sheet using a termination bar only when the wall surface above is waterproofed or nailed 4 inches on center and covered with an acceptable counter flashing.

E. Surface Coatings: Apply roof coatings in strict conformance with the manufacturer's recommended procedures.

F. Roof Walkways: Provide walkways in areas indicated on the Drawings.

3.5 INSTALLATION EDGE TREATMENT AND ROOF PENETRATION FLASHING**A. Equipment Support:**

1. Minimum curb height is 8 inches (203 mm) above finished roof height. Prime vertical at a rate of 100 square feet per gallon and allow to dry.
2. Set cant in bitumen. Run all field plies over cant a minimum of 2 inches (50 mm).
3. Install base flashing ply covering curb set in bitumen with 6 inches (152 mm) on to field of the roof.
4. Install a second ply of modified flashing ply in bitumen over the base flashing ply, 9 inches (228 mm) on to the field of the roof. Attach top of membrane to top of curb

EXHIBIT A – PROJECT SPECIFICATIONS

and nail at 8 inches (203 mm) o.c. Apply a three-course application of mastic and mesh at all vertical seams and allow to cure and aluminize.

5. Use Tuff-Flash and polyester where necessary to fully seal detail areas.
6. Install pre-manufactured cover. Fasten sides at 24 inches (609 mm) o.c. with fasteners and neoprene washers. Furnish all joint cover laps with butyl tape between metal covers.
7. Set equipment on neoprene pad and fasten as required by equipment manufacturer.

B. Curb Detail/Air Handling Station:

1. Minimum curb height is 8 inches (203 mm) above finished roof height. Prime vertical at a rate of 100 square feet per gallon and allow to dry.
2. Set cant in bitumen. Run all field plies over cant a minimum of 2 inches (50 mm).
3. Install base flashing ply covering curb set in bitumen with 6 inches (152 mm) on to field of the roof.
4. Install a second ply of modified flashing ply in bitumen over the base flashing ply, 9 inches (228 mm) on to the field of the roof. Apply a three-course application of mastic and mesh at all vertical seams and allow to cure and aluminize.
5. Use Tuff-Flash and polyester where necessary to fully seal detail areas.
6. Install pre-manufactured counterflashing with fasteners and neoprene washers or per manufacturer's recommendations.
7. Set equipment on neoprene pad and fasten as required by equipment manufacturer.

C. Exhaust Fan:

1. Minimum curb height is 8 inches (203 mm) above finished roof height. Prime vertical at a rate of 100 square feet per gallon and allow to dry.
2. Set cant in bitumen. Run all plies over cant a minimum of 2 inches (50 mm).
3. Install base flashing ply covering curb with 6 inches (152 mm) on to field of the roof.
4. Install a second ply of modified flashing ply installed over the base flashing ply, 9 inches (228 mm) on to field of the roof. Attach top of membrane to top of wood curb and nail at 8 inches (203 mm) o.c. Apply a three-course application of mastic and mesh at all vertical seams and allow to cure and aluminize.
5. Install metal exhaust fan over the wood nailers and flashing to act as counterflashing. Fasten per manufacturer's recommendation.

D. Passive Vent/Air Intake:

1. Minimum curb height is 8 inches (203 mm) above finished roof height. Prime vertical at a rate of 100 square feet per gallon and allow to dry.
2. Set cant in bitumen. Run all plies over cant a minimum of 2 inches (50 mm).
3. Install base flashing ply covering curb with 6 inches (152mm) on to the field of the roof.
4. Install a second ply of modified flashing ply installed over the base flashing ply, 9 inches (228 mm) on to field of the roof. Attach top of membrane to top of wood curb and nail at 8 inches (203 mm) o.c. Apply a three-course application of mastic and mesh at all vertical seams and allow to cure and aluminize.
5. Install passive vent/air intake over the wood nailers and flashing to act as counterflashing. Fasten per manufacturer's recommendations.

EXHIBIT A – PROJECT SPECIFICATIONS**E. Roof Drain:**

1. Plug drain to prevent debris from entering plumbing.
2. Taper insulation and or coverboard to drain minimum of 24 inches (609 mm) from center of drain.
3. Run roof system plies over drain. Cut out plies inside drain bowl.
4. Set lead/copper flashing (30 inch square minimum) in 1/4 inch bed of mastic. Run lead/copper into drain a minimum of 2 inches (50 mm). Prime lead/copper at a rate of 100 square feet per gallon and allow to dry.
5. Install base flashing ply (40 inch square minimum) in bitumen.
6. Install modified membrane (48 inch square minimum) in bitumen.
7. Install clamping ring and assure that all plies are under the clamping ring.
8. Remove drain plug and install strainer.

F. Plumbing Stack:

1. Minimum stack height is 12 inches (609 mm).
2. Run roof system over the entire surface of the roof. Seal the base of the stack with elastomeric sealant.
3. Prime flange of new sleeve. Install properly sized sleeves set in 1/4 inch (6 mm) bed of roof cement.
4. Install base flashing ply in bitumen.
5. Install membrane in bitumen.
6. Caulk the intersection of the membrane with elastomeric sealant.
7. Turn sleeve a minimum of 1 inch (25 mm) down inside of stack.

G. Heat Stack:

1. Minimum stack height is 12 inches (609 mm).
2. Run roof system over the entire surface of the roof. Seal the base of the stack with elastomeric sealant.
3. Prime flange of new sleeve. Install properly sized sleeves set in 1/4 inch (6 mm) bed of roof cement.
4. Install base flashing ply in bitumen.
5. Install modified membrane in bitumen.
6. Caulk the intersection of the membrane with elastomeric sealant.
7. Install new collar over cape. Weld collar or install stainless steel draw brand.

3.6 CLEANING

- A. Clean-up and remove daily from the site all wrappings, empty containers, paper, loose particles and other debris resulting from these operations.
- B. Remove asphalt markings from finished surfaces.
- C. Repair or replace defaced or disfigured finishes caused by Work of this section.

3.7 PROTECTION

- A. Provide traffic ways, erect barriers, fences, guards, rails, enclosures, chutes and the like to

EXHIBIT A – PROJECT SPECIFICATIONS

protect personnel, roofs and structures, vehicles and utilities.

- B. Protect exposed surfaces of finished walls with tarps to prevent damage.
- C. Plywood for traffic ways required for material movement over existing roofs shall be not less than 5/8 inch (16 mm) thick.
- D. In addition to the plywood listed above, an underlayment of minimum 1/2 inch (13 mm) recover board is required on new roofing.
- E. Special permission shall be obtained from the Manufacturer before any traffic shall be permitted over new roofing.

3.8 FIELD QUALITY CONTROL

- A. Manufacturer Inspections:
 - 1. An inspection shall be made by a representative of the material manufacturer a minimum of three (3) times per week during performance of work to ensure that said project is installed in accordance with the manufacture's specifications and illustrated details. Written reports including pictures and comments shall be turned over to the Architect and Owner, on each Monday following the prior week.
 - a. The authorized material manufacturers field representative shall be responsible for:
 - 1) Keeping the Architect's representative informed after periodic inspections as to the progress and quality of the work observed.
 - 2) Calling to the attention of the contractor those matters observed which are considered to be in violation of the contract requirements.
 - 3) Reporting to the Architect's representative, in writing, any failure or refusal of the contractor to correct unacceptable practices called to his attention.
 - 4) Confirming, after completion of the work and based on his observation and test, that he has observed no application procedures in conflict with these specifications.

3.9 OWNER SUPPLIED MATERIALS

- A. The Owner will only supply the quantity listed in the owner supplied materials section of this specification below. All additional materials and accessories will be the full responsibility of the contractor to provide and install per the specification and project requirements.
- B. Any material or accessories required for the installation of the roof system in excess of the Owner provided material must be supplied by the Contractor and added into the bid cost proposal. It is up to the Contractor to determine the precise amount of material required for the completion of this project; and to provide excess material, as required. The cost to handle and fabricate flashing metal from the Owner provided flat stock is contractor's responsibility and to be added into the bid cost proposal.
- C. All required flashings as required per each specification section for plumbing, electrical, gas,

EXHIBIT A – PROJECT SPECIFICATIONS

etc. will be the Contractors responsibility to provide and install as well as to be included in the bid cost.

- D. All materials not specifically included in the owner supplied materials section will be the responsibility of the contractor to provide and install them in compliance with section 07550.
- E. Freight charges of owner supplied materials will be the responsibility of the Owner.
- F. Contractor must coordinate and take delivery of materials, count all materials and ensure it matches the list below, unload and properly locate materials at the job site, and properly protect, cover and store at jobsite.
- G. Contractor must be able to provide certification in writing from roof system manufacturer that the contractor is approved to install the specified roof system and provide all warranty requirements of section 07550.

1. Materials specifically provided by the Owner:

a.	StressPly Plus FR Mineral:	500 Rolls
b.	StressBase 80 Plus:	250 Rolls
c.	Pyramic Plus LO:	200 Buckets
d.	Weatherking Plus WC:	300 Buckets
e.	Weatherking Flashing Adhesive:	70 Buckets
f.	Tuff-Stuff MS:	3 Cases
g.	Garla-Prime VOC:	10 Buckets

END OF SECTION

SECTION 07 61 00**SHEET METAL FLASHING AND TRIM****PART 1 GENERAL****1.01 SECTION INCLUDES**

- A. Fabricated sheet metal items, including flashings, counter-flashings, and other items indicated on drawings and as follows:
 - 1. Metal edge system with continuous cleats.
 - 2. Surface mounted counterflashing.
 - 3. Skirt flashing at curbs.
 - 4. "L" flashing and step flashing.
 - 5. Ladders.
 - 6. Hatches.
 - 7. Coping.
 - 8. Etc.

1.02 RELATED REQUIREMENTS

- A. Section 07 5550 – Modified Bitumen

1.03 REFERENCE STANDARDS

- A. ASTM A 653/A 653M - Standard Specification for Steel Sheet, Zinc-Coated (Galvanized) or Zinc-Iron Alloy-Coated (Galvannealed) by the Hot-Dip Process.
- B. ASTM A 666 - Standard Specification for Annealed or Cold-Worked Austenitic Stainless Steel Sheet, Strip, Plate, and Flat Bar.
- C. ASTM A792 Steel Sheet, Aluminum-Zinc Alloy-Coated, by the Hot-Dip Process
- D. ASTM B 32 - Standard Specification for Solder Metal.
- E. ASTM B486 Paste Solder
- F. ASTM B 749 - Standard Specification for Lead and Lead Alloy Strip, Sheet, and Plate Products.
- G. ASTM D 226 - Standard Specification for Asphalt-Saturated Organic Felt Used in Roofing and Waterproofing.
- H. ASTM D 2178 - Standard Specification for Asphalt Glass Felt Used in Roofing and Waterproofing.
- I. ASTM D 4586 - Standard Specification for Asphalt Roof Cement, Asbestos-Free.
- J. FS QQ-L-201 Specification for Lead Sheet
- K. SMACNA (ASMM) - Architectural Sheet Metal Manual; Sheet Metal and Air Conditioning Contractors' National Association.

1.04 SUBMITTALS

- A. Shop Drawings: Indicate material profile, jointing pattern, jointing details, fastening methods, flashings, terminations, and installation details.
 - 1. For manufactured and shop fabricated gravel stops, fascia, scuppers, and all other sheet metal fabrications.
 - 2. Indicate type, gauge and finish of metal.
- B. Product Data: Provide manufacturer's specification data sheets for each product :
 - 1. Metal material characteristics and installation recommendations.
 - 2. Submit color chart prior to material ordering and/or fabrication so that equivalent colors to those specific can be approved.
- C. Manufacturer's installation instructions for reglets.
- D. Samples: Submit two samples 8x10 inch in size illustrating metal finish color.
 - 1. Submit two samples, 12 x 12 inch in size illustrating typical external corner, internal corner, and valley, junction to vertical dissimilar surface, material and finish.
- E. Certification:
 - 1. Submit roof manufacturer's certifications that metal fasteners furnished are acceptable to roof manufacturer.
 - 2. Submit roof manufacturer's certification that metal furnished is acceptable to roofing manufacturer as a component of roofing system and is eligible for roof manufacturer's system warranty.
 - 3. Submit certification that metal and fastening system furnished is Tested and Approved by Factory Mutual for 1-90 Wind Up-Lift Requirements.
- F. Provide approval letters from metal manufacturers for use of their metal within this particular roofing system type.
- G. Proof of fabricator and installer qualifications.
- H. ANSI-SPRI ES-1 test results for all coping and edge metal.

1.05 QUALITY ASSURANCE

- A. Perform work in accordance with SMACNA Architectural Sheet Metal Manual requirements, except as otherwise indicated.
 - 1. Factory Mutual Loss Prevention Data Sheet 1-49 windstorm resistance: 1-90.
- B. Manufacturer's Warranty: Pre-finished metal material shall require a written 20-year non-prorated warranty covering fade, chalking and film integrity. The material shall not show a color change greater than 5 NBS color units per ASTM D-2244 or chalking excess of 8 units per ASTM D-659. If either occurs material shall be replaced per warranty, at no cost to the Owner.
- C. Contractor's Warranty: The Contractor shall provide the Owner with a notarized written warranty assuring that all sheet metal work including caulking and fasteners to be water-tight and secure for a period of five years from the date of final acceptance of the building. Warranty shall include all materials and workmanship required to repair any leaks that develop, and make good any damage to other work or equipment caused by

such leaks or the repairs thereof.

1.06 DELIVERY, STORAGE, AND HANDLING

- A. Deliver materials in manufacturer's original, unopened containers or packages with labels intact and legible.
- B. Stack material to prevent twisting, bending, and abrasion, and to provide ventilation. Slope metal sheets to ensure drainage.
- C. Prevent contact with materials that could cause discoloration or staining.

PART 2 PRODUCTS

2.01 SHEET MATERIALS

- A. Aluminum, ASTM B209, alloy 3105-H14, in thickness.040" nom.

2.02 ACCESSORIES

- A. Fasteners:
 - 1. Corrosion resistant screw fastener as recommended by metal manufacturer. Finish exposed fasteners same as flashing metal.
 - 2. Fastening shall conform to Factory Mutual 1-90 requirements or as stated on section details, whichever is more stringent.
- B. Plastic Cement: ASTM D 4586, Type I.

2.03 FABRICATION - GENERAL

- A. Fabricate in accordance with referenced standards. Form sections true to shape, accurate in size, square, and free from distortion or defects. Form pieces as recommended by SMACNA standard for conditions required.
 - 1. Provide reinforcements and supports as required for secure anchorage.
 - 2. Make joints rigid. Seams mechanically strong and soldered or sealed to make watertight
 - 3. Fabricate corners in one piece with legs extending 30-inches each way to field joint. Lap, rivet, and solder or seal corner seams watertight.
 - 4. Turn up "end dam" flanges at ends of opening sill flashing pieces, lap with wall flashing and membranes to shed water.
 - 5. Fabricate cleats of same material as sheet, minimum 3/4 inches wide, interlockable with sheet.
 - 6. Hem exposed edges on underside 1/2 inch; miter and seam corners.
 - 7. Solvent clean all sheet metal. Coat surfaces to be in contact with roofing or otherwise concealed with specified asphaltic paint; 0.015-inch minimum uniform thickness.
- B. Form pieces in longest possible lengths.
- C. Hem exposed edges on underside 1/2 inch; miter and seam corners.

- D. Form material with flat lock seams, except where otherwise indicated. At moving joints, use sealed lapped, bayonet-type or interlocking hooked seams.
- E. Fabricate corners from one piece with minimum 18 inch long legs; seam for rigidity, seal with sealant.
- F. Fabricate vertical faces with bottom edge formed outward 1/4 inch (6 mm) and hemmed to form drip.

2.04 EDGE METAL SYSTEM AND METAL COPING SYSTEM

- A. R-Mer Edge and R-Mer Coping system by The Garland Company or approved equal.
 - 1. ANSI SPRI ES-1 tested and certified.

2.05 ROOF-RELATED SHEET METAL AND FLASHINGS

- A. Roof-Related Sheet Metal and Flashings: As indicated, as specified in related sections, as required by roofing material manufacturers and referenced standards. Coordinate work of this section with related sections. Provide complete systems without conflict or omission.

2.06 LADDERS, DRAINS AND HATCHES

- A. Hatch: Bilco or approved equal.
 - 1. Type S, all aluminum construction.
- B. Roof Drains: zurn Z-100 or equal.
- C. Ladder: Alaco Ladder
 - 1. Fixed ladders of all aluminum construction.

PART 3 EXECUTION

3.01 EXAMINATION

- A. Verify roof openings, curbs, pipes, sleeves, ducts, and vents through roof are solidly set, reglets in place, and nailing strips located.
- B. Verify roofing termination and base flashings are in place, sealed, and secure.
- C. Beginning of installation means acceptance of existing conditions.
- D. Field measure site conditions prior to fabricating work.

3.02 PREPARATION

- A. Install starter and edge strips, and cleats before starting installation.
- B. Back paint concealed metal surfaces with protective backing paint to a minimum dry film thickness of 15 mil.

3.03 INSTALLATION

- A. Install work watertight, without waves, warps, buckles, fastening stress, or distortion,

allowing for expansion and contraction. Conform to referenced standards. Make metal joints watertight.

- B. Fastening of metal to walls and wood blocking shall comply with SMACNA Architectural Sheet Metal Manual, Factory Mutual 1-90 wind uplift specifications and/or manufacturer's recommendations whichever is of the highest standard.
- C. All accessories or other items essential to the completeness of sheet metal installation and water tight envelope of the building, whether specifically indicated or not, shall be provided.
- D. Reglets: Install in accordance with manufacturer's installation instructions.
- E. Metal fascia and copings shall be secured to wood nailers at the bottom edge with a continuous cleat. Cleats shall be at least one gauge heavier than the metal it secures.
- F. Install Sheet Membrane Waterproofing at closure flanges, under metal copings, caps and platforms; fully adhered, free of voids, blisters and buckling; roll as soon as practical following layout. Minimize exposure time to that period recommended by the manufacturer.
- G. Flashing: Joints at 10-foot maximum spacing and at 2-1/2-feet from corners. Butt joints with 3/16-inch space centered over matching 8-inch long backing plate with sealer tape in laps.
- H. Flanged flashings and roof accessories: Set on continuous sealer tape. Nail flanges through sealer tape and at 3-inch maximum spacing.
- I. Isolate metal from dissimilar metal with 2 coats of specified asphaltic paint, sealer tape or other approved coating, specifically made to stop electrolytic action.. Use only stainless steel fasteners to connect isolated dissimilar metals.
- J. Joints, fastenings, reinforcements and supports: Sized and located as required to preclude distortion or displacement due to thermal expansion and contraction. Conceal fastenings wherever possible.
- K. Secure flashings in place using concealed fasteners. Use exposed fasteners only where permitted.
- L. Flexible Flashing Installation:
 - 1. Prime substrates as recommended by flexible flashing manufacturer, allow to dry.
 - 2. Install flexible flashings in maximum feasible lengths to minimize lap joints.
 - 3. Peel release paper from roll to expose rubberized asphalt and position flashing to center over joint location before applying. Move along opening or joint, being careful to put flashing as evenly as possible over the opening. Avoid fishmouths.
 - 4. Press flashing firmly into place with heavy hand pressure . Ensure continuous and intimate contact with substrate.
 - 5. If wrinkles develop, carefully cut out affected area and replace as outlined above.
- M. Apply plastic cement compound between metal flashings and felt flashings.
- N. Fit flashings tight in place. Make corners square, surfaces true and straight in planes,

and lines accurate to profiles.

- O. Seal prefinished metal joints watertight.
- P. Solder other metal joints for full metal surface contact. After soldering, wash metal clean with neutralizing solution and rinse with water.
- Q. Connect downspouts and rainwater leaders to storm sewer system. Seal connection watertight.
- R. Install hatches and ladders per manufacturer's recommendations.
- X. Install roof drains per manufacturer's recommendations.

3.04 FIELD QUALITY CONTROL

- A. Inspection will involve surveillance of work during installation to ascertain compliance with specified requirements.
- B. Tolerances
 - 1. Exposed surfaces: Free of dents, scratches, abrasions, or other visible defects; clean, ready for painting.
 - 2. Set flashings and sheet metal to straight, true lines with exposed faces aligned in plane as indicated.

3.05 SHOP FABRICATED SHEET METAL

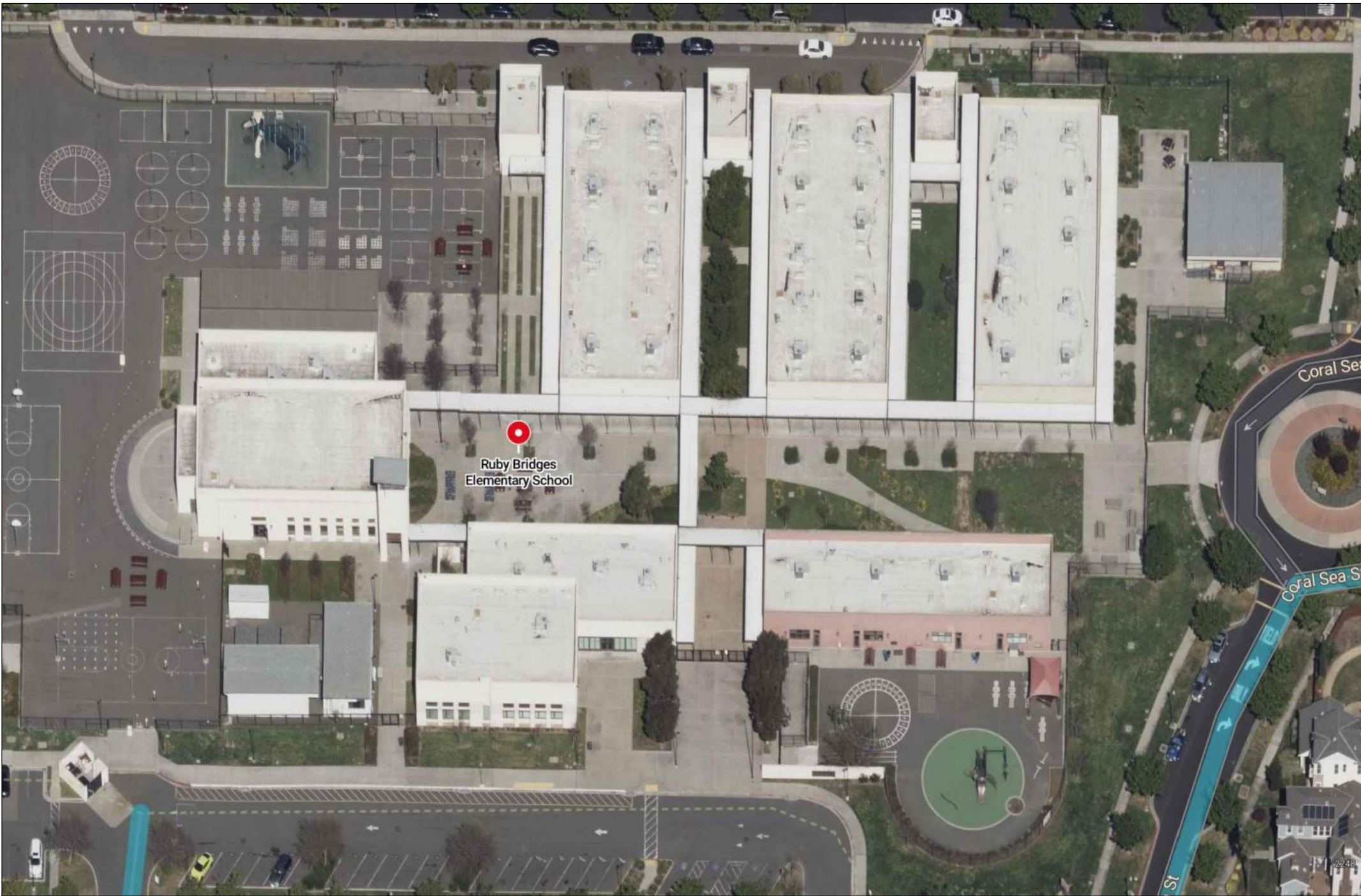
- A. Installing Contractor shall be responsible for determining if the sheet metal systems are in general conformance with roof manufacturer's recommendations.
- B. Metal work shall be shop fabricated to configurations and forms in accordance with recognized sheet metal practices.
- C. Hem exposed edges.
- D. Angle bottom edges of exposed vertical surfaces to form drip.
- E. All corners for sheet metal shall be lapped with adjoining pieces fastened and set in sealant.
- F. Joints for gravel stop fascia system, cap flashing, and surface-mount counterflashing shall be formed with a 1/4" opening between sections. The opening shall be covered by a cover plate or backed by an internal drainage plate formed to the profile of fascia piece. The cover plate shall be embedded in mastic, fastened through the opening between the sections and loose locked to the drip edges.
- G. Install sheet metal to comply with Architectural Sheet Metal manual, Sheet Metal and Air Conditioning Contractor's National Associations, Inc.

END OF SECTION

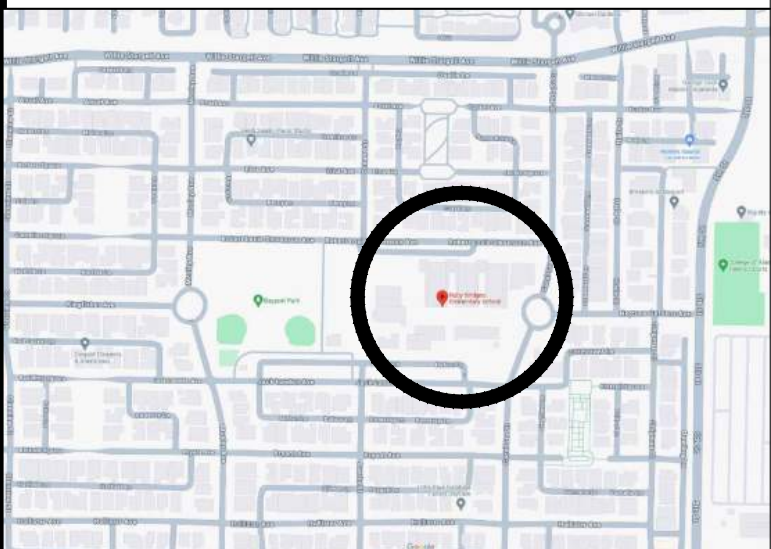
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RUBY BRIDGES ELEMENTARY SCHOOL

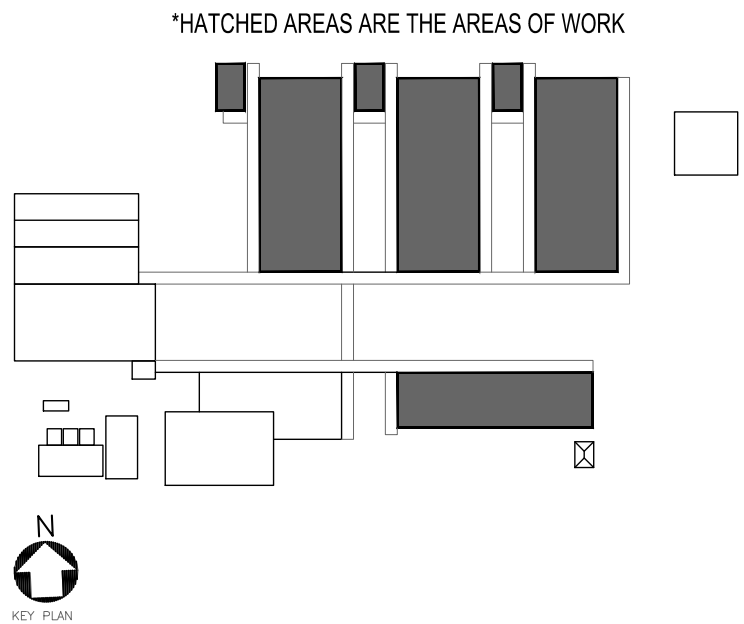
351 JACK LONDON AVE, ALAMEDA, CA 94501



LOCATION MAP



KEY PLAN



DRAWING INDEX

- SHT 1 - COVER SHEET
- SHT 2 - ROOF PLAN
- SHT 3 - DETAILS
- SHT 4 - DETAILS
- SHT 5 - DETAILS

THE GARLAND COMPANY INC.
3800 EAST 91st STREET - CLEVELAND, OHIO 44105-2197
PHONE (800) 321-9336 / FAX (216) 641-0633



RUBY BRIDGES ELEMENTARY SCHOOL
351 JACK LONDON AVE, ALAMEDA, CA 94501

REVISION:
SHEET: 1 OF 5
DATE: 01-04-24
ARCHITECT:
CUSTOMER:
JOB NUMBER:
CHK BY:
DWG BY: GDX



ALAMEDA
UNIFIED
SCHOOL
DISTRICT

EXHIBIT B
PROJECT
DRAWINGS

CLASSROOM
BUILDING
ROOF
REPLACEMENTS

SHEET TITLE

COVER SHEET

SHEET NUMBER

Sheet: 1

Page: 1 of 5

SCOPE OF WORK

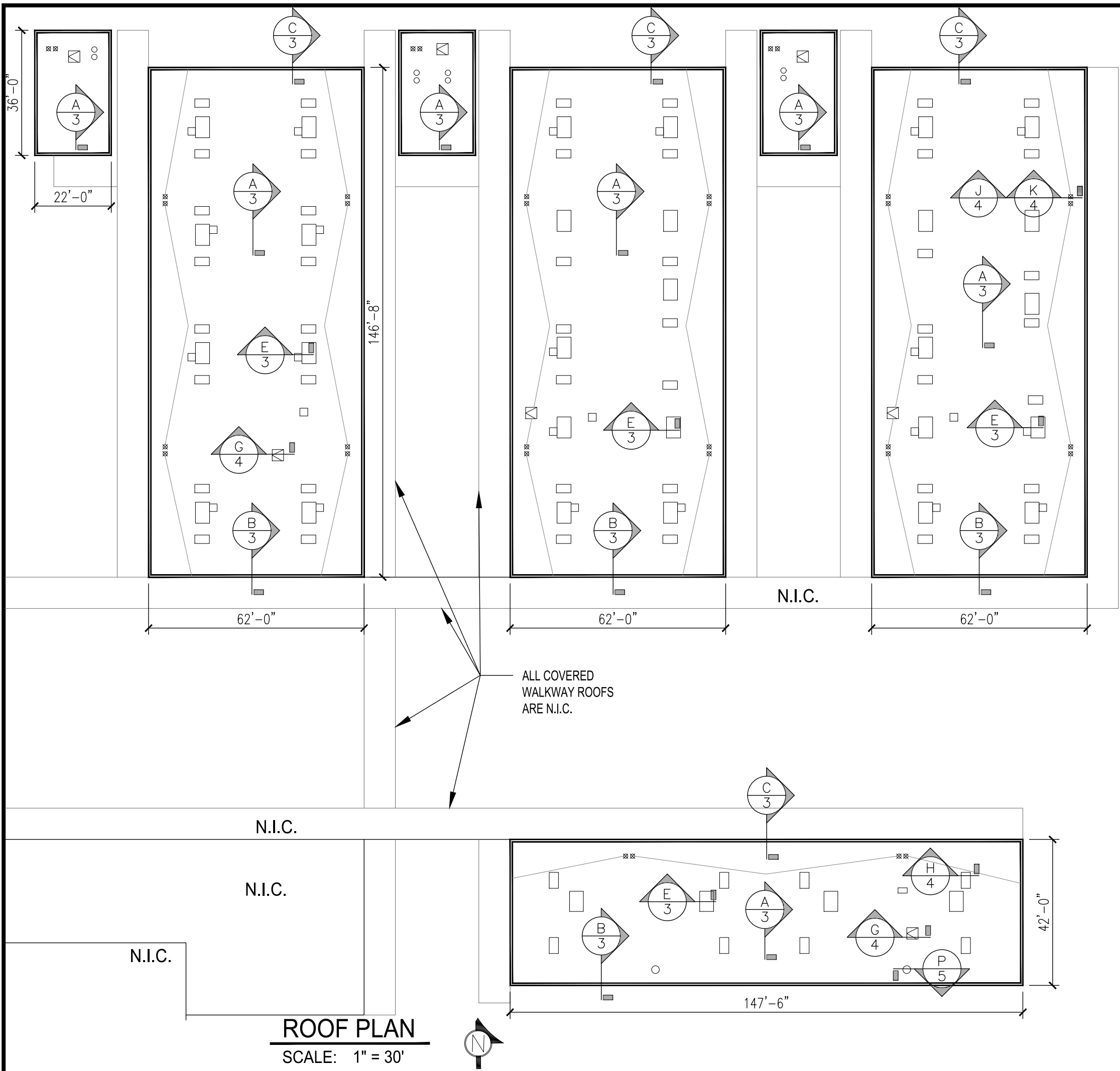
THIS PROJECT INCLUDES DEMOLITION AND INSTALLATION OF NEW ROOFING SYSTEM AND ALL RELATED WORK REQUIRED PER THE SPECIFICATIONS AND DRAWINGS.

OWNER

ALAMEDA UNIFIED SCHOOL DISTRICT
2060 CHALLENGER DRIVE
ALAMEDA CA 94501
PHONE: 510-337-7000
CONTACT: BRIAN ADDICOTT
EMAIL: baddicott@alamedaunified.org

OWNER FURNISHED MATERIAL SUPPLIER:

THE GARLAND COMPANY
PHONE: 925-784-6701
CONTACT: DOUG CLARK
EMAIL: dclark@garlandind.com



SCOPE OF WORK:
REPLACEMENT OF LOW SLOPE ROOFING

1. REMOVE AND DISPOSE OF ALL ROOFING, COUNTER FLASHING, COPING, EDGE METAL AND ASSOCIATED MATERAILS.
2. INSTALL R10 POLYISO AND 1/2" DENSDECK PRIME OR SECUROCK PER MANUFACTURERS WIND UPLIFT CALCULATIONS.
 - 2.a. INSTALL CRICKETS AS NEEDED TO ENSURE POSITIVE SLOPE THROUGHOUT.
3. INSTALL 2 PLY MODIFIED BITUMEN SYSTEM IN COLD APPLIED ASPHALT.
4. APPLY TITLE 24 REFLECTIVE COATING IN 2 COATS. (1.5+1.5 GAL PER SQUARE).
5. INSTALL R-MER EDGE COPING METAL IN 0.040 ALUMINUM.
6. CLEAN OFF ALL MASTIC/ASPHALT AND PAINT ALL CONDUIT PIPES, VENTS, AND HOODS WITH PYRAMIC TO ENSURE A CLEAN FINAL PROJECT. ALL CONDUIT TO BE SEALED AND REATTACHED WITH PROPER COUPLINGS. LINES SHOULD BE STRAIGHT AND AS TIDY AS POSSIBLE. ANY COUPLINGS THAT CANNOT BE PROPERLY SEALED SHOULD BE BROUGHT TO DISTRICT ATTENTION.
7. ALL DRAINS TO RECEIVE NEW STRAINERS.
8. AT END OF EVERY WORK DAY ENSURE THE WORK SITE AND SURROUNDING AREA IS FREE OF ANY DIRT AND DEBRIS.
9. TEST ALL DRAINS AND DOWNSPOUT PRIOR TO CONSTRUCTION AND ONCE AGAIN AFTER COMPLETION.

SYMBOL LEGEND	
	VENT OR SOIL STACK
	MECHANICAL/CURB

NOTE:
DETAIL CALLOUTS ARE PROVIDED FOR GENERAL INDICATIONS. THERE MAY BE ADDITIONAL CONDITIONS NOT COVERED BY THE DETAILS ON SHEETS 2-4.
CONTRACTOR IS RESPONSIBLE TO IDENTIFY ALL DETAIL CONDITIONS AND WATERPROOF DETAILS PER GARLAND RECOMMENDATIONS.

THE GARLAND COMPANY INC.
3800 EAST 91st STREET - CLEVELAND, OHIO 44105-2197
PHONE (800) 321-9336 / FAX (216) 641-0633



RUBY BRIDGES ELEMENTARY SCHOOL 351 JACK LONDON AVE. ALAMEDA, CA 94601	ARCHITECT:	JOB NUMBER:	DWG BY: GOK	CHK BY:
	CUSTOMER:	DATE: 01-04-24	SHEET: 2	OF 5



ALAMEDA
UNIFIED
SCHOOL
DISTRICT

EXHIBIT B
PROJECT
DRAWINGS

CLASSROOM
BUILDING
ROOF
REPLACEMENTS

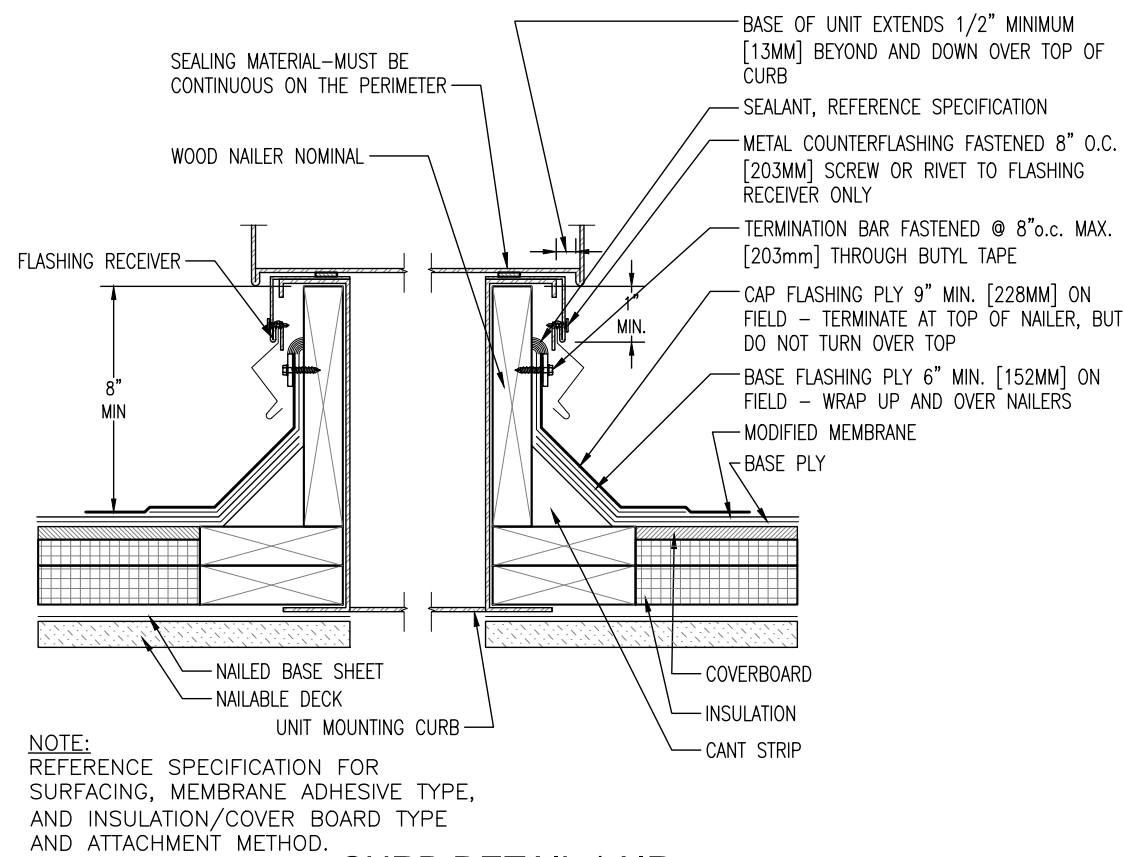
SHEET TITLE

ROOF PLAN

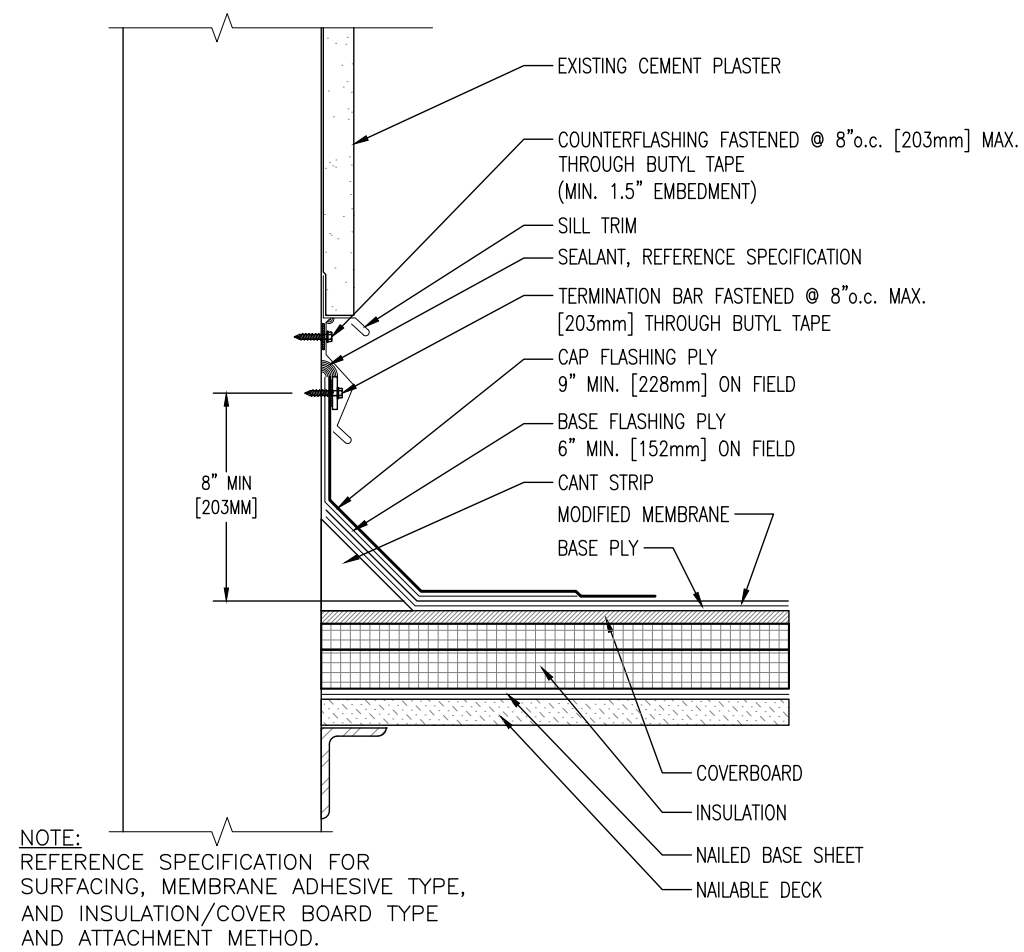
SHEET NUMBER

Sheet: 2

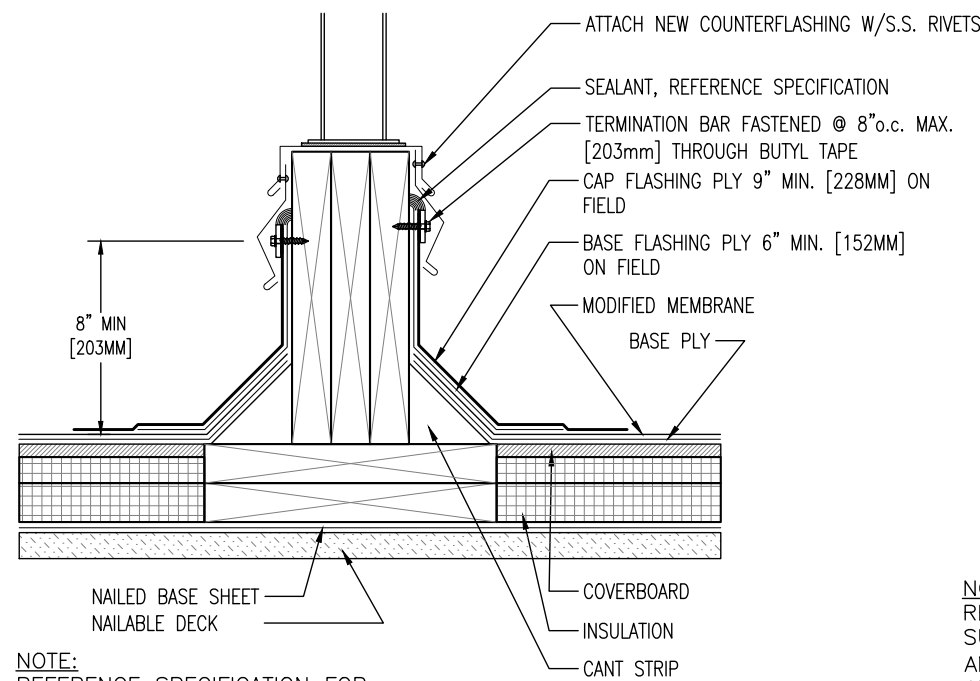
Page: 2 of 5



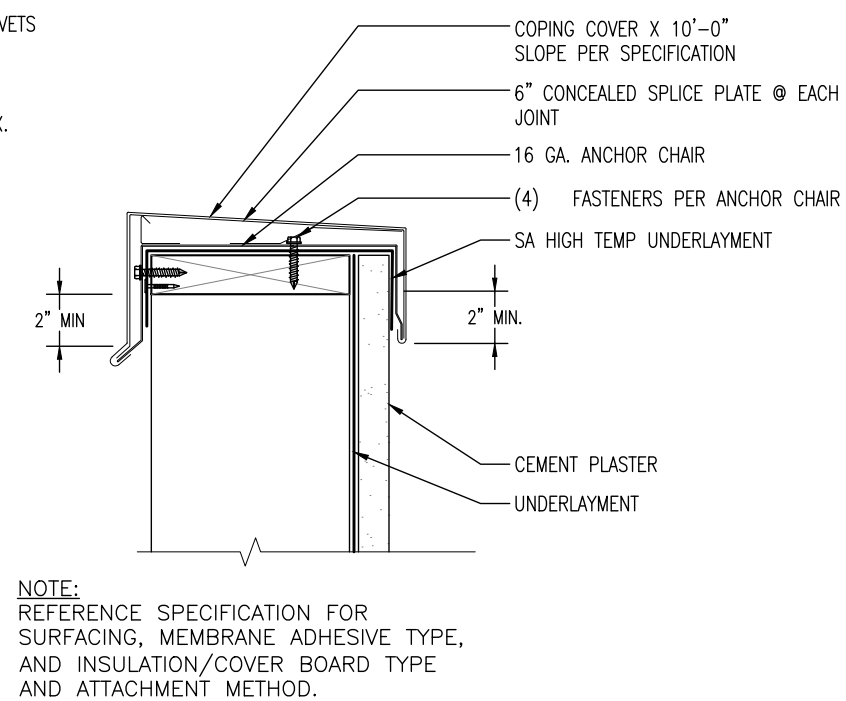
E
3
CURB DETAIL / AIR HANDLING STATION
SCALE: 1 1/2" = 1'-0"



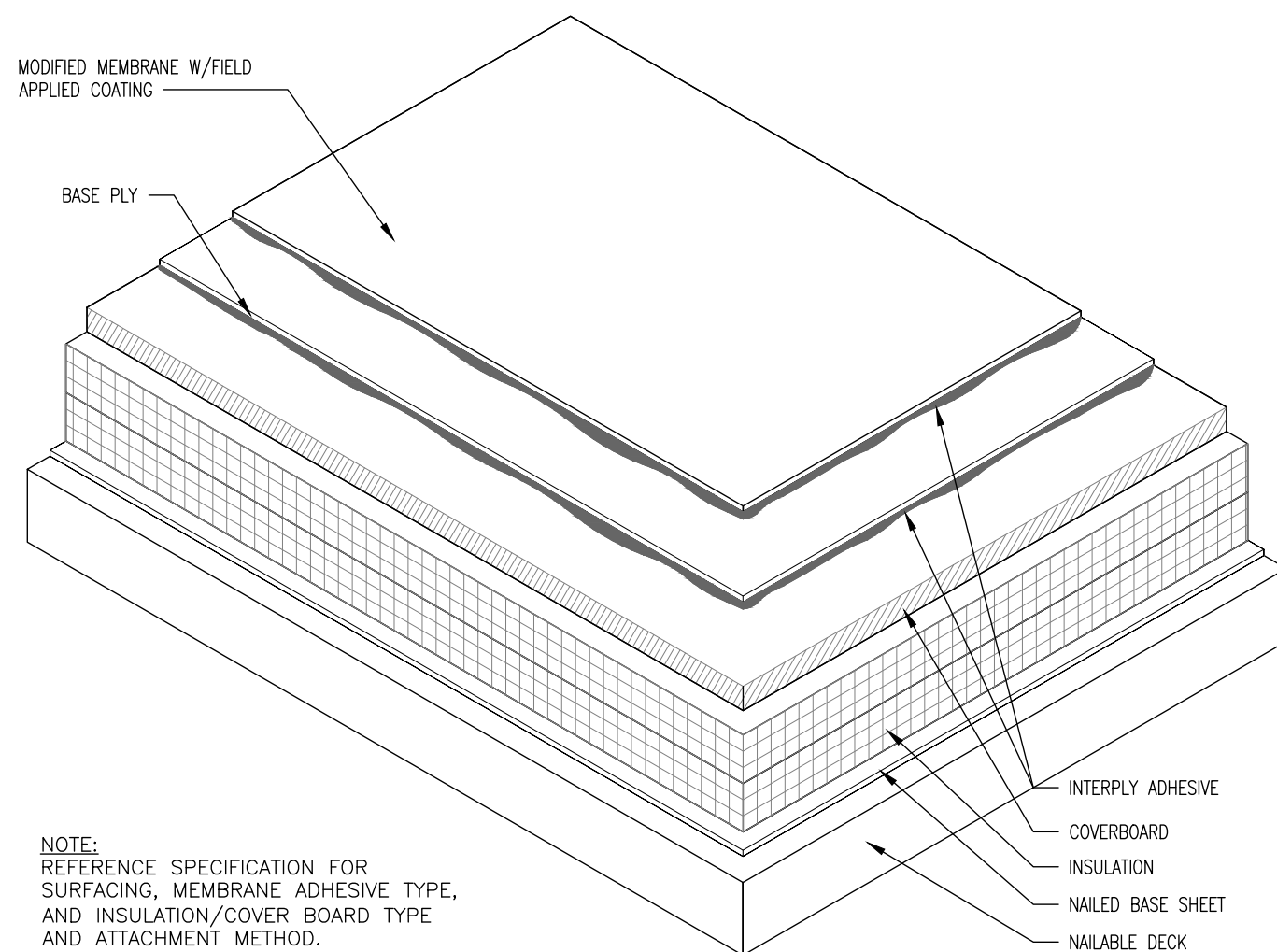
B
3
WALL FLASHING AT EXISTING CEMENT PLASTER WALL
SCALE: 1 1/2" = 1'-0"



D
3
EQUIPMENT SUPPORT - EXISTING
SCALE: 1 1/2" = 1'-0"



C
3
COPING CAP AT CEMENT PLASTER WALL
SCALE: 1 1/2" = 1'-0"



A
3
TYPICAL ROOF SYSTEM COATED SURFACE
SCALE: 3" = 1'-0"

THE GARLAND COMPANY INC.
3800 EAST 91ST STREET - CLEVELAND, OHIO 44105-2197
PHONE (800) 321-9336 / FAX (216) 641-0633



RUBY BRIDGES ELEMENTARY SCHOOL
351 JACK LONDON AVE. ALAMEDA, CA 94601

REVISION: ARCHITECT: AGENT: CUSTOMER: DATE: 01-04-24
SHEET: 3 OF 5



ALAMEDA UNIFIED SCHOOL DISTRICT

EXHIBIT B PROJECT DRAWINGS

CLASSROOM BUILDING ROOF REPLACEMENTS

SHEET TITLE

COVER SHEET

SHEET NUMBER

Sheet: 3

Page: 3 of 5



ALAMEDA
UNIFIED
SCHOOL
DISTRICT

EXHIBIT B
PROJECT
DRAWINGS

CLASSROOM
BUILDING
ROOF
REPLACEMENTS

SHEET TITLE

COVER SHEET

SHEET NUMBER

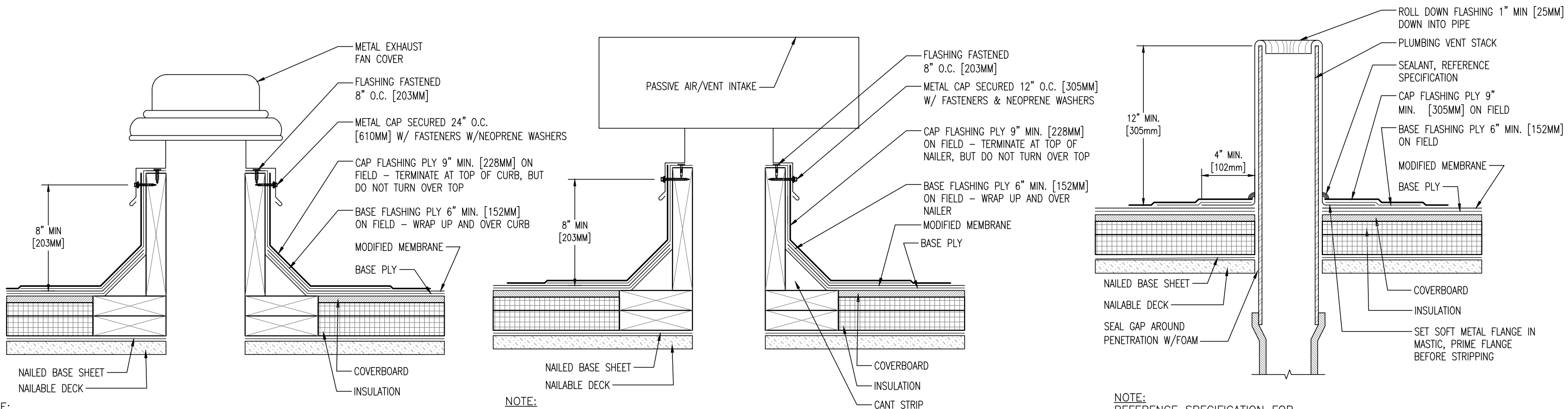
Sheet: 5

Page: 5 of 5

THE GARLAND COMPANY INC.
3800 EAST 91ST STREET - CLEVELAND, OHIO 44105-2197
PHONE (800) 321-9336 / FAX (216) 641-0633



RUBY BRIDGES ELEMENTARY SCHOOL 351 JACK LONDON AVE. ALAMEDA, CA 94601	AGENT:	JOB NUMBER:	DWG BY: CCK	CHK BY:
	ARCHITECT:	CUSTOMER:	DATE: 01-04-24	OF 5
REVISION:	SHEET: 5			



P EXHAUST FAN
SCALE: 1 1/2" = 1'-0"

N PASSIVE AIR / VENT INTAKE
SCALE: 1 1/2" = 1'-0"

M PLUMBING STACK
SCALE: 1 1/2" = 1'-0"

Alameda Unified School District

ITB# 024-077-03

Ruby Bridges – Classroom Building Roof Replacement

Addendum No. 1

Following are questions, clarifications, interpretations, corrections, answers, and the Pre-Bid Conference Sign-in Sheet.

1. Question:

Can you please clarify if the contractor Pre-Qualification information included in the bid packages for Ruby Bridges Classroom Roof Replacement should be included with the bid documents or submitted in advance. If to be submitted in advance, can you please provide the email address to which to submit?

Answer:

As shown in the Table of Contents the pre-qualification questionnaire shall be included in the Bid proposal package. Prospective Bidders may submit in advance to purchasing@alamedaunified.org and reference the Bid Number in the subject line. However, this does not replace the requirement to be submitted with the Bid proposal package.

2. Question:

What are the liquidated damages and engineer's estimates for Ruby Bridges project?

Answer:

As provided in Section 00 70 00-41 General Conditions (Para. 16.4.2) It being impractical and unfeasible to determine the amount of actual damage, it is agreed the Contractor shall forfeit and pay to District as fixed and liquidated damages, and not as a penalty, the amount set forth in the Agreement for each calendar day of delay in Completion. However, for conditions where the work has not been completed for reasons within the control of the contractors, liquidated damages shall be calculated at \$1,000 per day for each day past the completion date (August 15, 2024).

The expected magnitude of construction for this project is between \$500,000.00 and \$2,000,000.00.

3. Question:

Does this project require PLA or PSA?

Answer:

Alameda USD will not be using a Project Labor Agreement (PLA) or a Project Stabilization Agreement (PSA) for this work. All labor must comply with the current Labor Code and the Department of Industrial Relations (DIR) requirements for prevailing wages.

4. Question:

How much is the engineering estimate?

Answer:

The expected magnitude of construction is between \$500,000 and \$2,000,000

5. Question:
Please confirm if the "**Prequalification Questionnaire For Prospective Bidders**" should be submitted before bid date or with our bid forms on bid day.

Answer:

As shown in the Table of Contents the pre-qualification questionnaire shall be included with the submitted bid proposal. Prospective Bidders may submit in advance to purchasing@alamedaunified.org and reference the Bid Number in the subject line. However, this does not replace the requirement to be submitted with the bid proposal package.

6. Question:
Can you please tell us what are the Liquidated damages amount on the subject projects?

Answer:

As provided in Section 00 70 00-41 General Conditions (Para. 16.4.2) It being impractical and unfeasible to determine the amount of actual damage, it is agreed the Contractor shall forfeit and pay to District as fixed and liquidated damages, and not as a penalty, the amount set forth in the Agreement for each calendar day of delay in Completion. However, for conditions where the work has not been completed for reasons within the control of the contractors, liquidated damages shall be calculated at \$1,000 per day for each day past the completion date (August 15, 2024).

7. Question:
If we submit the prequalification questionnaire, when do we get confirmation that we are qualified to submit the bid to Alameda Unified School District?

Answer:

As shown in the Table of Contents the pre-qualification questionnaire shall be included with the submitted bid proposal. The District will review the information following the submission of proposals by all Prospective Bidders.

General Note: As stated in the Bid Documentation (Section 00 32 00), the "District" reserves the right, in its sole discretion, to reject any or all prequalification questionnaires, to waive irregularities in any prequalification questionnaire or to request further information or documentation from any Contractor".

8. Question:
Bid Form - The specs call for an alternate to coat walls but Bid form does not have an alternate line. Please clarify.

Answer:

Parapet wall coating repairs shall be included as a part of the base bid. Prospective Bidders shall include all materials, equipment, labor, and supervision to complete work as described in Section 07 55 33; Paragraph 1.1.A.9: "Add Alternate: Apply Tuff-Coat to the interior stucco of parapet walls on each building. Apply in 2 coats of 1 gallon per 100 square feet".

Alameda Unified School District

RUBY BRIDGES

CLASSROOM BUILDING ROOF REPLACEMENTS

ITB# 024-077-03

Pre-Bid Conference (February 20, 2024 @ 9:00AM)

Sign-in Sheet

BID PROPOSALS DUE: MARCH 6, 2024 at 2:00PM

Name	Company / Address	Phone / Email
Brian Adicott	ALAMEDA USD	510.205.1761
		badicott@alamedausd.org
Hudson Tognetti	Garland	650 740 6211
Daniel Ryan	Courtney inc	408 472-7378
	5914 Las Positas Rd. Livermore	DRyan@Courtneyinc.com
John Hemma	Brazos	559-542-2780
	Madera Ca	J.Hemma@Brazosinc.com
	Alliance Contracting Services	209-743-2056
Rafael Nochebueno	1777 Neptune Dr. San Leandro	James@alliance-Contracting.com
Johnny Vega	B&M Teacup 2420 Sand Creek Rd	925-522-6996
	Brentwood, Ca	Jvega7106@Outlook.com
Stephen Tong	State Roofing Systems, INC	(510) 317-1477
	18444 Hesperian Blvd San Leandro	stew@stateroofingsystems.com
Jose Vega	Stronger Building Services	jose@strongerbldg.com
		925-329-5256
JOSE LOZANO	WESTERN ROOFING SERVICE	jlozano@westroof.com
		415-850-5268

Name	Company / Address	Phone / Email
Alejandro Pérez	Pioneer Contractors Inc.	650 797 3580
		estimating@pioneercontractors.com
MANUEL AVILA	SF ROOFING SERVICES	many@sfroofingservices.com
Hector Ibarra	IFA contractor inc.	650) 315-3375
	3158 spring st Redwood city	hector@ifarcontractor.com
Javier Solis	BEST Contracting Services, Inc.	510-953-0790
		estimating@bestcontracting.com
Doug Clark	Garland	925-784-6701
		dclark@garlandco.com
Santiago Govea	ALLCAL SPECIAL CONTRACTING INC.	SANTIAGO.GOVEA@allcal.com
		(510) 767-5862

ALAMEDA UNIFIED SCHOOL DISTRICT
BOARD AGENDA ITEM

Item Title: Approval of Bid Award for Invitation to Bid (IBD) #024-077-04 Alameda High School - Roof Repairs

Item Type: Action

Background: In alignment with Board Policy and Administrative Regulation 3311 for compliance with Public Contract Code 20111, AUSD posted an Invitation To Bid (ITB) #024-077-04 Alameda High School - Roof Repairs on February 5, 2024. A mandatory bid conference and job-walk was conducted on February 20, 2024. Six (6) organizations submitted a bid by the deadline of 2:00 p.m. on March 6, 2024. The sealed bids were opened and reviewed by staff on March 6, 2024 at 3:00pm.

Staff recommends the award for ITB #024-077-04 Alameda High School - Roof Repairs be awarded to the apparent low bidder Courtney, Inc. A Notification of Apparent Low Bidder was sent to bidding organizations on Friday, March 8, 2024.

Staff is asking that the Board approve the Bid Award this evening and the contract for services will be presented to the Board for approval at an upcoming meeting.

AUSD LCAP Goals: 4. Ensure that all students have access to basic services.

Fund Codes: 25 Capital Facilities – Developer Fees Fund

Fiscal Analysis

Amount (Savings) (Cost): Low Bid \$1,537,792.00

Recommendation: Approve as submitted.

AUSD Guiding Principle: #5 - Accountability, transparency, and trust are necessary at all levels of the organization. | #6 - Allocation of funds must support our vision, mission, and guiding principles.

Submitted By: Shariq Khan, Assistant Superintendent of Business Services

ATTACHMENTS:

Description	Upload Date	Type
□ ITB 024-077-04	3/19/2024	Backup Material
□ Project Specs	3/19/2024	Backup Material
□ Project Drawings	3/19/2024	Backup Material
□ Addendum #1 to ITB	3/19/2024	Backup Material

Alameda Unified School District

05-FEB-2024

PROJECT MANUAL

BID NO. 024-077-04

Alameda High Roof Repairs

Alameda High School

2200 Central Ave, Alameda, CA 94501

DOCUMENT 00 01 10

TABLE OF CONTENTS - CONTRACT DOCUMENTS

PROCUREMENT AND CONTRACTING REQUIREMENTS

Division 00	Section	Title
	00 01 01	Title Page
	00 01 10	Table of Contents (This Document)
	00 11 16	Notice to Bidders / Invitation to Bid
	00 21 13	Instructions to Bidders
	00 31 19	Existing Information and Documentation Regarding Project Site (<u>NOT</u> part of the Contract Documents)

<i>DOCUMENTS THAT BIDDER MUST SUBMIT AS PART OF ITS BID</i>		
	00 32 00	Prequalification Questionnaire for Prospective Bidder (<u>NOT</u> part of the Contract Documents)
	00 41 13	Bid Form
	00 43 13	Bid Bond (Security)
	00 43 36	Designated Subcontractors List
	00 43 40	Non-collusion Declaration
	00 43 50	Iran Contracting Act Certification

	00 45 00	Notice of Award
	00 45 10	Agreement
	00 45 40	Certifications to be Completed by Contractor
	00 45 55	Disabled Veteran's Business Enterprise Participation Certification
	00 45 85	Criminal Background Investigation/Fingerprinting Certification
	00 54 55	Escrow Agreement for Security Deposits in Lieu of Retention
	00 61 14	Performance Bond
	00 61 15	Payment Bond (Contractor's Labor and Material Bond)
	00 65 10	Notice to Proceed
	00 65 36	Warranty and Guarantee Form
	00 70 00	General Conditions
	00 73 00	Supplementary Conditions
	00 01 10	Addenda – Project Manual (All addenda issued by District become part of the Contract).

GENERAL REQUIREMENTS

	01 64 00	Owner Furnished Products
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SPECIFICATIONS & DRAWINGS

	Exhibit A	Project Specifications
	Exhibit B	Project Drawings

END OF SECTION

DOCUMENT 00 11 16

NOTICE TO BIDDERS / INVITATION TO BID

1. Notice is hereby given that the governing board ("Board") of the **Alameda Unified School District** ("District") will receive sealed bids for the following project:

Alameda High Roof Repairs

2. Sealed Bids will be received until 2:00pm, March 6, 2024, at the District Office, located at

2060 Challenger Drive, Alameda, California 94501

at or after which time the bids will be opened and publicly read aloud. Any claim by a bidder of error in its bid must be made in compliance with section 5100 et seq. of the Public Contract Code. Any bid that is submitted after this time shall be non-responsive and returned to the bidder.

3. The Project consists of:

Project consists of all labor, equipment, materials, and supervision for major roof repairs at the Alameda High School Site, as indicated in contract documents, located in Alameda, CA.

4. All bids shall be on the form provided by the district. Each bid must conform and be responsive to all pertinent Contract Documents, including, but not limited to, the Instructions to Bidders.
5. To bid on this Project, the Bidder is required to possess one or more of the following State of California Contractor Licenses:

B – General Engineering
C39 – Roofing

The Bidder's license(s) must be active and in good standing at the time of the bid opening and must remain so throughout the term of the Contract.

6. As security for its Bid, each bidder shall provide with its Bid form.
 - a bid bond issued by an admitted surety insurer on the form provided by the District,
 - cash, or
 - a cashier's check or a certified check, drawn to the order of the **Alameda Unified School District**, in the amount of ten percent (10%) of the total bid price. This bid security shall be a guarantee that the Bidder shall, within seven (7) calendar days after the date of the Notice of Award, enter a contract with the District for the performance of the services as stipulated in the bid.
7. The successful Bidder shall be required to furnish a 100% Performance Bond and a 100% Payment Bond if it is awarded the contract for the Project.
8. The successful Bidder may substitute securities for any monies withheld by the District to ensure performance under the Contract, in accordance with the provisions of section 22300 of the Public Contract Code.
9. The successful Bidder and its subcontractors shall pay all workers on the Project not less than the general prevailing rate of per diem wages and the general prevailing rate for holiday and overtime work as determined by the Director of the Department of Industrial Relations, State of California, for the type of work performed and the locality in which the work is to be performed within the boundaries of the District, pursuant to sections 1770 et seq. of the California Labor Code. Prevailing wage rates are on file with the District and are

available to any interested party on request or at www.dir.ca.gov/oprl/statistics_and_databases.html. Bidders and Bidders' subcontractors shall comply with the registration and qualification requirements pursuant to sections 1725.5 and 1771.1 of the California Labor Code.

10. A mandatory pre-bid conference and site visit will be held on February 20, 2024 at 12:00 PM at Alameda High School, 2200 Central Ave, Alameda, CA 94501.

All participants are required to sign in at the Administration Office. The Site Visit is expected to take approximately 1 hour. Failure to attend or tardiness will render bid ineligible.

11. Documents are available on February 5th, 2024, for review at the District Office and electronically on the Alameda USD Website at the location below:

<https://www.alamedaunified.org/departments/fiscal-services>

12. The District's Board reserves the right to reject any and all bids and/or waive any irregularity in any bid received. If the District awards the Contract, the security of unsuccessful bidder(s) shall be returned within sixty (60) days from the time the award is made. Unless otherwise required by law, no bidder may withdraw its bid for ninety (90) days after the date of the bid opening.

13. Proposed timeline:

The following is the anticipated Proposal and engagement schedule. Alameda USD may change the estimated dates and process as deemed necessary.

First Notice to Bidders Publishing	Monday, February 5, 2024
Second Notice to Bidders Publishing	Monday, February 12, 2024
Mandatory pre-bid job-walk	Tuesday, February 20, 2024 @ 12:00PM
Last Day to Submit Questions and Seek Clarifications Please send questions to: mtirona@alamedaunified.org	Thursday, February 22, 2024 @ 2:00PM
Answers posted to District website	Monday, February 26, 2024 by 5:00PM
BID Proposals Due	Wednesday, March 6, 2024 by 2:00PM
Notice of Intent to Award	Friday, March 8, 2024
Protest Period Ends	Friday, March 15, 2024 @ 2:00PM
Board Approval	Tuesday, March 26, 2024
Project Start Date	Friday, June 7, 2024
Project Completion Date	NLT Thursday, August 15, 2024

END OF DOCUMENT

DOCUMENT 00 21 13

INSTRUCTIONS TO BIDDERS

Bidders shall follow the instructions in this document, and shall submit all documents, forms, and information required for consideration of a Bid.

Alameda Unified School District ("District") will evaluate information submitted by the apparent low Bidder and, if incomplete or unsatisfactory to District, Bidder's bid may be rejected at the sole discretion of District.

1. **Project.** Bids are requested for a general construction contract, or work described in general, for the following project:

Alameda High Roof Repairs

Site	Address
Alameda High School	2200 Central Ave, Alameda, CA 94501

2. **Sealed Bids.** District will receive sealed Bids from Bidders as indicated in the Invitation to Bid and each Bidder shall ensure that its Bid:
 - a. Is sealed and marked with the name and address of the Bidder, the Project name and number, the bid number and bid package (if applicable), and the date for opening bids.
 - b. Contains all documents as required herein; and
 - c. Is submitted by date and time shown in the Invitation to Bid.
3. **Bid Opening.** Bids will be opened at or after the time indicated for receipt of bids.
4. **Complete Bids.** Bidders must supply all information required by each Bid Document. Bids must be full and complete. District reserves the right in its sole discretion to reject any Bid as non-responsive as a result of any error or omission in the Bid. Each Bidder must complete and submit all of the following documents as its Bid:
 - Bid Form
 - Bid Bond or other security
 - Designated Subcontractors List
 - Non collusion Declaration
 - Iran Contracting Act Certification
 - a. **Bid Form.** Bidders must submit Bids on the Bid Form and all other required District forms. Bids not submitted on the District's required forms shall be deemed non-responsive and shall not be considered. Additional sheets required to fully respond to requested information are permissible. Bidders shall not modify the Bid Form or qualify their Bids. Bidders shall not submit scanned, re-typed, word-processed, or otherwise recreated versions of the Bid Form or other District-provided documents.
 - b. **Bid Bond or Other Security.** Bidders must submit their Bid Form with cash, a cashier's check or a certified check payable to District, or a bid bond by an admitted surety insurer of not less than ten percent (10%) of their base Bid amount, including all additive alternates. Required form of corporate surety, Bid Bond, is provided by District and must be used and fully completed by Bidders choosing to provide a Bid Bond as security. The Surety on Bidders' Bid Bond must be an insurer admitted in the State of California and authorized to issue surety bonds in the State of California. Bids submitted without necessary bid security will be deemed non-responsive and will not be considered.
 - c. **Designated Subcontractors List.** Bidders must submit with the Bid the Designated Subcontractors List for

those subcontractors who will perform any portion of Work, including labor, rendering of service, or specially fabricating and installing a portion of the Work or improvement according to detailed drawings contained in the plans and specifications, in excess of one half of one percent (0.5%) of total Bid. Failure to fully complete and submit this list when required by law shall result in Bid being deemed non-responsive and the Bid will not be considered.

- d. **Non-Collusion Declaration.** Bidders shall submit the Non-Collusion Declaration with their Bids. Bids submitted without the Non-Collusion Declaration shall be deemed non-responsive and will not be considered.
 - e. **Iran Contracting Act Certification.** Bidders shall submit the Iran Contracting Act Certification with their Bids. Bids submitted without the Iran Contracting Act Certification shall be deemed non-responsive and will not be considered.
5. **Erasures.** Bids shall be clearly written without erasure or deletions. District reserves the right to reject any Bid containing erasures or deletions.
 6. **Words / Numerals.** Discrepancies between written words and figures, or words and numerals, will be resolved in favor of written words.
 7. **Prevailing Wages.** Pursuant to sections 1770 et seq. of the California Labor Code, Bidder and all Subcontractors under the Bidder shall pay all workers on all work performed pursuant to the Contract not less than the general prevailing rate of per diem wages and the general prevailing rate for holiday and overtime work as determined by the Director of the State of California Department of Industrial Relations (DIR) for the type of work performed and the locality in which the work is to be performed within the boundaries of the District. Copies of the general prevailing rates of per diem wages for each craft, classification, or type of worker needed to execute the Contract, as determined by the DIR are on file with the District and are available to any interested party on request or at www.dir.ca.gov/oprl/statistics_and_databases.html.
 8. **Contractor Registration.** Bidder shall ensure that it and its Subcontractors comply with the registration and compliance monitoring provisions of Labor Code section 1771.4, including furnishing its CPRs to the Labor Commissioner, and are registered pursuant to Labor Code section 1725.5. Bidder and its subcontractors shall comply with Labor Code section 1725.5 to be qualified to bid on, be listed in a bid proposal, subject to the requirements of Section 4104 of the Public Contract Code, or engage in the performance of the Contract.
 9. **DVBE.** Section 17076.11 of the Education Code requires school districts using funds allocated pursuant to the State of California School Facility Program for the construction and/or modernization of school building(s) to have a participation goal for disabled veteran business enterprises ("DVBE") of at least three percent (3%) per year of the overall dollar amount expended on projects that receive state funding. For any project that is at least partially state-funded, the low Bidder must submit certification of compliance with the procedures for implementation of DVBE contracting goals with its signed Agreement. DVBE Certification Participation Forms are attached. Bidders should not submit these forms with their Bids.
 10. **Bidder Diligence.** Submission of Bid signifies careful examination of the Contract Documents and a complete understanding of the nature, extent, and location of Work to be performed. Bidders must complete the tasks listed below as a condition to bidding, and submission of Bid shall constitute the Bidder's express representation to District that Bidder has fully completed the following:
 - a. Bidder has visited the Project Site, if required, and has examined thoroughly and understood the nature and extent of the Contract Documents, Work, Site, locality, actual conditions, as-built conditions, and all local conditions and federal, state and local laws, and regulations that in any manner may affect cost, progress, performance, or furnishing of Work or that relate to any aspect of the means, methods, techniques, sequences, or procedures of construction to be employed by Bidder and safety precautions and programs incident thereto;

- b. Bidder has conducted or obtained and has understood all examinations, investigations, explorations, tests, reports, and studies that pertain to the subsurface conditions, as-built conditions, underground facilities, and all other physical conditions at or contiguous to the Site or otherwise that may affect the cost, progress, performance, or furnishing of Work, as Bidder considers necessary for the performance or furnishing of Work at the Contract Price, within the Contract Time, and in accordance with the other terms and conditions of Contract Documents, including specifically the provisions of the General Conditions; and no additional examinations, investigations, explorations, tests, reports, studies, or similar information or data are or will be required by Bidder for such purposes;
- c. Bidder has correlated its knowledge and the results of all such observations, examinations, investigations, explorations, tests, reports, and studies with the terms and conditions of the Contract Documents;
- d. Bidder has given the District prompt written notice of all conflicts, errors, ambiguities, or discrepancies that it has discovered in or among the Contract Documents and the actual conditions, and the written resolution thereof by the District is acceptable to Bidder;
- e. Bidder has made a complete disclosure in writing to the District of all facts bearing upon any possible interest, direct or indirect, that Bidder believes any representative of the District or other officer or employee of the District presently has or will have in this Contract or in the performance thereof or in any portion of the profits thereof;
- f. Bidder must, prior to bidding, perform the work, investigations, research, and analysis required by the Instructions to Bidders and that Bidder represented in its Bid Form and the Agreement that it performed prior to bidding. Bidder is charged with all information and knowledge that a reasonable bidder would ascertain from having performed this required work, investigation, research, and analysis. Bid prices must include entire cost of all work "incidental" to completion of the Work.
- g. **Conditions Shown on the Contract Documents:** Information as to underground conditions, as-built conditions, or other conditions or obstructions, indicated in the Contract Documents, e.g., on Drawings or in Specifications, has been obtained with reasonable care, and has been recorded in good faith. However, District only warrants, and Bidder may only rely, on the accuracy of limited types of information.
 - (1) As to above-ground conditions or as-built conditions shown or indicated in the Contract Documents, there is no warranty, express or implied, or any representation express or implied, that such information is correctly shown or indicated. This information is verifiable by independent investigation and Bidder is required to make such verification as a condition to bidding. In submitting its Bid, Bidder shall rely on the results of its own independent investigation. In submitting its Bid, Bidder shall not rely on District-supplied information regarding above-ground conditions or as-built conditions.
 - (2) As to any subsurface condition shown or indicated in the Contract Documents, Bidder may rely only upon the general accuracy of actual reported depths, actual reported character of materials, actual reported soil types, actual reported water conditions, or actual obstructions shown or indicated. District is not responsible for the completeness of such information for bidding or construction; nor is District responsible in any way for any conclusions or opinions of Bidder drawn from such information; nor is District responsible for subsurface conditions that are not specifically shown (for example, District is not responsible for soil conditions in areas contiguous to areas where a subsurface condition is shown).
- h. **Conditions Shown in Reports and Drawings Supplied for Informational Purposes:** Reference is made to the document entitled Existing Information and Documentation Regarding Project Site, for identification of:

- (1) Subsurface Conditions: Those reports of explorations and tests of subsurface conditions at or contiguous to the Project Site that have been utilized by Architect in preparing the Contract Documents; and
 - (2) Physical Conditions: Those drawings of physical conditions in or relating to existing surface or subsurface structures at or contiguous to the Project Site that has been utilized by Architect in preparing the Contract Documents.
 - (3) These reports and drawings are **not** Contract Documents and, except for any “technical” data regarding subsurface conditions specifically identified in Existing Information and Documentation Regarding Project Site, and underground facilities data, Bidder may not in any manner rely on the information in these reports and drawings. Subject to the foregoing, Bidder must make its own independent investigation of all conditions affecting the Work and must not rely on information provided by District.
11. **As-Builts.** Bidders may examine any available “as-built” drawings of previous work by giving District reasonable advance notice. District will not be responsible for accuracy of “as-built” drawings. The document entitled Existing Information and Documentation Regarding Project Site applies to all supplied “as-built” drawings.
12. **Questions.** All questions about the meaning or intent of the Contract Documents are to be directed in writing to the District. Interpretations or clarifications considered necessary by the District in response to such questions will be issued in writing by Addenda faxed, mailed, or delivered to all parties recorded by the District as having received the Contract Documents. Questions received less than **SEVEN (7)** calendar days prior to the date for opening Bids may not be answered. Only questions answered by formal written Addenda will be binding. Oral and other interpretations or clarifications will be without legal effect.
13. **Addenda.** Addenda may also be issued to modify parts of the Contract Documents as deemed advisable by the District. Bidder must acknowledge each Addendum in its Bid Form by number or its Bid may be considered non-responsive. Each Addenda shall be part of the Contract Documents. A complete listing of Addenda may be obtained from the District.
14. **Substitution for Specified Items.** Bids shall be based on products and systems specified in Contract Documents or listed by name in Addenda. All requests must comply with the requirements specified in the Special Conditions, the Specifications and the following:
- a. **Request for Substitution Prior to Bid.**
 - (1) District must receive any request for substitution a minimum of **FOURTEEN (14)** calendar days prior to the date of bid opening.
 - (2) The District’s denial of a substitution request prior to the date of bid opening shall be conclusive, requiring Bidders to list only approved items. The District is not responsible and/or liable in any way for a Bidder’s damages and/or claims related, in any way, to that Bidder’s basing its bid on any requested substitution that the District has not approved. Bidder’s Bid shall be deemed non-responsive if it identifies a product or manufacturer of a non-approved substitution.
 - (3) Approved substitutions shall be listed in Addenda.
 - (4) District reserves the right not to act upon submittals of substitutions until after the date of bid opening.
 - b. **Request for Substitution after Bid Award.** Substitutions may be requested after Contract has been awarded only if indicated in and in accordance with requirements specified in the Special Conditions.

- c. **Information with Request.** Requests for substitutions shall contain sufficient information to assess acceptability of the product or system and impact to Project, including, without limitation, the requirements specified in the Special Conditions and the Specifications. Insufficient information shall be grounds for rejection of substitution.
15. **Alternates.** The Contract may include alternates. Alternates are defined as alternate products, materials, equipment, systems, methods, or major elements of the construction, that may, at the District's option and under terms established in the Contract and pursuant to section 20103.8 of the Public Contract Code, be selected for the Work. The District shall award the Contract, if it awards it at all, to the lowest responsive responsible bidder based on the criteria as indicated in the Invitation to Bid.
16. **Notice of Award.** The Bidder awarded the Contract shall execute and submit the following documents by 5:00 p.m. of the **SEVENTH (7TH)** calendar day following the date of the Notice of Award. Failure to properly and timely submit these documents entitles District to, among other remedies, make a claim against Bidder's Bid Bond or deposit Bidder's cash, cashier's check, or certified check. The proceeds thereof may be retained by District as liquidated damages, in District's sole discretion.
- a. Agreement: To be executed by successful Bidder. Submit four (4) copies, each bearing an original signature.
 - b. Performance Bond (100%): On the form provided in the Contract Documents and fully executed as indicated on the form.
 - c. Payment Bond (100%) (Contractor's Labor and Material Bond): On the form provided in the Contract Documents and fully executed as indicated on the form.
 - d. Insurance Certificates and Endorsements as required.
 - e. Certifications to be Completed by Contractor
17. **Notice to Proceed.** District may issue a Notice to Proceed within **THREE (3)** months from the date of the Notice of Award. Upon receipt of the Notice to Proceed, Contractor shall complete the Work within the period of time indicated in the Contract Documents. It is further expressly understood by Contractor that Contractor shall not be entitled to any claim of additional compensation or additional time when the Notice to Proceed is issued within the 3-month period.
- a. The District may postpone issuing the Notice to Proceed beyond the 3-month period, upon reasonable notice to Contractor.
 - b. It is further expressly understood by Contractor that Contractor shall not be entitled to any claim of additional compensation as a result of the postponement of the issuance of the Notice to Proceed beyond the 3-month period. If the Contractor believes that a postponement of issuance of the Notice to Proceed will cause a hardship to Contractor, the Contractor may terminate the Contract. Contractor's termination due to a postponement beyond the 3-month period shall be by written notice to District within **SEVEN (7)** calendar days after receipt by Contractor of District's notice of postponement.
 - c. It is further understood by Contractor that in the event Contractor terminates the Contract as a result of postponement by the District, District shall only be obligated to pay Contractor for the Work that Contractor had performed at the time of notification of postponement and which the District had in writing authorized Contractor to perform prior to issuing a Notice to Proceed.
 - d. Should Contractor terminate the Contract as a result of a notice of postponement, District shall have the authority to award the Contract to the next lowest responsive responsible bidder.

18. **Bid Protests.** Any bid protest by any Bidder regarding any other bid on this Project must be submitted in writing to the **Purchasing Department** at the District, before 2:00PM, March 6, 2024. The Purchasing Department will take steps to resolve the bid protest and, if that is not successful, the Business Services /Purchasing Department will refer the bid protest to the Superintendent or his/her designee that is a deputy superintendent and/or a chief officer. These steps are mandatory prior to any bid protest or award of a contract without a resolved bid protest being brought to the District's governing board for consideration.
- a. The protest must contain a complete statement of any and all bases for the protest.
 - b. The protest must refer to the specific portions of all documents that form the bases for the protest, including the specific portion(s) of the bid(s) that the Bidder is protesting.
 - c. The protest must include the name, address and telephone number of the person representing the protesting party.
 - d. The party filing the protest must concurrently transmit a copy of the protest and any attached documentation to all other parties with a direct financial interest that may be adversely affected by the outcome of the protest. Such parties shall include all other bidders or proposers who appear to have a reasonable prospect of receiving an award depending upon the outcome of the protest.
 - e. The procedure and time limits set forth in this paragraph are mandatory and are each bidder's sole and exclusive remedy in the event of bid protest. Failure to comply with these procedures shall constitute a waiver of any right to further pursue the bid protest, including filing a Government Code Claim or legal proceedings.
19. **Rejection of Bids.** District reserves the right to reject any or all bids, including without limitation the right to reject any or all nonconforming, non-responsive, unbalanced, or conditional bids, to re-bid, and to reject the bid of any bidder if District believes that it would not be in the best interest of the District to make an award to that bidder, whether because the bid is not responsive or the bidder is unqualified or of doubtful financial ability or fails to meet any other pertinent standard or criteria established by District. District also reserves the right to waive inconsequential deviations not involving price, time, or changes in the Work. For purposes of this paragraph, an "unbalanced bid" is one having nominal prices for work item(s) that represent substantive work and/or overly enhanced prices for nominal work item(s).
20. **Bidder Responsibility.** Prior to the award of Contract, District reserves the right to consider the responsibility of the Bidder. District may conduct investigations as District deems necessary to assist in the evaluation of any bid and to establish the responsibility, including, without limitation, qualifications and financial ability of Bidders, proposed subcontractors, suppliers, and other persons and organizations to perform and furnish the Work in accordance with the Contract Documents to District's satisfaction within the prescribed time.

END OF DOCUMENT

DOCUMENT 00 31 19

EXISTING INFORMATION AND DOCUMENTATION REGARDING PROJECT SITE

1. Summary

This document describes existing conditions at or near the Project and use of information available regarding existing conditions. This document is **not** part of the Contract Documents. See General Conditions for definition(s) of terms used herein. Contractor is required to request from the District a copy of any reports that it believes are necessary to perform Contractor's Work in a safe, efficient, and workman-like manner.

2. Reports and Information on Existing Conditions

- a. Documents providing a general description of the Site and conditions of the Work may have been collected by District, its consultants, contractors, and tenants. These documents may include previous contracts, contract specifications, tenant improvement contracts, as-built drawings, utility drawings, and information regarding underground facilities.
- b. Information regarding existing conditions may be inspected at the District offices or the Construction Manager's offices, if any, and copies may be obtained at cost of reproduction and handling upon Bidder's agreement to pay for such copies. These reports, documents, and other information are **not** part of the Contract Documents.
- c. Information regarding existing conditions may also be included in the Project Manual but shall **not** be considered part of the Contract Documents.

3. Use of Information

- a. Information regarding existing conditions was obtained only for use of District and its consultants, contractors, and tenants for planning and design and is **not** part of the Contract Documents.
- b. District does not warrant, and makes no representation regarding, the accuracy or thoroughness of any information regarding existing conditions. Bidder represents and agrees that in submitting a bid it is not relying on any information regarding existing conditions supplied by District.
- c. Under no circumstances shall District be deemed to warrant or represent existing above-ground conditions, as-built conditions, or other actual conditions, verifiable by independent investigation. These conditions are verifiable by Contractor by the performance of its own independent investigation that Contractor must perform as a condition to bidding, and Contractor should not and shall not rely on this information or any other information supplied by District regarding existing conditions.
- d. Any information shown or indicated in the reports and other data supplied herein with respect to existing underground facilities at or contiguous to the Project may be based upon information and data furnished to District by the District's employees and/or consultants or builders of such underground facilities or others. District does not assume responsibility for the completeness of this information, and Bidder is solely responsible for any interpretation or conclusion drawn from this information.
- e. District shall be responsible only for the general accuracy of information regarding underground facilities, and only for those underground facilities that are owned by District, and only where Bidder has conducted the independent investigation required of it pursuant to the Instructions to Bidders, and discrepancies are not apparent.

4. Limited Reliance on Certain Information

- a. Reference is made herein for identification of:
 - (1) Reports of explorations and tests of subsurface conditions at or contiguous to the Site that have been utilized by District in preparation of the Contract Documents.
 - (2) Drawings of physical conditions in or relating to existing subsurface structures (except underground facilities) that are at or contiguous to the Site and have been utilized by District in preparation of the Contract Documents.
- b. Bidder may rely upon the general accuracy of the “technical data” contained in the reports and drawings identified above, but only insofar as it relates to subsurface conditions, provided Bidder has conducted the independent investigation required pursuant to Instructions to Bidders, and discrepancies are not apparent. The term “technical data” in the referenced reports and drawings shall be limited as follows:
 - (1) The term “technical data” shall include actual reported depths, reported quantities, reported soil types, reported soil conditions, and reported material, equipment or structures that were encountered during subsurface exploration. The term “technical data” does not include, and Bidder may not rely upon, any other data, interpretations, opinions or information shown or indicated in such drawings or reports that otherwise relate to subsurface conditions or described structures.
 - (2) The term “technical data” shall not include the location of underground facilities.
 - (3) Bidder may not rely on the completeness of reports and drawings for the purposes of bidding or construction. Bidder may rely upon the general accuracy of the “technical data” contained in such reports or drawings.
 - (4) Bidder is solely responsible for any interpretation or conclusion drawn from any “technical data” or any other data, interpretations, opinions, or information provided in the identified reports and drawings.

5. Investigations/Site Examinations

- a. Before submitting a Bid, each Bidder is responsible for conducting or obtaining any additional or supplementary examinations, investigations, explorations, tests, studies, and data concerning conditions (surface, subsurface, and underground facilities) at or contiguous to the Site or otherwise, that may affect cost, progress, performance, or furnishing of Work or that relate to any aspect of the means, methods, techniques, sequences, or procedures of construction to be employed by Bidder and safety precautions and programs incident thereto or that Bidder deems necessary to determine its Bid for performing and furnishing the Work in accordance with the time, price, and other terms and conditions of Contract Documents.
- b. On request, District will provide each Bidder access to the Site to conduct such examinations, investigations, explorations, tests, and studies, as each Bidder deems necessary for submission of a Bid. Bidders must fill all holes and clean up and restore the Site to its former condition upon completion of its explorations, investigations, tests, and studies. Such investigations and Site examinations may be performed during any and all Site visits indicated in the Invitation to Bid and only under the provisions of the Contract Documents, including, but not limited to, proof of insurance and obligation to indemnify against claims arising from such work, and District’s prior approval.

END OF DOCUMENT

DOCUMENT 00 32 00

PREQUALIFICATION QUESTIONNAIRE FOR PROSPECTIVE BIDDERS

The **Alameda Unified School District** ("District") has determined that contractors on future projects ("Contractor(s)" or "Firm(s)") must be prequalified prior to submitting a bid or proposal on a project. This form must be completed by:

- A Contractor with a, General B or C-39 license(s) that intends to bid as a **General Contractor** (prime contractor) directly to the district.
- A Contractor with a C-39 license(s) that intends to bid as a **First-Tier subcontractor** to a general contractor (prime contractor) that is bidding directly to the district.

Form Submission. *Contractors must complete this District form; no other prequalification documents submitted by a Contractor will meet the District's requirements.* All Contractors shall submit completed questionnaires and financial statements as follows:

Location	Date
Alameda Unified School District _____ _____, CA _____ Attn: _____	First-tier subcontractors <u>and</u> general (prime) contractors _____, 20____

Contractor List. The District will make available a list of prequalified general contractors and electrical, mechanical, and plumbing subcontractors to all prequalified Contractors at least five (5) Business Days prior to the date for submission of any response to a District bid or other solicitation covered by this prequalification.

References. The District reserves the right to contact any representative at Contractor's previous projects to gather information about the Contractor and/or to base the District's prequalification determination on a scoring of Contractor's references' responses to questions.

Updates. Contractors who are prequalified must update their prequalification questionnaire if or when Contractor's status or information changes. The District reserves the right to adjust, suspend, or rescind the prequalification rating of any Contractor based on subsequently learned information.

Non-responsiveness. A Contractor's prequalification questionnaire shall be deemed nonresponsive if, without limitation, the Contractor's prequalification questionnaire is not returned on time, does not provide all requested information, is not signed under penalty of perjury by an individual who has the authority to bind the Contractor, is not updated as required or is misleading or inaccurate in any material manner (e.g., financial resources are overstated; previous violations of law are not accurately reported).

Rejection/Waiver/Request. The District reserves the right, in its sole discretion, to reject any or all prequalification questionnaires, to waive irregularities in any prequalification questionnaire or to request further information or documentation from any Contractor.

Public Records. Although the names of Contractors seeking prequalification may be public information, pursuant to, without limitation, Public Contract Code sections 20111.5(a) and 20111.6 (b), each Contractor's questionnaire and financial statements "shall not be public records and shall not be open to public inspection." However, the contents of Contractor's prequalification questionnaires and financial statements may be disclosed to third parties for purposes of clarification or investigation of material allegations or in any appeal process.

Appeal. A Contractor may appeal the District's decision. If a Contractor decides to appeal the District's prequalification decision, it must follow the following procedure:

1. Contractor shall submit, in writing, within **FIVE (5)** Business Days from District's determination, a request for a written response from the District to explain the District's determination.
2. Within five (5) Business Days from receipt of the District's written response to the Contractor's request, Contractor may submit, in writing, a request for a meeting with the District's staff. Contractor may submit with the request any and all information that it believes supports a finding that District's determination should be changed.
3. District staff shall hold a meeting with the Contractor. If the Contractor continues to contest the District's determination after that meeting with District staff, then the Contractor may address the Board at the next public noticed meeting of the District's governing board, pursuant to the governing board's procedures for public comment. **TO PRESERVE THE CONTRACTOR'S RIGHT TO CHALLENGE THE DISTRICT'S DETERMINATION, THE CONTRACTOR SHALL ADDRESS THE BOARD AT THE NEXT PUBLIC NOTICED MEETING OF THE BOARD AFTER CONTRACTOR'S MEETING WITH DISTRICT STAFF.**
4. **FAILURE OF A CONTRACTOR TO TIMELY FOLLOW ALL APPEAL STEPS SHALL BE A WAIVER OF THE CONTRACTOR'S RIGHT TO APPEAL THE DISTRICT'S DECISION.**

CONTRACTOR (OR "FIRM") INFORMATION

Contractor's company name:

Address:

Telephone:

Mobile telephone:

E-mail:

Years in business under current company name:

Years at the above address:

Types of work performed with own forces:

Gross revenue of the Firm for the past three (3) years:

\$

\$

\$

Submit an audited or reviewed financial statement for the past two (2) full fiscal years. A letter verifying availability of a line of credit may also be attached; however, it will be considered as supplemental information only, and is not a substitute for the required financial statement.

Name of license holder exactly as on file with the California State License Board:

License classification(s):

License Number(s):

License expiration date(s):

Department of Industrial Relations registration number (Per Labor Code section 1725.5):

Number of years license holder has held the listed license(s):

Number of years Contractor has done business in California under contractor's license law:

Number of years Contractor has done business in California under **current** Contractor's license:

Has your Firm changed name(s) or license number(s) in the past five (5) years? (Y / N). If "yes", explain on a separate signed sheet, including the reason for the change.

Has there been any change in ownership of the Firm at any time in the past five (5) years? **NOTE:** A corporation whose shares are publicly traded is not required to answer this question. (Y / N). If "yes", explain on a separate signed sheet, including the reason for the change.

Is the Firm a subsidiary, parent, holding company, or affiliate of another construction firm? **NOTE:** Include information about other firms if one firm owns ten percent (10%) or more of another, or if an owner, partner, or officer of your Firm holds a similar position in another firm. (Y / N). If "yes", explain on a separate signed sheet, the name of the related company(ies) and the percent ownership.

Indicate the form of Contractor's firm (type of business entity):

____ Individual

____ Sole Proprietorship

____ Partnership

____ Limited Partnership

____ Limited Liability Company

____ Joint Venture

____ Corporation, State: _____

____ Other: _____

List the following for each corporation officer, general partner, limited partner, owner, etc. (as applicable) for the Contractor's type of entity. For joint ventures, include this information for each entity in the joint venture and the percent ownership of each joint venture. Attach all additional information on separate signed sheets as needed.

Name	Position	Years with Co.	% Ownership

Identify every construction firm, contractor and/or construction management firm that the Contractor or any person listed above has been associated with (as officer, general partner, limited partner, owner, RMO, RME etc.) at any time during the **past five (5) years** ("Associated Firm"). Include all additional references and/or information on separate signed sheets. NOTE: For this question, "owner" and "partner" refers to ownership of ten percent (10%) or more of the business, or ten percent (10%) or more of its stock if the business is a corporation. include all additional information on separate signed sheets as needed.

Name of Person at Associated Firm	Name of Associated Firm	Contractor's License No. of Associated Firm	Dates of Person's Participation with Associated Firm

CONTRACTOR'S BONDING COMPANY (SURETY) INFORMATION

Name(s) of bonding company(ies) your Firm has utilized over the past five (5) years (not broker or agency):

Address(es) of those bonding company(ies):

Number of years Contractor has been with those bonding company/surety:

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Name of broker/agent:

Address of broker/agent:

Telephone number of broker/agent:

E-mail of broker/agent:

Contractor's total current bonding capacity: \$

CONTRACTOR'S INSURANCE INFORMATION

Name of insurance company(ies) your Firm has utilized over the past five (5) years (not broker or agency):

Address of those insurance company(ies):

"Best" rating(s) for those insurance company(ies):

--	--	--

Number of years Contractor has been with those insurance company(ies):

--	--	--

Name of broker/agent:

Address of broker/agent:

Telephone number of broker/agent:

E-mail of broker/agent:

Contractor's current insurance limits for the following types of coverage:

Commercial General Liability	Each occurrence	\$
	General aggregate	\$
Product Liability & Completed Operations	Each occurrence	\$
	General aggregate	\$
Automobile Liability – Any Auto	Combined Single Limit (per occurrence)	\$
Employers' Liability		\$
Builder's Risk (Course of Construction)		

Workers' Compensation Experience Modification Rate for the past five (5) premium years:

(1) Current year:	(2)	(3)
	(4)	(5)

QUESTIONS

Pass/Fail Questions (Essential Criteria)		CIRCLE ONE	
1a.	GENERAL CONTRACTORS ONLY: Has your Firm contracted for and completed construction of a minimum of: <ul style="list-style-type: none"> Three (3) California K-12 public school district construction projects, Each with a value of at least \$750,000, and All within the past five (5) years? (Please circle one) <p>NOTE: You must list these projects in the "Contractor Project References" Section.</p>	YES	NO
		NO = cannot prequalify	
1b.	FIRST-TIER SUBCONTRACTORS ONLY: Has your Firm contracted for and completed construction of a minimum of: <ul style="list-style-type: none"> Two (2) California K-12 public school district construction projects, Each with a value of at least \$500,000, and All within the past five (5) years? (Please circle one). <p>NOTE: You must list these projects in the "Contractor Project References" Section.</p>	YES	NO
		NO = cannot prequalify	
2.	Does your Firm currently hold all contractors' license(s) necessary to perform the work and have those license(s) been consistently active for at least five (5) years without revocation or suspension? (Please circle one).	YES	NO
		NO = cannot prequalify	
3.	Has your Firm or an Associated Firm been found non-responsible, debarred, disqualified, forbidden, or otherwise prohibited from performing work and/or bidding on work for any public agency within California within the past five (5) years? (Please circle one).	YES	NO
		YES = cannot prequalify	
4.	Has your Firm or an Associated Firm defaulted on a contract or been terminated for cause by any public agency on any project within California within the past five (5) years and, if so and if challenged, has that default or termination been upheld by a court or an arbitrator? (Please circle one).	YES	NO
		YES = cannot prequalify	
5.	Has your Firm or an Associated Firm or any of their owners or officers been convicted of a crime under federal, state, or local law involving: <ul style="list-style-type: none"> (1) Bidding for, awarding of, or performance of a contract with a public entity. (2) Making a false claim(s) to any public entity; or (3) Fraud, theft, or other act of dishonesty to any contracting party within the past ten (10) years ? (Please circle one).	YES	NO
		YES = cannot prequalify	
6.	Has a performance bond surety for your Firm or a performance bond surety for an Associated Firm had to: <ul style="list-style-type: none"> (1) Takeover or complete a project, (2) Supervise the work of a project, or (3) Pay amounts to third parties to satisfy claims against your performance bond related to construction activities of your Firm or an Associated Firm within the past five (5) years? (Please circle one).	YES	NO
		YES = cannot prequalify	
<div style="display: flex; align-items: center;"> <div> <p style="margin: 0;">If you answered:</p> <p style="margin: 0;">"NO" to questions 1a, 1b, or 2</p> <p style="margin: 0; text-align: center;">or</p> <p style="margin: 0;">"YES" to questions 3-6, then STOP.</p> <p style="margin: 0;">You are not eligible for prequalification at this time.</p> </div> </div>			

Scored Questions		CIRCLE ONE	
1.	Has your Firm paid liquidated damages pursuant to a contract for a project with either a public or private owner within the past five (5) years? (Please circle one). If YES, explain and indicate on separate signed sheet(s) the project name(s), damages(s), and date(s).	YES	NO
2.	Has your Firm paid a premium of more than one percent (1%) for a performance and payment bond on any project(s) within the past five (5) years? (Please circle one). If YES, explain and indicate on separate signed sheet(s) the project name(s), the premium amount(s), and date(s).	YES	NO
3.	Has any insurer had to pay amounts to third parties that were in any way related to construction activities of your Firm within the past five (5) years? (Please circle one). If YES, explain and indicate on separate signed sheet(s) the project name(s), the amount(s) paid, and date(s).	YES	NO
4.	Has your Firm's Workers' Compensation Experience Modification Rate exceeded 1.0 at any time for the past five (5) premium years? (Please circle one). If YES, explain and indicate on separate signed sheet(s) the EMR(s) and the applicable date(s).	YES	NO
5.	Has there been a period when your Firm had employees but was without workers' compensation insurance or state-approved self-insurance within the past five (5) years? (Please circle one). If YES, explain and indicate on separate signed sheet(s) the reason(s) for not having this insurance and the applicable date(s).	YES	NO
6.	Has your Firm declared bankruptcy or been placed in receivership within the past five (5) years? (Please circle one). If YES, explain and indicate on separate signed sheet(s) the type of bankruptcy, the Firm's current recovery plan, and the applicable date(s).	YES	NO
7.	Has your Firm been denied bond coverage by a surety company, or has there been a period of time when your Firm had no surety bond in place during a public construction project when one was required within the past five (5) years? (Please circle one). If YES, provide details on a separate signed sheet indicating the date(s) when your Firm was denied coverage and the name of the company or companies which denied coverage; and the period(s) during which you had no surety bond in place.	YES	NO
8.	Has a project owner, general contractor, architect, or construction manager filed claim(s) in an amount exceeding \$50,000 against your Firm, or has your Firm filed claim(s) in an amount exceeding \$50,000 against a project owner, general contractor, architect, or construction manager in the past five (5) years? If YES, explain and indicate on separate signed sheet(s) the project name(s), claim(s) and the date(s) of claim(s).	YES	NO

9.	Has your Firm or an Associated Firm been cited and/or assessed any penalties for non-compliance with state and/or federal laws and/or regulations, including public bidding requirements and Labor Code violations, within the past five (5) years? If "YES," indicate on separate signed sheet(s) the project name(s), violation(s), and date(s) of citation(s) and/or assessment(s).	YES	NO
10.	Has your Firm been cited and/or assessed penalties by the Environmental Protection Agency, any air quality management district, any regional water quality control board, or any other environmental agency within the past five (5) years? If "yes," indicate on separate signed sheet(s) the project name(s), violation(s), and date(s) of citation.	YES	NO
11.	Has CAL OSHA and/or federal Occupational Safety and Health Administration cited and assessed penalties against your Firm, including any "serious," "willful" or "repeat" violations of safety or health regulations within the past five (5) years? If "yes," indicate on separate signed sheet(s) the project name(s), violation(s), and date(s) of citation. If the citation was appealed and a decision has been issued, state the case number and the date of the decision.	YES	NO
12.	Has your Firm been required to pay either back wages or penalties for its failure to comply with California's prevailing wage laws, with California's apprenticeship laws or regulations, or with federal Davis-Bacon prevailing wage laws within the past five (5) years? If "yes," indicate on separate signed sheet(s) the project name(s), the nature of the violation(s), the name and owner of the project(s), the number of employees who were initially underpaid and the amount of back wages and penalties that your Firm was required to pay.	YES	NO
13.	Does your Firm require weekly , documented safety meetings to be held for construction employees and field supervisors during the course of a project?	YES	NO
14.	Provide the name, address and telephone number of the apprenticeship program (approved by the California Apprenticeship Council) from whom you intend to request the dispatch of apprentices to your Firm for use on any public work project for which you are awarded a contract by the District.		

CONTRACTOR PROJECT REFERENCES

List **ALL** projects in which your Firm has participated as a contractor or first-tier subcontractor during the past **four (4) years** with a Firm contract value of more than **\$750,000**.

- You may limit your response to the thirty (30) most-recently completed projects, but you **must** include at least the three (3) most recent California K-12 public school projects with a contract value of more than \$500,000 performed by your Firm.
- Include all information indicated below on separate signed sheets as necessary, and explain or clarify any response as necessary

Project Name/Identification:

Project address/location:

Project owner, contact person, and telephone:

Project architect name and telephone number:

If contractor was a subcontractor on the project, name of general contractor and telephone number:

Scope of Work:

Original completion date:

Date completed:

Initial contract value (as of time of bid award):

Final contract value:

Did the project include constructing or modernizing an earthquake resistant building?

CERTIFICATION

I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct:

Date: _____

Proper Name of Contractor: _____

Signature: _____

By: _____ (Print Name)

Title: _____

DOCUMENT 00 41 13

BID FORM

To: Governing Board of **Alameda Unified School District** ("District")

From: _____
(Proper Name of Bidder)

1. **Total Bid.** The undersigned declares that the Contract Documents including, without limitation, the Invitation to Bid, the Instructions to Bidders, and the Special Conditions have been read, and agrees and proposes to furnish all necessary labor, materials, and equipment to perform and furnish all work in accordance with the terms and conditions of the Contract Documents, including, without limitation, the Drawings and Specifications for the following project:

Alameda High Roof Repairs

and will accept in full payment for that Work the following total lump sum amount, all taxes included:

_____ Dollars	
Bid Item No. 1 for <u>All scope items per specifications and drawings.</u>	\$ _____
_____ Dollars	\$ _____
TOTAL BASE BID	
NOTE: IF THERE ARE ALLOWANCES IDENTIFIED IN THIS BID FORM, DO <u>NOT</u> INCLUDE ANY ALLOWANCE(S) AMOUNTS IN THESE BID AMOUNTS.	

2. **Contract Review.** The undersigned has reviewed the Work outlined in the Contract Documents and fully understands the scope of Work required in this bid, understands the construction and project management function(s) is described in the Contract Documents, and that each Bidder who is awarded a contract shall be in fact a prime contractor, not a subcontractor, to the District, and agrees that its bid, if accepted by the District, will be the basis for the Bidder to enter into a contract with the District in accordance with the intent of the Contract Documents.
3. **Requests for Clarification.** The undersigned has notified the District in writing of any discrepancies or omissions or of any doubt, questions, or ambiguities about the meaning of any of the Contract Documents, and has contacted the Construction Manager before bid date to verify the issuance of any clarifying Addenda.
4. **Contract Time.** The undersigned agrees to commence work under this Contract on the date established in the Contract Documents and to complete all work within the time specified in the Contract Documents.
5. **Contractual Provisions.** The undersigned hereby acknowledges and agrees to be bound by following provisions and all provisions in the Contract Documents:
 - The liquidated damages clause of the General Conditions and Agreement.
 - The "Changes in the Work" provisions in the General Conditions that limit the permitted charges and mark-ups on change orders and on the amount of home office overhead that the successful bidder can receive from the District.
 - The "Claims" provisions in the General Conditions that delineate the required process to submit and process disputes and claims.
6. **Bid Open for 90 Days.** It is understood that the District reserves the right to reject this bid and that the bid shall remain open to acceptance and is irrevocable for a period of ninety (90) days.
7. **Attachments.** The following documents are attached hereto:
 - The Bid Bond on the District's form or other security
 - The Designated Subcontractors List
 - The Noncollusion Declaration
 - Iran Contracting Act Certification
8. **Addenda Acknowledgement.** Receipt and acceptance of the following addenda is hereby acknowledged:

No.____, Dated _____	No.____, Dated _____
No.____, Dated _____	No.____, Dated _____
No.____, Dated _____	No.____, Dated _____
<input type="checkbox"/> Or check here if <u>no</u> addenda were issued.	

9. **Bidder's License.**
 - Bidder acknowledges that the license required for performance of the Work is as stated in the Invitation to Bid.
 - Bidder certifies that it is, at the time of bidding, and shall be throughout the period of the contract, licensed by the State of California to do the type of work required under the terms of the Contract

Documents. Bidder further certifies that it is regularly engaged in the general class and type of work called for in the Contract Documents.

10. **Labor Harmony.** The undersigned hereby certifies that Bidder is able to furnish labor that can work in harmony with all other elements of labor employed or to be employed on the Work.
11. **DIR Registration.** Bidder shall ensure that it and its Subcontractors comply with the registration and compliance monitoring provisions of Labor Code section 1771.4, including furnishing its CPRs to the Labor Commissioner, and are registered pursuant to Labor Code section 1725.5.
12. **General Acknowledgement.** The Bidder represents that it is competent, knowledgeable, and has special skills with respect to the nature, extent, and inherent conditions of the Work to be performed. Bidder further acknowledges that there are certain peculiar and inherent conditions existent in the construction of the Work that may create, during the Work, unusual or peculiar unsafe conditions hazardous to persons and property. Bidder expressly acknowledges that it is aware of such peculiar risks and that it has the skill and experience to foresee and to adopt protective measures to adequately and safely perform the Work with respect to such hazards.
13. **False Claims Act.** Bidder expressly acknowledges that it is aware that if a false claim is knowingly submitted (as the terms "claim" and "knowingly" are defined in the California False Claims Act, Cal. Gov. Code, §12650 et seq.), the District will be entitled to civil remedies set forth in the California False Claim Act. It may also be considered fraud and the Contractor may be subject to criminal prosecution.

Furthermore, Bidder hereby certifies to the District that all representations, certifications, and statements made by Bidder, as set forth in this bid form, are true and correct and are made under penalty of perjury.

Dated this _____ day of _____, 20 _____

Signature _____

Signed by (Print Name) _____

Title of Person Signing _____

Name of Bidder _____

Type of Organization _____

Address of Bidder _____

Taxpayer's Identification No. of Bidder _____

Telephone Number _____

Fax Number _____

E-mail _____ Web page _____

Bidder's DIR Registration No.: No.: _____

Contractor's License No(s): No.: _____ Class: _____ Expiration Date: _____

No.: _____ Class: _____ Expiration Date: _____

No.: _____ Class: _____ Expiration Date: _____

If Bidder is a corporation, provide the following:

Name of Corporation: _____

President: _____

Secretary: _____

Treasurer: _____

Manager: _____

END OF DOCUMENT

DOCUMENT 00 43 13

BID BOND (SECURITY)

**(Note: If Bidder is providing a bid bond as its bid security,
Bidder must use this form, NOT a surety company form.)**

KNOW ALL PERSONS BY THESE PRESENTS:

That the undersigned, _____ as Principal ("Principal"),

and _____ as Surety ("Surety"),

a corporation organized and existing under and by virtue of the laws of the State of _____

and authorized to do business as a surety in the State of California, are held and firmly bound unto the

Alameda Unified School District ("District")

of _____ County, State of California as Obligee, in the sum of

_____ (\$ _____)

lawful money of the United States of America, for the payment of which sum well and truly to be made, we, and each of us, bind ourselves, our heirs, executors, administrators, successors, and assigns, jointly and severally, firmly by these presents.

THE CONDITION OF THIS OBLIGATION IS SUCH that whereas the Principal has submitted a bid to the District for all Work specifically described in the accompanying bid;

NOW, THEREFORE, if the Principal is awarded the Contract and, within the time and manner required under the Contract Documents, after the prescribed forms are presented to Principal for signature, enters into a written contract, in the prescribed form in accordance with the bid, and files two bonds, one guaranteeing faithful performance and the other guaranteeing payment for labor and materials as required by law, and meets all other conditions to the contract between the Principal and the Obligee becoming effective, or if the Principal shall fully reimburse and save harmless the Obligee from any damage sustained by the Obligee through failure of the Principal to enter into the written contract and to file the required performance and labor and material bonds, and to meet all other conditions to the Contract between the Principal and the Obligee becoming effective, then this obligation shall be null and void; otherwise, it shall be and remain in full force and effect. The full payment of the sum stated above shall be due immediately if Principal fails to execute the Contract within seven (7) days of the date of the District's Notice of Award to Principal.

Surety, for value received, hereby stipulates and agrees that no change, extension of time, alteration or addition to the terms of the Contract or the call for bids, or to the work to be performed thereunder, or the specifications accompanying the same, shall in any way affect its obligation under this bond, and it does hereby waive notice of any such change, extension of time, alteration or addition to the terms of the Contract or the call for bids, or to the work, or to the specifications.

In the event suit is brought upon this bond by the Obligee and judgment is recovered, the Surety shall pay all costs incurred by the Obligee in such suit, including a reasonable attorneys' fee to be fixed by the Court.

If the District awards the bid, the security of unsuccessful bidder(s) shall be returned within sixty (60) days from the time the award is made. Unless otherwise required by law, no bidder may withdraw its bid for ninety (90) days after the date of the bid opening.

IN WITNESS WHEREOF, this instrument has been duly executed by the Principal and Surety above named, on the

_____ day of _____, 20____.

Principal

By

Surety

By

Name of California Agent of Surety

Address of California Agent of Surety

Telephone Number of California Agent of Surety

Bidder must attach Power of Attorney and Certificate of Authority for Surety and a Notarial Acknowledgment for all Surety's signatures. The California Department of Insurance must authorize the Surety to be an admitted Surety Insurer.

END OF DOCUMENT

DOCUMENT 00 43 36

DESIGNATED SUBCONTRACTORS LIST

TO BE EXECUTED BY BIDDER AND SUBMITTED WITH BID

Alameda High Roof Repairs

1. **Listed.** Bidder must list hereinafter the name and location of each subcontractor who will be employed, and the scope of Work that each will perform if the Contract is awarded to the Bidder. Bidder acknowledges and agrees that under Public Contract Code section 4100, et seq., it must clearly identify the name and location of each subcontractor who will perform work or labor or render service to the Bidder in or about the construction of the Work in an amount in excess of one-half of one percent (1/2 of 1%) of Bidder's total Bid.
2. **Same Scope.** In case more than one subcontractor is named for the same scope of Work, state the portion that each will perform.
3. **No Vendors or Suppliers.** Bidder need not list entities that are only vendors or suppliers of materials.
4. **Not Listed.** As to any Work that Bidder fails to list that is in excess of one-half of one percent (1/2 of 1%) of Bidder's total Bid, Bidder agrees to perform that portion itself or be subjected to penalty under applicable law.
5. **Alternate Work.** If alternate bids are called for and Bidder intends to use Subcontractors different from or in addition to those Subcontractors listed for work under the base Bid, Bidder must list Subcontractors that will perform Work in an amount in excess of one half of one percent (1/2 of 1%) of Bidder's total Bid, including alternates.
6. **DVBEs.** Bidder must indicate which, if any, of these subcontractors are disabled veteran business enterprises (DVBE) and the estimated percentage of the Work those subcontractor(s) will perform.
7. **CSLB Number.** Bidder must provide the Contactor State License Board number ("CSLB No.") for all listed subcontractors.
8. **DIR Number.** Bidder must provide the Department of Industrial Relations registration number ("DIR No.") for all listed subcontractors.
9. **THE DISTRICT WILL PERMIT EACH BIDDER TO SUBMIT EACH LISTED SUBCONTRACTOR'S CSLB NO. AND THE DIR NO. NO LATER THAN TWENTY-FOUR (24) HOURS AFTER BID OPENING.**
10. **Additional Sheets.** If further space is required for the list of proposed subcontractors, additional sheets showing the required information, as indicated below, shall be attached hereto and made a part of this document.

I certify and declare under penalty of perjury under the laws of the State of California that all the information listed on the following page(s) is complete, true, and correct.

Date: _____

Proper Name of Bidder: _____

Signature: _____

Print Name: _____

Title: _____

Subcontractor Name: _____ **Location:** _____

Scope of Work: _____

If DVBE, Percent of Work: _____ % CSLB No.: _____ DIR No.: _____

Subcontractor Name: _____ **Location:** _____

Scope of Work: _____

If DVBE, Percent of Work: _____ % CSLB No.: _____ DIR No.: _____

Subcontractor Name: _____ **Location:** _____

Scope of Work: _____

If DVBE, Percent of Work: _____ % CSLB No.: _____ DIR No.: _____

Subcontractor Name: _____ **Location:** _____

Scope of Work: _____

If DVBE, Percent of Work: _____ % CSLB No.: _____ DIR No.: _____

Subcontractor Name: _____ **Location:** _____

Scope of Work: _____

If DVBE, Percent of Work: _____ % CSLB No.: _____ DIR No.: _____

Subcontractor Name: _____ **Location:** _____

Scope of Work: _____

If DVBE, Percent of Work: _____ % CSLB No.: _____ DIR No.: _____

Subcontractor Name: _____ **Location:** _____

Scope of Work: _____

If DVBE, Percent of Work: _____ % CSLB No.: _____ DIR No.: _____

Subcontractor Name: _____ **Location:** _____

Scope of Work: _____

If DVBE, Percent of Work: _____ % CSLB No.: _____ DIR No.: _____

Subcontractor Name: _____ **Location:** _____

Scope of Work: _____

If DVBE, Percent of Work: _____ % CSLB No.: _____ DIR No.: _____

Subcontractor Name: _____ **Location:** _____

Scope of Work: _____

If DVBE, Percent of Work: _____ % CSLB No.: _____ DIR No.: _____

Subcontractor Name: _____ **Location:** _____

Scope of Work: _____

If DVBE, Percent of Work: _____ % CSLB No.: _____ DIR No.: _____

Subcontractor Name: _____ **Location:** _____

Scope of Work: _____

If DVBE, Percent of Work: _____ % CSLB No.: _____ DIR No.: _____

Subcontractor Name: _____ **Location:** _____

Scope of Work: _____

If DVBE, Percent of Work: _____ % CSLB No.: _____ DIR No.: _____

Subcontractor Name: _____ **Location:** _____

Scope of Work: _____

If DVBE, Percent of Work: _____ % CSLB No.: _____ DIR No.: _____

END OF DOCUMENT

DOCUMENT 00 43 40

NONCOLLUSION DECLARATION
Public Contract Code § 7106

TO BE EXECUTED BY BIDDER AND SUBMITTED WITH BID

The undersigned declares:

I am the _____ **[PRINT YOUR TITLE]**

of _____ **[PRINT FIRM NAME],**

the party making the foregoing bid.

The bid is not made in the interest of, or on behalf of, any undisclosed person, partnership, company, association, organization, or corporation. The bid is genuine and not collusive or sham. The bidder has not directly or indirectly induced or solicited any other bidder to put in a false or sham bid. The bidder has not directly or indirectly colluded, conspired, connived, or agreed with any bidder or anyone else to put in a sham bid, or to refrain from bidding. The bidder has not in any manner, directly or indirectly, sought by agreement, communication, or conference with anyone to fix the bid price of the bidder or any other bidder, or to fix any overhead, profit, or cost element of the bid price, or of that of any other bidder. All statements contained in the bid are true. The bidder has not, directly or indirectly, submitted his or her bid price or any breakdown thereof, or the contents thereof, or divulged information or data relative thereto, to any corporation, partnership, company, association, organization, bid depository, or to any member or agent thereof, to effectuate a collusive or sham bid, and has not paid, and will not pay, any person or entity for such purpose.

Any person executing this declaration on behalf of a bidder that is a corporation, partnership, joint venture, limited liability company, limited liability partnership, or any other entity, hereby represents that he or she has full power to execute, and does execute, this declaration on behalf of the bidder.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that this declaration is executed on the following date:

Date: _____

Proper Name of Bidder: _____

City, State: _____, _____

Signature: _____

Print Name: _____

Title: _____

END OF DOCUMENT

DOCUMENT 00 43 50

IRAN CONTRACTING ACT CERTIFICATION (Public Contract Code § 2204)

Alameda High Roof Repairs

Pursuant to Public Contract Code (PCC) section 2204, an Iran Contracting Act certification is required for solicitations of goods or services of one million dollars (\$1,000,000) or more.

Bidder shall complete **ONLY ONE** of the following three paragraphs.

☐ 1. Bidder's Total Base Bid is less than one million dollars (\$1,000,000).

OR

☐ 2. Bidder's Total Base Bid is one million dollars (\$1,000,000) or more, but Bidder is **not** on the current list of persons engaged in investment activities in Iran created by the California Department of General Services ("DGS") pursuant to Public Contract Code § 2203(b), and Bidder is not a financial institution extending twenty million dollars (\$20,000,000) or more in credit to another person, for 45 days or more, if that other person will use the credit to provide goods or services in the energy sector in Iran and is identified on the current list of persons engaged in investment activities in Iran created by DGS.

OR

☐ 3. Bidder's Total Base Bid is one million dollars (\$1,000,000) or more, but the District has given prior written permission to Bidder to submit a proposal pursuant to PCC 2203(c) or (d). **A copy of the written permission from the District is included with Bid.**

I certify that I am duly authorized to legally bind the Bidder to this certification, that the contents of this certification are true, and that this certification is made under the laws of the State of California.

Date: _____

Proper Name of Bidder: _____

Signature: _____

Print Name: _____

Title: _____

END OF DOCUMENT

DOCUMENT 00 45 00

NOTICE OF AWARD

Dated: _____, 20__

To: _____
("Contractor")

(Address)

From: Governing Board ("Board") of **Alameda Unified School District** ("District")

Re: **Alameda High Roof Repairs**

Contractor was awarded the Contract on _____, 20__, by the authority by the Alameda Unified School District Board.

The Contract Price is _____ Dollars (\$ _____), and includes alternates _____.

Three (3) copies of each of the Contract Documents (except Drawings) accompany the Notice of Award. Three (3) sets of the Drawings will be delivered separately or otherwise made available. Additional copies are available at cost of reproduction.

Contractor must comply with the following conditions precedent within **SEVEN (7)** calendar days of the date of this Notice of Award.

Contractor shall execute and submit the following Contract Documents by 5:00 p.m. of the **SEVENTH (7TH)** calendar day following the date of the Notice of Award. Failure to properly and timely submit the following Contract Documents entitles District to foreclose on Contractor's bid bond and award the contract to the next responsive, responsible bidder.

- a. Agreement: Submit four (4) copies, each bearing an original signature. **If Contractor is a corporation, Contractor must attach a certified copy of the corporation's by-laws, or the resolution of the Board of Directors of the corporation, authorizing the signatory to execute the Agreement and the bonds required by the Contract Documents.**
- b. Escrow of Bid Documentation: Include all required documentation. Refer to the Escrow of Bid Documentation document for details.
- c. Performance Bond (100%): Fully executed form provided in the Contract Documents.
- d. Payment Bond (100%) (Contractor's Labor and Material Bond): Fully executed form provided in the Contract Documents.
- e. Insurance Certificates and Endorsements as required.
- f. Certifications to be Completed by Contractor.
- g. Disabled Veterans' Business Enterprise Participation Certification.
- h. Criminal Background Investigation/Fingerprinting Certification.

Failure to comply with these conditions within the time specified will entitle District to consider Contractor's bid abandoned, to annul the Notice of Award, and to declare Contractor's Bid Security forfeited, as well as any other rights the District may have against Contractor.

District will return to Contractor one fully signed counterpart of the Agreement.

Alameda Unified School District

SIGNATURE: _____

NAME: _____

TITLE: _____

END OF DOCUMENT

DOCUMENT 00 45 10

AGREEMENT

This agreement is made and entered into on _____, 202_____, by and between the **Alameda Unified School District** ("District") and _____ ("Contractor") ("Agreement"). The District and the Contractor agree as follows:

1. **The Work:** Contractor shall furnish all tools, equipment, apparatus, facilities, labor, and material necessary to perform and complete in a good and workmanlike manner, the work of the following project:

Alameda High Roof Repairs

The Work shall be performed and completed as required in the Contract Documents as defined in the General Conditions including, without limitation, the Drawings and Specifications, under the direction and supervision of, and subject to, the approval of the District or its authorized representative.

2. **The Contract Documents:**

- a. The complete Contract consists of all Contract Documents as defined in the General Conditions and incorporated herein by this reference. All obligations of the District and Contractor are fully set forth and described in the Contract Documents. The Contract Documents are intended to cooperate so that Work called for in one and not mentioned in the other or vice versa is to be performed the same as if mentioned in all Contract Documents.
- b. **Interpretation of Contract Documents/Order of Precedence:** Questions concerning the intent, precedence, or meaning of the Contract Documents, including the Drawings or Specifications, shall be submitted to the District for interpretation. Inconsistencies in the Contract Documents shall be resolved by giving precedence in the following order:
- (i) District-approved modifications, beginning with the most recent (if any);
 - (ii) Agreement;
 - (iii) Special Conditions (if any);
 - (iv) Supplemental Conditions (if any);
 - (v) General Conditions;
 - (vi) Remaining Division 0 documents (Documents beginning with "00");
 - (vii) Division 1 Documents (Documents beginning with "01");
 - (viii) Division 2 (Existing Conditions)
 - (ix) Division 7 (Technical Specifications);
 - (x) Small-scale drawings.

In case of conflict, the greater quantity and/or higher standard of workmanship shall apply unless the District expressly in writing (e.g., via a Change Order) accepts a lesser quantity or lower quality of workmanship and the Contract Price is adjusted accordingly. The decision of the District in the matter shall be final.

3. **Integration / Modification.** The Contract Documents and any documents specifically incorporated by reference are completely integrated as the complete and exclusive statement of the terms of the Agreement. This Agreement supersedes all previous contracts, agreements, and / or communications, both oral and written, and constitutes the entire understanding of the District and Contractor. No extrinsic evidence whatsoever shall be admissible or used to explain or supplement the terms of the Contract, Contract Documents, or any items incorporated by reference. No changes, amendments or alterations shall be effective unless in writing, signed by both Parties, and unless provided otherwise by the Contract Documents.

4. **Time for Completion:** It is hereby understood and agreed that the Contractor shall complete the Work by **August 15, 2025**. The District shall not approve an early completion schedule by Contractor. A schedule showing the Work completed in less than the Contract Time indicated in the Contract, shall be considered to have Project Float
5. **Completion-Extension of Time:** If Contractor fails to complete the Work within the Contract Time, due allowance being made for the contingencies provided for herein, Contractor shall become liable to District for all loss and damage that District may suffer on account thereof. Contractor shall coordinate its Work with the work of all other contractors. The District shall not be liable for delays resulting from Contractor's failure to coordinate its Work with other contractors in a manner that allows for timely completion of Contractor's Work. Contractor shall be liable for delays to other contractors caused by Contractor's failure to coordinate its Work with the work of other contractors.
6. **Contract Price:** In consideration of the foregoing covenants, promises, and agreements, Contractor offers, in the amounts stated below, to perform the Work according to the Contract Documents. District covenants, promises, and agrees that it will pay and cause to be paid to Contractor in full, and as the Contract Price the following amount(s):

Dollars (\$ _____)

(Base Contract Amount)

Dollars (\$ _____)

(“Contract Price”)

- a. THE ABOVE ALLOWANCES ARE WITHIN THE CONTRACT PRICE ONLY TO THE EXTENT CONTRACTOR HAS PERFORMED WORK ENCOMPASSED BY THE ALLOWANCE DESCRIPTION, CONTRACTOR HAS APPROPRIATELY INVOICED FOR THAT WORK, AND DISTRICT HAS APPROVED CONTRACTOR’S INVOICE. CONTRACTOR SHALL INVOICE ONLY FOR COMPONENTS OF THE WORK ENCOMPASSED BY THE ALLOWANCE DESCRIPTION, IN THE IDENTICAL STRUCTURE AS A CHANGE ORDER. THE UNUSED PORTION OF EACH ALLOWANCE SHALL BE RETAINED BY THE DISTRICT.
- b. The Contract Price shall be paid in lawful money of the United States pursuant to the payment provisions in the General Conditions.
- c. The District may, at its sole discretion, increase or decrease the Contract Price by unit prices or alternates contained in Contractor’s original bid. If the Bid for the Work included proposal(s) for Alternate Bid Item(s), during Contractor's performance of the Work, the District may elect to add any such Alternate Bid Item(s) if the that item did not form a basis for award of the Agreement or delete any such Alternate Bid Item(s) if that item formed a basis for award of the Agreement. If the District elects to add or delete an Alternate Bid Item(s) pursuant to the foregoing, the cost or credit for that Alternate Bid Item(s) shall be as set forth in the Contractor’s Bid, at the District’s discretion. If any Alternate Bid Item is added or deleted from the Work pursuant to the foregoing, the Contract Time shall be adjusted by the number of days allocated for the added or deleted Alternate Bid Item in the Contract Documents; if days are not allocated for any Alternate Bid Item added or deleted pursuant to the foregoing, the Contract Time shall be equitably adjusted.
7. **Insurance and Bonds:** Contractor shall provide all required certificates of insurance, and payment and performance bonds.

8. **Performance of Work:** If Contractor fails to perform the Work properly or fails to perform any provisions of this Contract, the District, may, pursuant to the General Conditions and without prejudice to any other remedy it may have, cure the deficiencies and deduct the cost thereof from the payment then or thereafter due Contractor.
9. **Authority of Architect, Project Inspector, and DSA:** Contractor hereby acknowledges that the Architect(s), the Project Inspector(s), and the Division of the State Architect have authority to approve and/or stop Work if Contractor's Work does not comply with the requirements of the Contract Documents, Title 24 of the California Code of Regulations, and all applicable laws. Contractor shall be liable for any delay caused by its non-compliant Work.
10. **Assignment of Contract:** Neither the Contract, nor any part thereof, nor any moneys due or to become due thereunder, may be assigned by Contractor without the written approval of District, nor without the written consent of the Surety on Contractor's Performance Bond (the "Surety"), unless the Surety has waived in writing its right to notice of assignment.
11. **Classification of Contractor's License:** Contractor hereby acknowledges that it currently holds valid Type A, B, C-33, or C-61 Contractor's license(s) issued by the State of California, Contractor's State Licensing Board, in accordance with division 3, chapter 9, of the Business and Professions Code and in the classification called for in the Contract Documents.
12. **Payment of Prevailing Wages:** Contractor and all Subcontractors under Contractor shall pay all workers on Work performed pursuant to this Contract not less than the general prevailing rate of per diem wages and the general prevailing rate for holiday and overtime work as determined by the Director of the Department of Industrial Relations, State of California, for the type of work performed and the locality in which the work is to be performed within the boundaries of the District, pursuant to sections 1770 et seq. of the California Labor Code.
13. **Contractor & Subcontractor Registration:** Contractor shall comply with the registration and compliance monitoring provisions of Labor Code section 1771.4, including complying with any applicable enforcement by the Department of Industrial Relations.
14. **Authority of Contractor's Representative:** Contractor hereby certifies that its legal representative as defined in the General Conditions and the person(s) it employees on the Project at or above the level of project superintendent, each have the authority to legally bind the Contractor.
15. **Severability:** If any term, covenant, condition, or provision of the Contract Documents is held by a court of competent jurisdiction to be invalid, void or unenforceable, the remainder of the provisions in the Contract Documents shall remain in full force and effect and shall in no way be affected, impaired, or invalidated thereby.

IN WITNESS WHEREOF, accepted and agreed on the date indicated above:

Dated: _____, 20_____

Dated: _____, 20_____

Alameda Unified School District

_____**Contractor**

Signature: _____

Signature: _____

Print Name: _____

Print Name: _____

Print Title: _____

Print Title: _____

NOTE: If the Contractor is a corporation, Contractor must attach a certified copy of the corporation's by-laws, or of the resolution of the Board of Directors of the corporation, authorizing the above person to execute this Agreement and the bonds required by the Contract Documents.

END OF DOCUMENT

DOCUMENT 00 45 40

CERTIFICATIONS TO BE COMPLETED BY CONTRACTOR

THE UNDERSIGNED MUST CHECK EACH BOX AND EXECUTE THIS FORM AND HEREBY CERTIFIES TO THE GOVERNING BOARD OF THE DISTRICT THAT:

- He/she is a representative of the Contractor,
- He/she is familiar with the facts herein certified and acknowledged,
- He/she is authorized and qualified to execute this Agreement and these certifications on behalf of Contractor and that by executing this Agreement he/she is certifying the following items.

☐ **Labor Code Sections 1860-1861 (Workers' Compensation).** In accordance with Labor Code section 3700, every contractor will be required to secure the payment of compensation to his or her employees. I acknowledge and certify under penalty of perjury that I am aware of the provisions of Section 3700 of the Labor Code which require every employer to be insured against liability for workers' compensation or to undertake self-insurance in accordance with the provisions of that code, and I will comply with such provisions before commencing the performance of the work of this contract.

☐ **Government Code Sections 8355-8357 (Drug-Free Workplace).** I acknowledge and certify under penalty of perjury that I will provide a drug-free workplace by doing all of the following:

- (1) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance is prohibited in the person's or organization's workplace and specifying the actions that will be taken against employees for violations of the prohibition.
- (2) Establishing a drug-free awareness program to inform employees about all of the following:
 - (A) The dangers of drug abuse in the workplace.
 - (B) The person's or organization's policy of maintaining a drug-free workplace.
 - (C) Any available drug counseling, rehabilitation, and employee assistance programs.
 - (D) The penalties that may be imposed upon employees for drug abuse violations.
- (3) Requiring that each employee engaged in the performance of the contract or grant be given a copy of the statement required by subdivision (a) and that, as a condition of employment on the contract or grant, the employee agrees to abide by the terms of the statement.

I also acknowledge that this Contract may be subject to suspension of payments under the contract or grant or termination of the contract or grant, or both, and the contractor or grantee thereunder may be subject to debarment, in accordance with the requirements of the above-referenced statute, if the contracting or granting agency determines that any of the following has occurred:

- (1) The contractor or grantee has made a false certification under Section 8355.
- (2) The contractor or grantee violates the certification by failing to carry out the requirements of subdivisions (a) to (c), inclusive, of Section 8355.

I also acknowledge that the Department of General Services shall establish and maintain a list of individuals and organizations whose contracts or grants have been canceled due to failure to comply with the above-referenced statute. This list shall be updated monthly and published each month. No state agency shall award a contract or grant to a person or organization on the published list until that person or organization has complied with the above-referenced statute.

☐ **Tobacco-Free Environment.** Pursuant to, without limitation, 20 U.S.C. section 6083, Labor Code section 6400 et seq., Health & Safety Code section 104350 et seq. and District Board Policies, all District sites, including the Project site, are tobacco-free environments. Smoking and the use of tobacco products by all persons is prohibited on or in District property. District property includes school buildings, school grounds, school owned vehicles and vehicles owned by others while on District property.

I acknowledge and certify under penalty of perjury that I am aware of the District's policy regarding tobacco-free environments at District sites, including the Project site and acknowledge and certify that I will adhere to the requirements of that policy and not permit any of my firm's employees, agents, subcontractors, or my firm's subcontractors' employees or agents to use tobacco and/or smoke on the Project site. The District also prohibits electronic cigarettes, "vaping" or similar product uses on District sites.

☐ **No Hazardous Materials.** I acknowledge and certify under penalty of perjury that no Asbestos, or Asbestos-Containing Materials, polychlorinated biphenyl (PCB), or any material listed by the federal or state Environmental Protection Agency or federal or state health agencies as a hazardous material, or any other material defined as being hazardous under federal or state laws, rules, or regulations ("New Hazardous Material"), shall be furnished, installed, or incorporated in any way into the Project or in any tools, devices, clothing, or equipment used to affect any portion of Contractor's work on the Project for District. I have instructed our employees with respect to the above-mentioned standards, hazards, risks, and liabilities.

- (i) Asbestos and/or asbestos-containing material shall be defined as all items containing but not limited to chrysotile, crocidolite, amosite, anthophyllite, tremolite, and actinolite. Any or all material containing greater than one-tenth of one percent (.1%) asbestos shall be defined as asbestos-containing material. Any disputes involving the question of whether or not material is New Hazardous Material shall be settled by electron microscopy or other appropriate and recognized testing procedure, at the District's determination. The costs of any such tests shall be paid by Contractor if the material is found to be New Hazardous Material.
- (ii) All Work or materials found to be New Hazardous Material or Work or material installed with equipment containing "New Hazardous Material," will be immediately rejected and this Work will be removed at Contractor's expense at no additional cost to the District.

The Contractor must immediately notify the District within two (2) Business Days, if the Contractor finds and before it disturbs, any material that the Contractor believes may be hazardous waste, as defined in section 25117 of the Health and Safety Code, and requires removal to a Class I, Class II, or Class III disposal site in accordance with provisions of existing law

I acknowledge and certify under penalty of perjury that this certification provides notice to the Contractor that:

- (1) The Contractor's work may disturb lead-containing building materials.
- (2) The Contractor must notify the District if any work may result in the disturbance of lead-containing building materials.



Lead as a Health Hazard

Lead poisoning is recognized as a serious environmental health hazard facing children today. Even at low levels of exposure, much lower than previously believed, lead can impair the development of a child's central nervous system, causing learning disabilities, and leading to serious behavioral problems. Lead enters the environment as tiny lead particles and lead dust disburses when paint chips, chalks, peels, wears away over time, or is otherwise disturbed. Ingestion of lead dust is the most common pathway of childhood poisoning; lead dust gets on a child's hands and toys and then into a child's mouth through common hand-to-mouth activity. Exposures may result from construction or remodeling activities that disturb lead paint, from ordinary wear and tear of windows and doors, or from friction on other surfaces.

Ordinary construction and renovation or repainting activities carried out without lead-safe work practices can disturb lead-based paint and create significant hazards. Improper removal practices, such as dry scraping, sanding, or water blasting painted surfaces, are likely to generate high volumes of lead dust.

Because the Contractor and its employees will be providing services for the District, and because the Contractor's work may disturb lead-containing building materials, **Contractor is hereby notified** of the potential presence of lead-containing materials located within certain buildings utilized by the District. All school buildings built prior to 1993 are presumed to contain some lead-based paint until sampling proves otherwise.

(i) Overview of California Law

Education Code section 32240 et seq. is known as the Lead Safe Schools Protection Act. Under this act, the Department of Health Services ("DHS") is to conduct a sample survey of schools in the State of California for the purpose of developing risk factors to predict lead contamination in public schools. (Ed. Code, § 32241.)

Any school that undertakes any action to abate existing risk factors for lead is required to utilize trained and state-certified contractors, inspectors, and workers. (Ed. Code, § 32243, subd. (b).) Moreover, lead-based paint, lead plumbing, and solders, or other potential sources of lead contamination, shall not be utilized in the construction of any new school facility or the modernization or renovation of any existing school facility. (Ed. Code, § 32244.)

Both the Federal Occupational Safety and Health Administration ("Fed/OSHA") and the California Division of Occupational Safety and Health ("Cal/OSHA") have implemented safety orders applicable to all construction work where a contractor's employee may be occupationally exposed to lead.

The OSHA Regulations apply to all construction work where a contractor's employee may be occupationally exposed to lead. The OSHA Regulations contain specific and detailed requirements imposed on contractors subject to that regulation. The OSHA Regulations define construction work as work for construction, alteration, and/or repair, including painting and decorating. It includes, but is not limited to, the following:

- a. Demolition or salvage of structures where lead or materials containing lead are present;
- b. Removal or encapsulation of materials containing lead;
- c. New construction, alteration, repair, or renovation of structures, substrates, or portions thereof, that contain lead, or materials containing lead;
- d. Installation of products containing lead;

- e. Lead contamination/emergency cleanup;
- f. Transportation, disposal, storage, or containment of lead or materials containing lead on the site or location at which construction activities are performed; and
- g. Maintenance operations associated with the construction activities described in the subsection.

Because it is assumed by the District that all painted surfaces (interior as well as exterior) within the District contain some level of lead, it is imperative that the Contractor, its workers and subcontractors fully and adequately comply with all applicable laws, rules and regulations governing lead-based materials (including title 8, California Code of Regulations, section 1532. 1).

The Contractor must notify the District if any Work may result in the disturbance of lead-containing building materials. Any and all Work that may result in the disturbance of lead-containing building materials must be coordinated through the District. A signed copy of this Certification must be on file prior to beginning Work on the Project, along with all current insurance certificates.

(ii) **Renovation, Repair and Painting Rule, Section 402(c)(3) of the Toxic Substances Control Act**

In 2008, the U.S. Environmental Protection Agency, issued a rule pursuant to the authority of Section 402(c)(3) of the Toxic Substances Control Act, requiring lead safe work practices to reduce exposure to lead hazards created by renovation, repair and painting activities that disturb lead-based paint (Renovation, Repair and Painting Rule). Renovations in homes, childcare facilities, and schools built prior to 1978 must be conducted by certified renovations firms, using renovators with accredited training, and following the work practice requirements to reduce human exposures to lead.

Contractor, its workers and subcontractors must fully and adequately comply with all applicable laws, rules and regulations governing lead-based materials, including those rules and regulations appearing within title 40 of the Code of Federal Regulations as part 745 (40 CFR 745).

The requirements apply to all contractors who disturb lead-based paint in a six-square-foot area or greater indoors or a 20-square-foot area outdoors. If a DPH-certified inspector or risk assessor determines that a home constructed before 1978 is lead-free, the federal certification is not required for anyone working on that particular building.

(iii) **Contractor's Liability**

If the Contractor fails to comply with any applicable laws, rules, or regulations, and that failure results in a site or worker contamination, the Contractor will be held solely responsible for all costs involved in any required corrective actions, and shall defend, indemnify, and hold harmless the District, pursuant to the indemnification provisions of the Contract, for all damages and other claims arising therefrom.

If lead disturbance is anticipated in the Work, only persons with appropriate accreditation, registrations, licenses, and training shall conduct this Work.

It shall be the responsibility of the Contractor to properly dispose of any and all waste products, including, but not limited to, paint chips, any collected residue, or any other visual material that may occur from the prepping of any painted surface. It will be the responsibility of the Contractor to provide the proper disposal of any hazardous waste by a certified hazardous waste hauler. This company shall be registered with the Department of Transportation (DOT) and shall be able to issue a current manifest number upon transporting any hazardous material from any school site within the District.

The Contractor shall provide the District with any sample results prior to beginning Work, during the

Work, and after the completion of the Work. The District may request to examine, prior to the commencement of the Work, the lead training records of each employee of the Contractor.

I acknowledge and certify under penalty of perjury, that:

1. I have received notification of potential lead-based materials on the District's property;
2. I am knowledgeable regarding and will comply with all applicable laws, rules, and regulations governing work with, and disposal of, lead.

☐ **Imported Materials.** All soils, aggregate, or related materials ("Fill") that Contractor, a Subcontractor, agent or supplier, in any way, provides or delivers and/or supplies to the Project Site shall be free of any and all hazardous material as defined in section 25260 of the Health and Safety Code, shall satisfy the requirements of any environmental review of the Project performed pursuant to the statutes and guidelines of the California Environmental Quality Act, sections 21000 et seq. of the Public Resources Code ("CEQA"), and shall comply with the requirements of sections 17210 et seq. of the Education Code, including requirements for a Phase I environmental assessment acceptable to the State of California Department of Education and Department of Toxic Substances Control. I acknowledge that, to the furthest extent permitted by California law, the indemnification provisions in the Contract Documents apply to, without limitation, any claim(s) connected with providing, delivering, and/or supplying Fill.

I acknowledge and certify under penalty of perjury that I am duly authorized to legally bind the Contractor to all provisions and items included in this certification, that the contents of this certification are true, and that this certification is made under the laws of the State of California.

Date: _____

Proper Name of Contractor: _____

Signature: _____

Print Name: _____

Title: _____

END OF DOCUMENT

DOCUMENT 00 45 55

DISABLED VETERAN BUSINESS ENTERPRISE PARTICIPATION CERTIFICATION

Section 17076.11 of the Education Code requires school districts using funds allocated pursuant to the State of California School Facility Program ("Program") for the construction and/or modernization of school buildings to have a participation goal for disabled veteran business enterprises ("DVBE(s)") of at least three percent (3%), per year, of the overall dollar amount expended each year by the school district on projects that receive state funding.

Section 2001 of the Public Contract Code requires school districts to require each Bidder to provide in its bid certain information about its Subcontractors. In addition to completing this certification as indicated herein, each Bidder must provide the information related to DVBEs as required in the Designated Subcontractors List.

1. **Disabled Veteran Business Enterprise.** A DVBE is a business enterprise certified by the California Office of Small Business as a DVBE.
2. **DVBE Participation Policy.** The District is committed to achieving this DVBE participation goal. The District encourages Contractor to ensure maximum opportunities for the participation of DVBEs in the Work of the Contract.
3. **DVBE Participation Goal.** The three percent (3%) participation goal is not a quota, set-aside or rigid proportion.
4. **Certification of Participation.** At the time of execution of the Contract, the Contractor will provide a statement to the District of anticipated participation of DVBEs in the contract.
5. **Submission of Report.** During performance of the Contract, Contractor shall monitor the Work of the Contract, award of subcontracts and contracts for materials, equipment and supplies for the purpose of determining DVBE participation in the Work of the Contract.
 - a) Contractor shall report on a monthly basis all DVBEs utilized in the performance of the Work, the type or classification of the Work performed by each DVBE, and the dollar value of the Work performed by each DVBE.
 - b) Upon completion of the Work of the Contract, Contractor shall submit a report to the District in the form attached hereto identifying all DVBEs utilized in the performance of the Work, the type or classification of the Work performed by each DVBE, and the dollar value of the Work performed by each DVBE.
 - i) The submission to the District of this report is a condition precedent to the District's obligation to make payment of the Final Payment under the Contract Documents. The submission of this report shall be in addition to, and not in lieu of, any other conditions precedent set forth in the Contract Documents for the District's obligation to make payment of the Final Payment.
 - ii) The District reserves the right to request additional information or documentation from the Contractor evidencing efforts to comply with the three percent (3%) DVBE participation goal.

DVBE PARTICIPATION REPORT

Contractor Name: _____ Date: _____

Project Name: _____ Project Number: [PROJECT NO.]

DVBE Firm Name	Trade / Portion of Work	Subcontract/ Contract Value
Add more sheets as needed to include all information for each DVBE		

Does the cumulative dollar value of these DVBE contracts meet or exceed the participation goal of three percent (3%) of the final Contract Price, as adjusted by all change orders?

YES _____ NO _____

If your response is "NO," please attach to this report a detailed description of the reasons your firm did not achieve the participation goal of three percent (3%) of the final Contract Price.

I certify and declare under penalty of perjury under the laws of the State of California that all the foregoing information is complete, true, and correct.

Date: _____

Proper Name of Contractor: _____

Signature: _____

Print Name: _____

Title: _____

END OF DOCUMENT

DOCUMENT 00 45 85

CRIMINAL BACKGROUND INVESTIGATION / FINGERPRINTING CERTIFICATION

The undersigned does hereby certify to the governing board of the District that he/she is a representative of the Contractor, is familiar with the facts herein certified, is authorized and qualified to execute this certificate on behalf of Contractor; and that the information in this Criminal Background Investigation / Fingerprinting Certification is true and correct.

1. **Education Code.** Contractor has taken at least one of the following actions with respect to the Project (check all that apply):

☐ The Contractor has complied with the fingerprinting requirements of Education Code section 45125.1 with respect to all Contractor's employees and all of its subcontractors' employees who may have contact with District pupils in the course of providing services pursuant to the Contract, and the California Department of Justice ("DOJ") has determined (per the DOJ process for Applicant Agencies described more fully on its website, located at:) that none of those employees have been convicted of a felony, as that term is defined in Education Code section 45122.1. A complete and accurate list of Contractor's employees and of all of its subcontractors' employees who may come in contact with District pupils during the course and scope of the Contract is attached hereto; and/or

☐ Pursuant to Education Code section 45125.2, Contractor has installed or will install, prior to commencement of work, a physical barrier at the Project site, that will limit contact between Contractor's employees and District pupils at all times; and/or

☐ Pursuant to Education Code section 45125.2, Contractor certifies that all employees will be under the continual supervision of, and monitored by, an employee of the Contractor who the California Department of Justice has ascertained has not been convicted of a violent or serious felony. The name and title of the employee who will be supervising Contractor's employees and its subcontractors' employees is:

Name: _____ **Title:** _____

☐ The Work on the Contract is at an unoccupied school site and no employee and/or subcontractor or supplier of any tier of Contract shall come in contact with the District pupils.

2. **Megan's Law (Sex Offenders).** I have verified and will continue to verify that the employees of Contractor that will be on the Project site and the employees of the Subcontractor(s) that will be on the Project site are **not** listed on California's "Megan's Law" Website (<http://www.meganslaw.ca.gov/>).

Contractor's responsibility for background clearance extends to all of its employees, subcontractors, and employees of subcontractors coming into contact with District pupils regardless of whether they are designated as employees or acting as independent contractors of the Contractor.

Date: _____

Proper Name of Contractor: _____

Signature: _____

Print Name: _____

Title: _____

END OF DOCUMENT

DOCUMENT 00 54 55

ESCROW AGREEMENT FOR SECURITY DEPOSITS IN LIEU OF RETENTION
(Public Contract Code § 22300)

This Escrow Agreement ("Escrow Agreement") is made and entered into on _____, 202_____, by and between the following:

Alameda Unified School District ("District"), whose address is _____, California, and

_____, ("Contractor"), whose address is _____, and

_____, ("Escrow Agent"), a state or federally chartered bank in California, whose address is _____.

For the consideration hereinafter set forth, District, Contractor, and Escrow Agent agree as follows:

1. Pursuant to section 22300 of Public Contract Code of the State of California, which is hereby incorporated by reference, Contractor has the following two (2) options:

☐ Deposit securities with Escrow Agent as a substitute for retention earnings required to be withheld by District pursuant to the Construction Contract No. _____ entered into between District and Contractor for the _____ Project, in the amount of _____ (\$ _____) dated, _____, 20_____, (the "Contract");

OR

☐ On written request of Contractor, District shall make payments of the retention earnings for the Contract directly to Escrow Agent.

When Contractor deposits the securities as a substitute for Contract earnings, Escrow Agent shall notify District within ten (10) calendar days of the deposit. The market value of the securities at all times from substitution until the termination of the Escrow Agreement shall be at least equal to the cash amount then required to be withheld as retention pursuant to the Contract.

Securities shall be held in name of **Alameda Unified School District**, and shall designate Contractor as beneficial owner.

2. District shall make payments to Contractor for those funds which otherwise would be withheld from payments pursuant to Contract provisions, provided that Escrow Agent holds securities in the form and amount specified above.
3. When District makes payment of retention earned directly to Escrow Agent, Escrow Agent shall hold them for the benefit of Contractor until the time that the escrow created under this Escrow Agreement is terminated. Contractor may direct the investment of the payments into securities. All terms and conditions of this Escrow Agreement and the rights and responsibilities of the Parties shall be equally applicable and binding when District pays Escrow Agent directly.
4. Contractor shall be responsible for paying all fees for the expenses incurred by Escrow Agent in administering the Escrow Account, and all expenses of District. The District will charge Contractor \$_____ for each of District's deposits to the escrow account. These expenses and payment terms shall be determined by District, Contractor, and Escrow Agent.

5. Interest earned on securities or money market accounts held in escrow and all interest earned on that interest shall be for sole account of Contractor and shall be subject to withdrawal by Contractor at any time and from time to time without notice to District.
6. Contractor shall have the right to withdraw all or any part of the principal in the Escrow Account only by written notice to Escrow Agent accompanied by written authorization from District to Escrow Agent that District consents to withdrawal of amount sought to be withdrawn by Contractor.
7. District shall have the right to draw upon the securities and/or withdraw amounts from the Escrow Account in event of default by Contractor. Upon seven (7) days written notice to Escrow Agent from District of the default, if applicable, Escrow Agent shall immediately convert the securities to cash and shall distribute the cash as instructed by District.
8. Upon receipt of written notification from District certifying that the Contract is final and complete, and that Contractor has complied with all requirements and procedures applicable to the Contract, Escrow Agent shall release to Contractor all securities and interest on deposit less escrow fees and charges of the Escrow Account. The escrow shall be closed immediately upon disbursement of all monies and securities on deposit and payments of fees and charges.
9. Escrow Agent shall rely on written notifications from District and Contractor pursuant to Paragraphs 5 through 8, inclusive, of this Escrow Agreement and District and Contractor shall hold Escrow Agent harmless from Escrow Agent's release and disbursement of securities and interest as set forth above.
10. Names of persons who are authorized to give written notice or to receive written notice on behalf of District and on behalf of Contractor in connection with the foregoing, and exemplars of their respective signatures are as follows:

On behalf of District:

Title

Name

Signature

Address

On behalf of Contractor:

Title

Name

Signature

Address

On behalf of Escrow Agent:

Title

Name

Signature

Address

At the time the Escrow Account is opened, District and Contractor shall deliver to Escrow Agent a fully executed copy of this Escrow Agreement.

IN WITNESS WHEREOF, the parties have executed this Escrow Agreement by their proper officers on the date first set forth above.

Alameda Unified School District

Signature: _____

Print Name: _____

Print Title: _____

_____**Contractor**

Signature: _____

Print Name: _____

Print Title: _____

_____**Escrow Agent**

Signature: _____

Print Name: _____

Print Title: _____

END OF DOCUMENT

DOCUMENT 00 61 14

PERFORMANCE BOND (100% of Contract Price)

(Note: Contractors must use this form, NOT a surety company form.)

KNOW ALL PERSONS BY THESE PRESENTS:

WHEREAS, the governing board ("Board") of the **Alameda Unified School District**, ("District") and _____, ("Principal") have entered into a contract for the furnishing of all materials and labor, services and transportation, necessary, convenient, and proper to perform the following project:

Alameda High Roof Repairs

which Contract dated _____, 20____, and all of the Contract Documents attached to or forming a part of the Contract, are hereby referred to and made a part hereof, and

WHEREAS, said Principal is required under the terms of the Contract to furnish a bond for the faithful performance of the Contract;

NOW, THEREFORE, the Principal and _____ ("Surety") are held and firmly bound unto the Board of the District in the penal sum of:

_____ DOLLARS

(\$ _____), lawful money of the United States, for the payment of which sum well and truly to be made we bind ourselves, our heirs, executors, administrators, successors, and assigns jointly and severally, firmly by these presents, to:

- Perform all the work required to complete the Project; and
- Pay to the District all damages the District incurs as a result of the Principal's failure to perform all the Work required to complete the Project.

In the event the Principal is declared by the District to be in breach or default in the performance of the Contract, then, after written notice from the District to the Surety, as provided for herein, the Surety shall either remedy the default or breach of the Principal or shall take charge of the Work of the Contract and complete the Contract with a Contractor other than the Principal at its own expense; provided, however, that the procedure by which the Surety undertakes to discharge its obligations under this Bond shall be subject to the advance written approval of the District.

The condition of the obligation is such that, if the above bounden Principal, his or its heirs, executors, administrators, successors, or assigns, shall in all things stand to and abide by, and well and truly keep and perform the covenants, conditions, and agreements in the Contract and any alteration thereof made as therein provided, on his or its part to be kept and performed at the time and in the intent and meaning, including all contractual guarantees and warranties of materials and workmanship, and shall indemnify and save harmless the District, its trustees, officers and agents, as therein stipulated, then this obligation shall become null and void, otherwise it shall be and remain in full force and virtue.

As a condition precedent to the satisfactory completion of the Contract, the above obligation shall hold good for a period equal to the warranty and/or guarantee period of the Contract, during which time Surety's obligation shall continue if Contractor shall fail to make full, complete, and satisfactory repair, replace, and totally protect the District from loss or damage resulting from or caused by defective materials or faulty workmanship. The obligations of Surety hereunder shall continue so long as any obligation of Contractor remains. Nothing herein shall limit the District's rights or the Contractor's or Surety's obligations under the Contract, law or equity, including, but not limited to, California Code of Civil Procedure section 337.15.

The Surety, for value received, hereby stipulates and agrees that no change, extension of time, alteration, or addition to the terms of the Contract or to the Work to be performed thereunder shall in any way affect its obligation on this bond, and it does hereby waive notice of any such change, extension of time, alteration, or addition to the Contract Documents or to the Work.

Any claims under this bond may be addressed to the Surety at the following address. This cannot be the Contractor's broker for this bond, but must be an employee of the Surety or the Surety's legal counsel:

Attention: _____

Telephone No.: (_____) _____ - _____

Fax No.: (_____) _____ - _____

E-mail Address: _____

IN WITNESS WHEREOF, two (2) identical counterparts of this instrument, each of which shall for all purposes be deemed an original thereof, have been duly executed by the Principal and Surety above named, on the _____ day of _____, 20____.

Principal

Surety

(Name of Principal)

(Name of Surety)

(Signature of Person with Authority)

(Signature of Person with Authority)

(Print Name)

(Print Name)

(Name of California Agent of Surety)

(Address of California Agent of Surety)

(Telephone Number of California Agent of Surety)

Contractor must attach a Notarial Acknowledgment for all Surety's signatures and a Power of Attorney and Certificate of Authority for Surety. The California Department of Insurance must authorize the Surety to be an admitted surety insurer.

END OF DOCUMENT

DOCUMENT 00 61 15

PAYMENT BOND -- Contractor's Labor & Material Bond (100% of Contract Price)

(Note: Contractors must use this form, NOT a surety company form.)

KNOW ALL PERSONS BY THESE PRESENTS:

WHEREAS, the governing board ("Board") of the **Alameda Unified School District**, (or "District") and _____, ("Principal") have entered into a contract for the furnishing of all materials and labor, services and transportation, necessary, convenient, and proper to

Alameda High Roof Repairs

which Contract dated _____, 20____, and all of the Contract Documents attached to or forming a part of the Contract, are hereby referred to and made a part hereof, and

WHEREAS, pursuant to law and the Contract, the Principal is required, before entering upon the performance of the work, to file a good and sufficient bond with the body by which the Contract is awarded in an amount equal to 100 percent (100%) of the Contract price, to secure the claims to which reference is made in the Civil Code of California, including section 9100, and the Labor Code of California, including section 1741.

NOW, THEREFORE, the Principal and _____, ("Surety") are held and firmly bound unto all laborers, material men, and other persons referred to in said statutes in the penal sum of:

_____ DOLLARS

(\$ _____), lawful money of the United States, being a sum not less than the total amount payable by the terms of Contract, for the payment of which sum well and truly to be made, we bind ourselves, our heirs, executors, administrators, successors, or assigns, jointly and severally, by these presents.

The condition of this obligation is that if the Principal or any of his or its subcontractors, of the heirs, executors, administrators, successors, or assigns of any, all, or either of them shall fail to pay for any labor, materials, provisions, provender, or other supplies, used in, upon, for or about the performance of the work contracted to be done, or for any work or labor thereon of any kind, or for amounts due under the Unemployment Insurance Act with respect to such work or labor, that the Surety will pay the same in an amount not exceeding the amount herein above set forth, and also in case suit is brought upon this bond, will pay a reasonable attorney's fee to be awarded and fixed by the Court, and to be taxed as costs and to be included in the judgment therein rendered.

It is hereby expressly stipulated and agreed that this bond shall inure to the benefit of any and all persons, companies, and corporations entitled to file claims under sections 9000 through 9566 of the Civil Code, so as to give a right of action to them or their assigns in any suit brought upon this bond.

Should the condition of this bond be fully performed, then this obligation shall become null and void; otherwise it shall be and remain in full force and affect.

The Surety, for value received, hereby stipulates and agrees that no change, extension of time, alteration, or addition to the terms of the Contract or to the Work to be performed thereunder shall in any way affect its obligation on this bond, and it does hereby waive notice of any such change, extension of time, alteration, or addition to the Contract Documents or to the Work.

IN WITNESS WHEREOF, two (2) identical counterparts of this instrument, each of which shall for all purposes be deemed an original thereof, have been duly executed by the Principal and Surety above named, on the _____ day of _____, 20____.

Principal

Surety

(Name of Principal)

(Name of Surety)

(Signature of Person with Authority)

(Signature of Person with Authority)

(Print Name)

(Print Name)

(Name of California Agent of Surety)

(Address of California Agent of Surety)

(Telephone Number of California Agent of Surety)

Contractor must attach a Notarial Acknowledgment for all Surety's signatures and a Power of Attorney and Certificate of Authority for Surety. The California Department of Insurance must authorize the Surety to be an admitted surety insurer.

END OF DOCUMENT

DOCUMENT 00 65 10

NOTICE TO PROCEED

Dated: _____, 2023

To: _____
("Contractor")

(Address)

From: Governing Board ("Board") of **Alameda Unified School District** ("District")

Re: **Alameda High Roof Repairs**

Contractor is hereby notified that the Contract Time under the Contract will commence to run on _____, 20____. By that date, Contractor shall start performing its obligations under the Contract Documents. In accordance with the Agreement executed by Contractor, the Contract Time and Project Completion is August 14, 2023.

Contractor must submit the following documents by 5:00 p.m. of the **TENTH (10TH)** calendar day following the date of this Notice to Proceed:

1. Contractor's preliminary schedule of construction.
2. Contractor's preliminary schedule of submittals, including Shop Drawings, Product Data, and Samples submittals.
3. Contractor's preliminary schedule of values for all of the Work.
4. Contractor's preliminary Contractor's Safety Plan specifically adapted for the Project.
5. A complete subcontractors list, including the name, address, telephone number, facsimile number, California State Contractor's License number, classification, and monetary value of all Subcontracts.

Thank you. We look forward to a successful Project.

Alameda Unified School District

SIGNATURE: _____

NAME: _____

TITLE: _____

END OF DOCUMENT

DOCUMENT 00 65 36

WARRANTY AND GUARANTEE FORM

1. _____ ("Contractor")

hereby agrees that the _____ ("Work" of Contractor)

which Contractor has installed for the **Alameda Unified School District** ("District") for the following project:

Alameda High Roof Repairs

was performed in accordance with the requirements of the Contract Documents and that the Work as installed fulfills the requirements of the Contract Documents.

2. Contractor agrees to repair or replace all of the Work that may prove to be defective in workmanship or material and any other adjacent Work that may be displaced in connection with such replacement within a period of _____ **YEAR(S)** from the date of Completion as defined in the Contract, ordinary wear and tear and unusual abuse or neglect excepted. The date of completion is _____, 20____.
3. In the event Contractor fails to comply with the above-mentioned conditions within a reasonable period of time, as determined by District, but not later than **SEVEN (7)** calendar days after being notified in writing by District, Contractor authorizes District to proceed to repair or replace the defective Work at the expense of Contractor. Contractor shall pay the costs and charges therefor upon demand.

4. **Representatives to be contacted for service subject to the terms of Contract:**

NAME: _____

ADDRESS: _____

PHONE NO.: _____

EMAIL: _____

Date: _____

Proper Name of Contractor: _____

Signature: _____

Print Name: _____

Title: _____

END OF DOCUMENT

DOCUMENT 00 70 00

TABLE OF CONTENTS

GENERAL CONDITIONS

1.	CONTRACT TERMS AND DEFINITIONS	1
1.1.	Definitions	1
1.2.	Laws Concerning the Contract	5
1.3.	No Oral Agreements	5
1.4.	No Assignment	5
1.5.	Confidentiality	5
1.6.	Notice and Service Thereof.....	5
1.7.	No Waiver	6
1.8.	Substitutions for Specified Items	6
1.9.	Materials and Work	6
2.	DISTRICT	7
3.	ARCHITECT	7
4.	CONSTRUCTION MANAGER	8
5.	INSPECTOR, INSPECTIONS AND TESTS.....	8
5.1.	Project Inspector	8
5.2.	Tests and Inspections.....	9
5.3.	Costs for After Hours and/or Off Site Inspections	10
6.	CONTRACTOR	10
6.1.	Status of Contractor.....	10
6.2.	Contractor's Supervision	10
6.3.	Duty to Provide Fit Workers	11
6.4.	Personnel	12
6.5.	Prohibition on Harassment.....	12
6.6.	Conferences and Meetings	13
6.7.	Purchase of Materials and Equipment	14
6.8.	Documents on Work	15
6.9.	Preservation of Records	15
6.10.	Integration of Work	16
6.11.	Obtaining of Permits and Licenses	16
6.12.	Work to Comply with Applicable Laws and Regulations	16
6.13.	Safety/Protection of Persons and Property	17
6.14.	Working Evenings and Weekends.....	19
6.15.	Noise and Dust Control	19
6.16.	Cleaning Up	20
7.	SUBCONTRACTORS.....	21
8.	OTHER CONTRACTS/CONTRACTORS.....	22
9.	DRAWINGS AND SPECIFICATIONS	22
9.8.	Ownership of Drawings.....	23
10.	CONTRACTOR'S SUBMITTALS AND SCHEDULES	23
10.1.	Schedules, Safety Plan and Complete Subcontractor List.....	23
10.2.	Monthly Progress Schedule(s)	26
10.3.	Material Safety Data Sheets (MSDS)	27
10.4.	Logistic Plan.....	27
10.5.	Information Included in Submittals.....	27
10.6.	Verification of Submittal Information	27
10.7.	Contractor Responsibility for Deviations	27

10.8.	No Performance of Work Without Architect Review.....	28
10.9.	District and Architect Review of Submittals.....	28
10.10.	Deferred Approval Items	28
10.11.	Contractor Responsibility for Deviations	28
11.	SITE ACCESS, CONDITIONS AND REQUIREMENTS	28
11.1.	Site Investigation	28
11.2.	Soils Investigation Report.....	28
11.3.	Access to Work	29
11.4.	Layout and Field Engineering.....	29
11.5.	Utilities for Construction	29
11.6.	Sanitary Facilities	29
11.7.	Surveys	30
11.8.	Regional Notification Center.....	30
11.9.	Existing Utility Lines	30
11.10.	Notification	30
11.11.	Hazardous Materials	31
11.12.	No Signs	31
12.	TRENCHES.....	31
12.1.	Trenches Greater Than Five Feet.....	31
12.2.	Excavation Safety.....	31
12.3.	No Tort Liability of District.....	31
12.4.	No Excavation without Permits	31
12.5.	Discovery of Hazardous Waste, Unusual Conditions and/or Unforeseen Conditions.....	31
13.	INSURANCE AND BONDS.....	32
13.1.	Insurance	32
13.2.	Contract Security – Bonds.....	35
14.	WARRANTY/GUARANTEE/INDEMNITY	35
14.1.	Warranty/Guarantee	35
14.2.	Indemnity.....	36
15.	TIME.....	37
15.1.	Notice to Proceed	37
15.2.	Hours of Work	37
15.3.	Progress and Completion	37
15.4.	Schedule	37
15.5.	Expeditious Completion	37
16.	EXTENSIONS OF TIME – LIQUIDATED DAMAGES	37
16.1.	Contractor’s Notice of Delay	37
16.2.	Excusable and Compensable Delay(s)	39
16.3.	Excusable and Non-Compensable Delay(s)	39
16.4.	Unexcused Delay(s) – Liquidated Damages	41
17.	CHANGES IN THE WORK	41
17.1.	No Changes Without Authorization	41
17.2.	Architect Authority	42
17.3.	Change Orders.....	42
17.4.	Unilateral Change Orders	43
17.5.	Force Account Directives	43
17.6.	Price Request.....	44
17.7.	Proposed Change Order	45
17.8.	Format for Proposed Change Order	45
17.9.	Change Order Certification	49
17.10.	Determination of Change Order Cost	50
17.11.	Deductive Change Orders.....	50

17.12.	Discounts, Rebates and Refunds	51
17.13.	Accounting Records	51
17.14.	Notice Required	51
17.15.	Applicability to Subcontractors.....	51
17.16.	Alteration to Change Order Language	51
17.17.	Failure of Contractor to Execute Change Order	51
18.	REQUEST FOR INFORMATION	51
19.	PAYMENTS.....	52
19.1.	Contract Price	52
19.2.	Applications for Progress Payments	52
19.3.	Progress Payments	55
19.4.	Decisions to Withhold Payment.....	56
19.5.	Subcontractor Payments	58
20.	COMPLETION OF THE WORK	59
20.1.	Completion.....	59
20.2.	Closeout Procedures	59
20.3.	Final Inspection	60
20.4.	Costs of Multiple Inspections.....	61
20.5.	Partial Occupancy or Use Prior to Completion	61
21.	FINAL PAYMENT AND RETENTION	61
21.1.	Final Payment.....	61
21.2.	Prerequisites for Final Payment.....	62
21.3.	Retention	62
21.4.	Substitution of Securities	63
21.5.	Claims Asserted After Final Payment	63
22.	UNCOVERING WORK, CORRECTION OF WORK AND RIGHT TO TAKEOVER WORK.....	63
22.1.	Uncovering of Work	63
22.2.	Rejection of Work	63
22.3.	Nonconforming Work	63
22.4.	Correction of Work	64
22.5.	District's Right to Takeover Work.....	64
23.	TERMINATION AND SUSPENSION.....	65
23.1.	District's Right to Terminate Contractor for Cause	65
23.2.	Emergency Termination of Public Contracts Act of 1949	67
23.3.	Termination of Contractor for Convenience	67
23.4.	Suspension of Work	67
23.5.	Scope Reduction	68
24.	CLAIMS RESOLUTION	68
24.1.	Exclusive Remedy	68
24.2.	Performance during Claim Resolution Process.....	68
24.3.	Waiver	69
24.4.	Intention	69
24.5.	Other Provisions	69
24.6.	Claim Presentation	69
24.7.	Subcontractors	69
24.8.	Documentation of Resolution.....	73
24.9.	Claim Resolution Process – Non-Applicability	73
25.	LABOR, WAGE & HOUR, APPRENTICE AND RELATED PROVISIONS.....	74
25.1.	Contractor & Subcontractor Registration	74
25.2.	Wage Rates, Travel and Subsistence	74

25.2.2. Holiday and overtime work, when permitted by law, shall be paid for at a rate of at least one and one-half times the above specified rate of per diem wages, unless otherwise specified. The holidays upon

which those rates shall be paid need not be specified by the District, but shall be all holidays recognized in the applicable collective bargaining agreement. If the prevailing rate is not based on a collectively bargained rate, the holidays upon which the prevailing rate shall be paid shall be as provided in Section 6700 of the Government Code.....75

25.3. Hours of Work76

25.4. Payroll Records.....76

25.4.1.1..... In addition to any other requirements pursuant to Labor Code sections 1770, et seq., the CPRs enumerated hereunder shall be certified and shall be provided to the District on a weekly basis. The CPRs from the Contractor and each Subcontractor for each week shall be provided on or before Wednesday of the week following the week covered by the CPRs. District shall not make any payment to Contractor until76

25.5. Apprentices78

25.6. Non-Discrimination79

25.7. Labor First Aid79

26. MISCELLANEOUS.....79

26.1. Assignment of Antitrust Actions79

26.2. Excise Taxes.....80

26.3. Taxes.....80

26.4. Shipments80

26.5. Compliance with Government Reporting Requirements80

1. CONTRACT TERMS AND DEFINITIONS

1.1. Definitions

Wherever used in the Contract Documents, the following terms shall have the meanings indicated, which shall be applicable to both the singular and plural thereof:

1.1.1. Adverse Weather: Weather that satisfies all of the following conditions: (1) unusually severe precipitation, sleet, snow, hail, heat, or cold conditions in excess of the norm for the location and time of year it occurred, (2) unanticipated, and (3) occurring at the Project Site.

1.1.2. Allowance(s): Amount(s) stated in the Agreement for specific scopes of work for which Contractor may bill its time, materials, and other items in the identical structure as a Change Order.

1.1.3. Approval, Approved, and/or Accepted: Refer to written authorization, unless stated otherwise.

1.1.4. Architect: The individual, partnership, corporation, joint venture, or any combination thereof, named as Architect that has the rights and authority assigned to the Architect in the Contract Documents. The term Architect means the District's Architect on this Project or the Architect's authorized representative.

1.1.5. As-Built Drawings: A reproducible full-size sets of drawings to be prepared on a monthly basis, and upon Project Completion, pursuant to the Contract Documents, that reflect changes made during the performance of the Work, recording differences between the original design of the Work and the Work as constructed since the preceding monthly submittal.

1.1.6. Bidder: A contractor who intends to provide a bid to the District to perform the Work of the Contract.

1.1.7. Change Order: A written order to the Contractor authorizing an addition to, deletion from, or revision in the Work, and/or authorizing an adjustment in the Contract Price or Contract Time. If a Change Order is required to be approved by DSA, the District may call it a Construction Change Document.

1.1.8. Completion: When the entire Work shall have been completed to the satisfaction of District, including all punch list items. Final DSA approval of the Project is not required for Completion.

1.1.9. Construction Manager: The individual, partnership, corporation, joint venture, or any combination thereof, or its authorized representative, named as such by the District. If no Construction Manager is used on the Project, then all references in the Contract Documents to Construction Manager shall be read to refer to District.

1.1.10. Construction Schedule: The progress schedule of construction of the Project as provided by Contractor and approved by District.

1.1.11. Contract, Contract Documents: The Contract consists exclusively of the documents evidencing the agreement of the District and Contractor, identified as the Contract Documents. The Contract Documents consist of the following documents:

1.1.11.1. Notice to Bidders / Invitation to Bid

1.1.11.2. Instructions to Bidders

1.1.11.3. Bid Form

- 1.1.11.4. Bid Bond
- 1.1.11.5. Designated Subcontractors List
- 1.1.11.6. Noncollusion Declaration
- 1.1.11.7. Iran Contracting Act Certification
- 1.1.11.8. Certifications to be Completed by Contractor
- 1.1.11.9. Disabled Veteran's Business Enterprise Participation Certification
- 1.1.11.10. Criminal Background Investigation/Fingerprinting Certification
- 1.1.11.11. Notice of Award
- 1.1.11.12. Agreement
- 1.1.11.13. Escrow of Bid Documentation (if applicable)
- 1.1.11.14. Escrow Agreement for Security Deposits in Lieu of Retention
- 1.1.11.15. Storm Water Pollution Prevention Plan (if applicable)
- 1.1.11.16. Notice to Proceed
- 1.1.11.17. Performance Bond
- 1.1.11.18. Payment Bond (Contractor's Labor and Material Bond)
- 1.1.11.19. District Contract Forms (if applicable)
- 1.1.11.20. District Closeout Forms (if applicable)
- 1.1.11.21. Warranty and Guarantee Form
- 1.1.11.22. General Conditions
- 1.1.11.23. Special Conditions
- 1.1.11.24. Project Plans, Specifications, Technical Specifications, and Drawings
- 1.1.11.25. Addenda to any of the above documents
- 1.1.11.26. Schedules if approved in writing by the District
- 1.1.11.27. Change Orders or written modifications to the above documents if approved in writing by the District

1.1.12. Contract Price: The total monies payable to the Contractor under the terms and conditions of the Contract Documents.

1.1.13. Contract Time: The time period stated in the Agreement for the Completion of the Work.

1.1.14. Contractor: The person or persons identified in the Agreement as contracting to perform the

Work, or the legal representative of such person(s).

1.1.15. Daily Job Report(s): Daily Project reports prepared by the Contractor's employee(s) who are present on Site, which shall include the information required herein.

1.1.16. Day(s): Unless otherwise designated, day(s) means calendar day(s). **"Business Day(s)"** shall mean days except Saturday, Sunday, a day that is federally-recognized holiday, or a day that is a California-recognized holiday.

1.1.17. Defective or Nonconforming Work. Defective or nonconforming Work is any Work which is unsatisfactory, faulty or deficient by: (a) not conforming to the requirements of the Contract Documents; (b) not conforming to the standards of workmanship of the applicable trade; (c) not being in compliance with the requirements of any inspection, reference, standard, test, or approval required by the Contract Documents; or (d) damage to Work occurring prior to Completion.

1.1.18. District: The public agency or the school district for which the Work is performed.

1.1.19. Drawings: (or "Plans") The graphic and pictorial portions of the Contract Documents showing the design, location, scope and dimensions of the Work, generally including plans, elevations, sections, details, schedules, sequence of operation, and diagrams.

1.1.20. DSA: Division of the State Architect.

1.1.21. Force Account Directive: A process that may be used when the District and the Contractor cannot agree on a price for a specific scope of work or before Contractor prepares a price for the scope of work, Contractor performs on a time and materials basis.

1.1.22. Premises: The real property owned by the District on which the Project Site is located.

1.1.23. Product(s): New material, machinery, components, equipment, fixtures and systems forming the Work, including existing materials or components required and approved by the District for reuse.

1.1.24. Product Data: Illustrations, standard schedules, performance charts, instructions, brochures, diagrams, and other information furnished by Contractor to illustrate a material, product, or system for a scope of the Work.

1.1.25. Project: The planned undertaking as provided for in the Contract Documents.

1.1.26. Project Inspector: (or "Inspector") Individual(s) retained by the District in accordance with title 24 of the California Code of Regulations to monitor and inspect the Project.

1.1.27. Program Manager: The individual, partnership, corporation, joint venture, or any combination thereof, or its authorized representative, named as such by the District. If no Program Manager is designated for the Project, then all references to Project Manager shall refer to District.

1.1.28. Proposed Change Order: A written request prepared by the Contractor requesting that the District and the Architect issue a Change Order based upon a proposed change to the Work.

1.1.29. Provide: Shall include "provide complete in place," that is, "furnish and install," and "provide complete and functioning as intended in place" unless specifically stated otherwise.

1.1.30. Request for Information: (or "RFI") A written request prepared by the Contractor requesting that the Architect provide additional information necessary to clarify or amplify an item in the Contract Documents that the Contractor believes is not clearly shown or called for in the Drawings or Specifications

or other portions of the Contract Documents, or to address issues that have arisen under field conditions.

1.1.31. Request for Substitution: A request by Contractor to substitute an equal or superior material, product, thing, or service for a specific material, product, thing, or service that has been designated in the Contract Documents by a specific brand or trade name.

1.1.32. Safety Orders: Written and/or verbal orders for construction issued by the California Division of Industrial Safety ("CalOSHA") or by the United States Occupational Safety and Health Administration ("OSHA").

1.1.33. Safety Plan: Contractor's safety plan specifically adapted for the Project. Contractor's Safety Plan shall comply with all provisions regarding Project safety, including all applicable provisions in these General Conditions.

1.1.34. Samples: Physical examples that illustrate materials, products, equipment, finishes, colors, or workmanship and that, when approved in accordance with the Contract Documents, establish standards by which portions of the Work will be judged.

1.1.35. Shop Drawings: All drawings, prints, diagrams, illustrations, brochures, schedules, and other data that are prepared by the Contractor, a subcontractor, manufacturer, supplier, or distributor, that illustrate how specific portions of the Work shall be fabricated or installed.

1.1.36. Site: The Project site as shown on the Drawings.

1.1.37. Specifications: That portion of the Contract Documents, Division 1 through Division 17, and all technical sections, and addenda to all of these, if any, consisting of written descriptions and requirements of a technical nature of materials, equipment, construction methods and systems, standards, and workmanship.

1.1.38. Subcontractor: A contractor and/or supplier who is under contract with the Contractor or with any other subcontractor, regardless of tier, to perform a portion of the Work.

1.1.39. Submittal Schedule: The schedule of submittals as provided by Contractor and approved by District.

1.1.40. Surety: The person, firm, or corporation that executes as surety the Contractor's Performance Bond and Payment Bond and must be a California admitted surety insurer as defined in the Code of Civil Procedure section 995.120.

1.1.41. SWPPP: The District's Storm Water Pollution Prevention Plan.

1.1.42. Terms. The term "provide" means "provide complete in place" or to "furnish and install" such item. Unless otherwise provided in the Contract Documents, the terms "approved;" "directed;" "satisfactory;" "accepted;" "acceptable;" "proper;" "required;" "necessary" and "equal" shall mean as approved, directed, satisfactory, accepted, acceptable, proper, required, necessary and equal, in the opinion of the District. The term "typical" as used in the Drawings shall require the installation or furnishing of such item(s) of the Work designated as "typical" in all other areas similarly marked as "typical"; Work in such other areas shall conform to that shown as "typical" or as reasonably inferable therefrom.

1.1.43. Unilateral Change Order: A written order prepared and issued by the District, the Construction Manager, and/or the Architect and signed by the District and the Architect, directing a change in the Work. **A Unilateral Change Order is NOT a Construction Change Document (which is defined above as a Change Order that DSA must approve).**

1.1.44. Work: All labor, materials, equipment, components, appliances, supervision, coordination, and services required by, or reasonably inferred from, the Contract Documents, that are necessary for the construction and Completion of the Project.

1.2. Laws Concerning the Contract

Contract is subject to all provisions of the Constitution and laws of California and the United States, governing, controlling, or affecting District, or the property, funds, operations, or powers of District, and such provisions are by this reference made a part hereof. Any provision required by law to be included in this Contract shall be deemed to be inserted.

1.3. No Oral Agreements

No oral agreement or conversation with any officer, agent, or employee of District, either before or after execution of Contract, shall affect or modify any of the terms or obligations contained in the Contract Documents.

1.4. No Assignment

Contractor shall not assign the Contract or any part thereof including, without limitation, any services or money to become due without the prior written consent of the District. Assignment without District's prior written consent shall be null and void. Any assignment of money due or to be come due under the Contract shall be subject to a prior lien for services rendered or material supplied for Work performed in favor of all persons, firms, or corporations rendering services or supplying material to the extent that claims are filed pursuant to the Civil Code, Code of Civil Procedure, Government Code, Labor Code, and/or Public Contract Code, and shall also be subject to deductions for Liquidated Damages or withholding of payments as determined by District in accordance with the Contract. Contractor shall not assign or transfer in any manner to a Subcontractor or supplier the right to prosecute or maintain an action against the District.

1.5. Confidentiality

Contractor shall maintain the confidentiality of all information, documents, programs, procedures and all other items that Contractor encounters while performing the Work. This requirement shall be ongoing and shall survive the expiration or termination of the Contract and specifically includes, without limitation, all student, parent, and employee disciplinary information and health information.

1.6. Notice and Service Thereof

1.6.1. Any notice required by the Contract shall be in writing, dated and signed by the party giving notice or by a duly authorized representative of that party. Notice shall be served and considered effective if given in one of the following manners:

1.6.1.1. By personal delivery; considered delivered on the day of delivery.

1.6.1.2. By overnight delivery service; considered delivered one (1) day after date deposited, as indicated by the delivery service.

1.6.1.3. By depositing same in United States mail, enclosed in a sealed envelope; considered delivered three (3) days after date deposited, as indicated by the postmarked date.

1.6.1.4. By registered or certified mail with postage prepaid, return receipt requested; considered delivered on the day the notice is signed for.

1.7. No Waiver

The failure of District in any one or more instances to insist upon strict performance of any term of the Contract or to exercise any District option shall not be construed as a waiver or relinquishment of the right to assert or rely upon any such term or option on a future occasion. No action or failure to act by the District, Architect, or Construction Manager shall constitute a waiver of any right or duty afforded the District under the Contract, nor shall any action or failure to act constitute an approval of or acquiescence in any breach hereunder, except as may be specifically agreed in writing.

1.8. Substitutions for Specified Items

See Special Conditions.

1.9. Materials and Work

1.9.1. Except as otherwise stated in the Contract, Contractor shall provide and pay for all materials, labor, tools, equipment, transportation, supervision, temporary constructions of every nature, and all other services, management, and facilities of every nature whatsoever necessary to execute and complete the Contract within the Contract Time.

1.9.2. Unless otherwise specified, all materials shall be new and the best of their respective kinds and grades as noted or specified, and workmanship shall be of good quality.

1.9.3. Materials shall be furnished in sufficient quantities and at such times as to ensure uninterrupted progress of Work and shall be stored properly and protected as required.

1.9.4. For all materials and equipment specified or indicated in the Drawings, the Contractor shall provide all labor, materials, equipment, and services necessary for complete assemblies and complete working systems, functioning as intended. Incidental items not indicated on Drawings, nor mentioned in the Specifications, that can legitimately and reasonably be inferred to belong to the Work described, or be necessary in good practice to provide a complete assembly or system, shall be furnished as though itemized here in every detail. In all instances, material and equipment shall be installed in strict accordance with each manufacturer's most recent published recommendations and specifications.

1.9.5. Contractor shall, after award of Contract by District and after relevant submittals have been approved, place orders for materials and/or equipment as specified so that delivery of same may be made without delays to the Work. Contractor shall, upon demand from District, present documentary evidence showing that orders have been placed.

1.9.6. District reserves the right but has no obligation, for any neglect in complying with the above instructions, to place orders for such materials and/or equipment as it may deem advisable in order that the Work may be completed at the date specified in the Agreement, and all expenses incidental to the procuring of said materials and/or equipment shall be paid for by Contractor or withheld from payment(s) to Contractor.

1.9.7. Contractor warrants good title to all material, supplies, and equipment installed or incorporated in Work and agrees upon Completion of all Work to deliver the Site to District, together with all improvements and appurtenances constructed or placed thereon by it, and free from any claims, liens, or charges. Contractor further agrees that neither it nor any person, firm, or corporation furnishing any materials or labor for any Work shall have any right to lien any portion of the Premises or any improvement or appurtenance thereon, except that Contractor may install metering devices or other equipment of utility companies or of political subdivision, title to which is commonly retained by utility company or political subdivision. In the event of installation of any such metering device or equipment, Contractor shall advise District as to owner thereof.

1.9.8. Nothing contained in this Article, however, shall defeat or impair the rights of persons furnishing materials or labor under any bond given by Contractor for their protection or any rights under law permitting such protection or any rights under law permitting such persons to look to funds due Contractor in hands of District (e.g., stop payment notices). This provision shall be inserted in all subcontracts and material contracts and notice of its provisions shall be given to all persons furnishing material for work when no formal contract is entered into for such material.

1.9.9. Title to new materials and/or equipment for the Work and attendant liability for its protection and safety shall remain with Contractor until incorporated in the Work of this Contract and accepted by District. No part of any materials and/or equipment shall be removed from its place of storage except for immediate installation in the Work. Contractor shall keep an accurate inventory of all materials and/or equipment in a manner satisfactory to District or its authorized representative and shall, at the District's request, forward it to the District.

1.9.10. Contractor certifies that it shall comply with the recycled product requirements of Public Contract Code section 22150, et seq., including, without limitation, section 22154 which states, "All businesses shall certify in writing to the contracting officer, or his or her representative, the minimum, if not exact, percentage of postconsumer material in the products, materials, goods, or supplies being offered or sold to any local public entity."

2. DISTRICT

2.1. The governing board of the District or its designees will act for the District in all matters pertaining to the Contract.

2.2. The District may, at any time,

2.2.1. Direct the Contractor to communicate with or provide notice to the Construction Manager or the Architect on matters for which the Contract Documents indicate the Contractor will communicate with or provide notice to the District; and/or

2.2.2. Direct the Construction Manager or the Architect to communicate with or direct the Contractor on matters for which the Contract Documents indicate the District will communicate with or direct the Contractor.

2.3. District's Rights if Contractor Fails to Perform. If the District at any time believes that the Contractor is behind schedule, is failing to construct the Project pursuant to the Contract Documents or is otherwise failing to perform any provisions of this Contract, the District, after **FORTY-EIGHT (48)** hours written notice to the Contractor, may take any action necessary or beneficial to the District to complete the Project, takeover the Work of the Contract, terminate or suspend the Contract as indicated herein, or any combination or portion of those actions. The Contractor and the Surety shall be liable to the District for any cost incurred by the District in those actions and the District has the right to deduct the cost thereof from any payment then or thereafter due the Contractor.

3. ARCHITECT

3.1. Architect shall have the authority to act on behalf of District to the extent expressly provided in the Contract Documents and to the extent determined by District to, among other things, observe the progress and quality of the Work on behalf of the District.

3.2. Architect shall have authority to reject materials, workmanship, and/or the Work whenever rejection may be necessary, in Architect's reasonable opinion, to insure the proper execution of the Contract and if Work is defective or does not conform to the requirements of the Contract Documents. Whenever the Architect considers it necessary or advisable, for implementation of the intent of the

Contract Documents, the Architect will have authority to require additional inspections or testing of the Work, whether or not such Work is fabricated, installed or completed. Neither this authority of the Architect nor a decision made in good faith by the Architect to exercise or not to exercise that authority shall give rise to a duty or responsibility to the Contractor, Subcontractors, material suppliers, their agents or employees, or other persons performing portions of the Work.

- 3.3. Architect shall, with the District and on behalf of the District, determine the amount, quality, acceptability, and fitness of all parts of the Work, and interpret the Specifications, Drawings, and shall, with the District, interpret all other Contract Documents.
- 3.4. Architect shall have all authority and responsibility established by law, including title 24 of the California Code of Regulations.
- 3.5. Contractor shall provide District and the Construction Manager with a copy of all written communication between Contractor and Architect at the same time as that communication is made to Architect, including, without limitation, all RFIs, correspondence, submittals, claims, and proposed change orders.

4. CONSTRUCTION MANAGER

- 4.1. If a Construction Manager is used on this Project, the Construction Manager will provide administration of the Contract on the District's behalf. After execution of the Contract and Notice to Proceed, all correspondence and/or instructions from Contractor and/or District shall be forwarded through the Construction Manager. The Construction Manager will not be responsible for and will not have control or charge of construction means, methods, techniques, sequences, or procedures or for safety precautions in connection with the Work, which shall all remain the Contractor's responsibility.
- 4.2. Construction Manager, however, will have authority to reject materials and/or workmanship not conforming to the Contract Documents, as determined by the District, the Architect, and/or the Project Inspector. Construction Manager shall also have the authority to require special inspection or testing of any portion of the Work, whether it has been fabricated, installed, or fully completed. Any decision made by Construction Manager, in good faith, shall not give rise to any duty or responsibility of the Construction Manager to the Contractor, any Subcontractor, their agents, employees, or other persons performing any of the Work. Construction Manager shall have free access to all parts of Work at any time.
- 4.3. If the District does not use a Construction Manager on this Project, all references to Construction Manager or CM shall be read as District.

5. INSPECTOR, INSPECTIONS AND TESTS

5.1. Project Inspector

5.1.1. One or more Project Inspector(s), including special Project Inspector(s), as required, will be assigned to the Work by District, in accordance with requirements of title 24, part 1, of the California Code of Regulations, to enforce the building code and monitor compliance with Plans and Specifications for the Project previously approved by the DSA. Duties of Project Inspector(s) are specifically defined in section 4-342 of said part 1 of title 24.

5.1.2. No Work shall be carried on except with the knowledge and under the inspection of the Project Inspector(s). The Project Inspector(s) shall have free access to all parts of Work at any time. Contractor shall furnish Project Inspector(s) reasonable opportunities for obtaining such information as may be necessary to keep Project Inspector(s) fully informed respecting progress and manner of work and character of materials. Inspection of Work shall not relieve Contractor from the obligation to fulfill the

Contract. Project Inspector(s) and the DSA are authorized to stop work whenever the Contractor and/or its Subcontractor(s) are not complying with the Contract Documents. Any work stoppage by the Project Inspector(s) and/or DSA shall be without liability to the District. Contractor shall instruct its Subcontractors and employees accordingly.

5.1.3. If Contractor and/or any Subcontractor requests that the Project Inspector(s) perform any inspection off-site, this shall only be done if it is allowable pursuant to applicable regulations and DSA, if the Project Inspector(s) agree to do so, and at the expense of the Contractor.

5.1.4. Limitations on Project Inspector Authority. The Project Inspector does not have authority to interpret the Contract Documents or to modify the Work depicted in the Contract Documents. No Work inconsistent with the Contract Documents shall be performed solely on the basis of the direction of the Project Inspector, and the Contractor shall be liable to the District for the consequences of all Work performed on such basis.

5.2. Tests and Inspections

5.2.1. Tests and Inspections shall comply with title 24, part 1, California Code of Regulations, group 1, article 5, section 4-335, and with the provisions of the Specifications.

5.2.2. If the Contract Documents, laws, ordinances or any public authority with jurisdiction over the Work requires the Work, or any portion thereof, to be specially tested, inspected or approved, the Contractor shall give the Architect, the Construction Manager and the Project Inspector written notice of the readiness of such Work for observation, testing or inspection at least seventy-two (72) hours prior to the time for the conducting of such test, inspection or observation. If inspection, testing or observation is by authority other than the District, the Contractor shall inform the Project Inspector and the Construction Manager not less than seventy-two (72) hours prior to the date fixed for such inspection, test or observation. The Contractor shall not cover up any portion of the Work subject to tests, inspections or observations prior to the completion and satisfaction of the requirements of such test, inspection or observation. In the event that any portion of the Work subject to tests, inspection or approval shall be covered up by Contractor prior to completion and satisfaction of the requirements of such tests, inspection or approval, Contractor shall be responsible for the uncovering of such portion of the Work as is necessary for performing such tests, inspection or approval without adjustment of the Contract Price or the Contract Time on account thereof.

5.2.3. The District will select an independent testing laboratory to conduct the tests. Selection of the materials required to be tested shall be by the laboratory or the District's representative and not by the Contractor. The Contractor shall notify the District's representative a sufficient time in advance of its readiness for required observation or inspection.

5.2.4. The Contractor shall notify the District's representative a sufficient time in advance of the manufacture of material to be supplied under the Contract Documents, that must by terms of the Contract Documents be tested, in order that the District may arrange for the testing of same at the source of supply. This notice shall be, at a minimum, seventy-two (72) hours prior to the manufacture of the material that must be tested.

5.2.5. Any material shipped by the Contractor from the source of supply prior to having satisfactorily passed required testing and inspection or prior to the receipt of notice from the representative that testing and inspection will not be required, shall not be incorporated into and/or onto the Project.

5.2.6. The District will select and pay testing laboratory costs for all tests and inspections. Costs of tests of any materials found to be not in compliance with the Contract Documents shall be paid for by the District and reimbursed by the Contractor or deducted from the Contract Price.

5.3. Costs for After Hours and/or Off Site Inspections

5.3.1. If the Contractor performs Work outside the Inspector's regular working hours, over a period of more than eight (8) hours per day by any single person, on weekends/holidays or requests the Inspector to perform inspections off Site, then the costs of any inspections required outside regular working hours, over a period of more than eight (8) hours per day by any single person, on weekends/holidays or off Site, shall be borne by the Contractor and may be invoiced to the Contractor by the District or the District may deduct those expenses from the next Progress Payment.

6. CONTRACTOR

Contractor shall construct the Work for the Contract price including any adjustment(s) to the Contract Price pursuant to provisions herein regarding changes to the Contract Price. Except as otherwise noted, Contractor shall provide and pay for all labor, materials, equipment, permits, fees, licenses, facilities, transportation, taxes, and services necessary for the proper execution and Completion of the Work, except as indicated herein.

6.1. Status of Contractor

6.1.1. Contractor is and shall at all times be deemed to be an independent contractor and shall be wholly responsible for the manner in which it and its Subcontractors perform the services required of it by the Contract Documents. Nothing herein contained shall be construed as creating the relationship of employer and employee, or principal and agent, between the District, or any of the District's employees or agents, and Contractor or any of Contractor's Subcontractors, agents or employees. Contractor assumes exclusively the responsibility for the acts of its employees as they relate to the services to be provided during the course and scope of their employment. Contractor, its Subcontractors, agents, and its employees shall not be entitled to any rights or privileges of District employees. District shall be permitted to monitor the Contractor's activities to determine compliance with the terms of the Contract.

6.1.2. As required by law, Contractor and all Subcontractors shall be properly licensed and regulated by the Contractor's State License Board, located at 9821 Business Park Drive, , Sacramento, California 95827, with a mailing address of Post Office Box 26000, Sacramento, California, and with a website at <http://www.cslb.ca.gov>.

6.2. Contractor's Supervision

6.2.1. During progress of the Work, Contractor shall keep on the Premises, and at all other locations where any Work related to the Contract is being performed, a competent project manager and construction superintendent who are employees of the Contractor, to whom the District does not object and at least one of whom shall be fluent in English, written and verbal.

6.2.2. The project manager and construction superintendent shall both speak fluently the predominant language of the Contractor's employees.

6.2.3. Before commencing the Work, Contractor shall give written notice to District of the name of its project manager and construction superintendent. Neither the Contractor's project manager nor construction superintendent shall be changed except with prior written notice to District, unless the Contractor's project manager and/or construction superintendent proves to be unsatisfactory to Contractor, District, any of the District's employees, agents, the Construction Manager, or the Architect, in which case, Contractor shall notify District in writing. District retains the right to reasonably refuse Contractor's replacement personnel. The Contractor's project manager and construction superintendent shall each represent Contractor, and all directions given to Contractor's project manager and/or construction superintendent shall be as binding as if given to Contractor.

6.2.4. Contractor shall give efficient supervision to Work, using its best skill and attention. Contractor shall carefully study and compare all Contract Documents, Drawings, Specifications, and other instructions and shall at once report to District, Construction Manager, and Architect any error, inconsistency, or omission that Contractor or its employees and Subcontractors may discover, in writing, with a copy to District's Project Inspector(s). The Contractor shall have responsibility for discovery of errors, inconsistencies, or omissions.

6.2.5. The Contractor's project manager shall devote sufficient time to the Project on site, and in the Contractor's home office to pre-plan activities to meet the Project schedule and fulfill all Contract obligations. This includes making timely submittals, issuing and disseminating necessary RFI's, promptly processing and distributing bulletins, change orders and payments, keeping required logs current etc. If any of these activities fall behind contract requirements or dates necessary to complete the Project on time, the Contractor must provide a full time project manager on the Project Site dedicated solely to the Project, until the deficiencies are corrected.

6.2.6. The Contractor shall verify all indicated dimensions before ordering materials or equipment, or before performing Work. The Contractor shall take field measurements, verify field conditions, and shall carefully compare such field measurements and conditions and other information known to the Contractor with the Project Documents before commencing work. Errors, inconsistencies or omissions discovered shall be immediately reported to the District. Upon commencement of any item of Work, the Contractor shall be responsible for dimensions related to the Work and shall make any corrections necessary to make Work properly fit at no additional cost to District. This responsibility for verification of dimensions is a non-delegable duty and may not be delegated to subcontractors or agents.

6.2.7. Omissions from the Drawings or Specifications, or the misdescription of details of Work which are manifestly necessary to carry out the intent of the Drawings and Specifications, or which are customarily performed, shall not relieve the Contractor from performing such omitted or misdescribed Work, but they shall be performed as if fully and correctly set forth and described in the Drawings and Specifications.

6.2.8. The Contractor shall be solely responsible for the means, methods, techniques, sequences, and procedures of construction. The Contractor shall be responsible to see that the finished Work complies accurately with the Contract Documents.

6.3. Duty to Provide Fit Workers

6.3.1. Contractor and Subcontractor(s) shall at all times enforce strict discipline and good order among their employees and shall not employ or work any unfit person or anyone not skilled in work assigned to that person. It shall be the responsibility of Contractor to ensure compliance with this requirement. District may require Contractor to permanently remove unfit persons from Project Site.

6.3.2. Any person in the employ of Contractor or Subcontractor(s) whom District may deem incompetent or unfit shall be excluded from working on the Project and shall not again be employed on the Project except with the prior written consent of District.

6.3.3. The Contractor shall furnish labor that can work in harmony with all other elements of labor employed or to be employed in the Work.

6.3.4. If Contractor intends to make any change in the name or legal nature of the Contractor's entity, Contractor must first notify the District. The District shall determine if Contractor's intended change is permissible while performing the Contract.

6.3.5. Compliance with Immigration Reform and Control Act of 1986. As required by law, Contractor and all Subcontractors shall employ individuals for the Work in conformity with the Immigration Reform

and Control Act of 1986, 8 USC §§1101 et seq.

6.4. Personnel

6.4.1. All persons working for Contractor and Subcontractor(s) shall refrain from using profane or vulgar language, or any other language that is inappropriate on the job site.

6.4.2. The Contractor shall employ a full-time superintendent and necessary assistants who shall have complete authority to represent and act on behalf on the Contractor on all matters pertaining to the Work. The superintendent shall be competent and have a minimum of five (5) years' experience in construction supervision on projects of similar scale and complexity. The superintendent shall be satisfactory to the District and, if not satisfactory, shall be replaced by the Contractor with one that is acceptable to the District. The superintendent shall not be changed without the written consent of the District unless the superintendent ceases to be employed by the Contractor.

6.4.3. The Contractor shall employ a competent estimator and necessary assistants, or contract for sufficient services of an estimating consultant and to process proposed change orders. The estimator shall have a minimum of five (5) years' experience in estimating. The estimator shall be satisfactory to the District and, if not satisfactory, shall be replaced by the Contractor with one that is acceptable. The estimator shall not be changed without the written consent of the District unless the estimator ceases to be employed by the Contractor. The Contractor shall submit PCO's requested by the District within fourteen (14) calendar days.

6.4.4. The Contractor shall employ a competent scheduler and necessary assistants, or contract for sufficient services of a scheduling consultant. The scheduler shall have a minimum of five (5) years' experience in scheduling. The scheduler shall be satisfactory to the District and, if not satisfactory, shall be replaced by the Contractor with one that is acceptable. The scheduler shall not be changed without the written consent of the District unless the scheduler ceases to be employed by the Contractor.

6.4.5. Contractor shall at all times enforce strict discipline and good order among Contractor's employees, and shall not employ on the Project any unfit person or anyone not skilled in the task assigned.

6.4.6. If Contractor or any Subcontractor on the Project site fails to comply with any provision herein, the District may have the offending person(s) immediately removed from the Site, and the person(s) shall be replaced within three (3) days, at no additional expense to the District. Contractor, on behalf of it and its Subcontractors, hereby waives any claim that the provisions of this paragraph or the enforcement thereof interferes, or has the potential to interfere, with its right to control the means and methods of its performance and duties under this Contract.

6.5. Prohibition on Harassment

6.5.1. In addition to the non-discrimination requirements in the Contract Documents, the Contractor and all Subcontractors must comply with these provisions prohibiting harassment at the Site. The District is committed to providing a campus and workplace free of sexual harassment and harassment based on factors such as race, color religion, national origin, ancestry, age, medical condition, marital status, disability or veteran status. Harassment includes without limitation, verbal, physical or visual conduct which creates an intimidating, offensive or hostile environment such as racial slurs; ethnic jokes; posting of offensive statements, posters or cartoons or similar conduct. Sexual harassment includes without limitation the solicitation of sexual favors, unwelcome sexual advances, or other verbal, visual or physical conduct of a sexual nature.

6.5.2. Contractor shall take all reasonable steps to prevent harassment from occurring, including without limitation affirmatively raising the subject of harassment among its employees, expressing strong

disapproval of any form of harassment, developing appropriate sanctions, informing employees of their right to raise and how to raise the issue of harassment and informing complainants of the outcome of an investigation into a harassment claim.

6.5.3. Contractor shall not permit any person, whether employed by Contractor or a Subcontractor or any other person or entity, performing any Work at or about the Site to engage in any prohibited form of harassment. Any person performing or providing Work on or about the Site engaging in a prohibited form of harassment directed to any student, faculty member or staff of the District or directed to any other person on or about the Site shall be subject to immediate removal and shall be prohibited thereafter from providing or performing any portion of the Work. Upon the District's receipt of any notice or complaint that any person employed directly or indirectly by Contractor on any Subcontractor in performing or providing the Work has engaged in a prohibited form of harassment, the District will promptly undertake an investigation of such notice or complaint. In the event that the District, after such investigation, reasonably determines that a prohibited form of harassment has occurred, the District shall promptly notify the Contractor of the same and direct that the person engaging in such conduct be immediately removed from the Site. Unless the District's determination that a prohibited form of harassment has occurred is grossly negligent or without reasonable cause, District shall have no liability for directing the removal of any person determined to have engaged in a prohibited form of harassment nor shall the Contract Price or the Contract Time be adjusted on account thereof. The indemnity provisions of the Contract Documents apply to any assertion by any person dismissed from performing or providing work at the direction of the District pursuant to this provision; or (ii) the assertion by any person that any person directly or indirectly under the employment or direction of the Contractor has engaged in a prohibited form of harassment directed to or affecting such person. The obligations of the Contractor and the Surety under the preceding sentence are in addition to, and not in lieu of, any other obligation of defense, indemnity and hold harmless whether arising under the Contract Documents, at law or otherwise; these obligations survive completion of the Work or the termination of the Contract.

6.6. Conferences and Meetings.

6.6.1. In addition to the conference and meeting requirements in the Specifications, Contractor's supervisory personnel for the Work and the Contractor's management personnel shall attend all required meetings as required by the Contract Documents or as requested by the District. The Contractor's personnel participating in conferences and meetings relating to the Work shall be authorized to act on behalf of the Contractor and to bind the Contractor. The Contractor is solely responsible for arranging for the attendance by Subcontractors and Material Suppliers at meetings and conferences relating to the Work as necessary, appropriate or as requested by the District.

6.6.2. Preconstruction Conference. The Contractor's representatives (and representatives of Subcontractors as requested by the District) shall attend a preconstruction conference at such time and place as designated by the District. The preconstruction conference will generally address the requirements of the Work and Contract Documents, and to establish construction procedures. Subject matters of the preconstruction conference will include as appropriate: (a) administrative matters, including an overview of the respective responsibilities of the District, Architect, Construction Manager, Contractor, Subcontractors, Project Inspector, and others performing any part of the Work or services relating to the Work; (b) Submittals; (c) Changes; (d) employment practices, including Certified Payroll preparation and submission and prevailing wage rate responsibilities of the Contractor and Subcontractors; (e) Progress Schedule development and maintenance; (f) development of Schedule of Values and payment procedures; (g) implementation of BIM, if applicable; (h) communication procedures, including the handling of Requests for Information; (i) emergency and safety procedures; (j) Site visitor policies; (k) conduct of Contractor/Subcontractor personnel at the Site; and (l) Completion, Punchlist and closeout procedures.

6.6.3. Progress Meetings. Progress meetings will be conducted on regular intervals (weekly unless otherwise expressly indicated elsewhere in the Contract Documents). The Contractor's representatives

and representatives of Subcontractors (as requested by the District) shall attend progress meetings. Progress Meetings will be chaired by the District or the Construction Manager and will generally include as agenda items: Site safety, field issues, coordination of Work, construction progress and impacts to timely Completion, if any. The purposes of the progress meetings include: a formal and regular forum for discussion of the status and progress of the Work by all Project participants, a review of progress or resolution of previously raised issues and action items assigned to the Project participants, and reviews of the Progress schedule and submittals.

6.6.4. Special Meetings. As deemed necessary or appropriate by the District, special meetings will be conducted with the participation of the Contractor, Subcontractors and other Project participants as requested by the District.

6.6.5. Minutes of Meetings. following conclusion of the preconstruction conference, progress meetings and special meetings, the Architect or the Construction Manager will prepare and distribute minutes reflecting the items addressed and actions taken at a meeting or conference. Unless the Contractor notifies the Architect and the Construction Manager in writing of objections or corrections to minutes prepared hereunder within five (5) days of the date of distribution of the minutes, the minutes as distributed shall constitute the official record of the meeting or conference. No objections or corrections of any Subcontractor or Material Supplier shall be submitted directly to the Architect or the Construction Manager; such objections or corrections shall be submitted to the Architect and the Construction Manager through the Contractor. If the Contractor timely interposes objections or notes corrections, the resolution of such matters shall be addressed at the next scheduled progress meeting.

6.7. Purchase of Materials and Equipment

6.7.1. The Contractor is required to order and obtain materials and equipment sufficiently in advance of its Work at no additional cost or advance payment from District to assure that there will be no delays.

6.7.2. Off-Site Storage of Materials and Equipment Only Upon District's Written Consent. Contractor shall not store materials and/or equipment off site without first obtaining the District's express, written consent. If Contractor receives District's consent to store materials and/or equipment off site ("Stored Materials"), Contractor shall comply with all of the following:

6.7.2.1. Property of Others Insurance. Contractor shall procure and maintain, during the entire time Stored Materials are in off-site storage, insurance coverage acceptable to the District that shall protect Contractor and District from all claims for Stored Materials that are lost, stolen, or damaged. The District shall be named as a loss payee for this insurance coverage. The insurance coverage shall include a "loss payable endorsement" stating that all amounts payable will be paid as a joint-check to the Contractor and District. If approved in advance by District, this required insurance may be obtained by an "Employee Theft Protection Insurance Policy" or an "Employee Theft Protection Bond."

6.7.2.2. Payment for Stored Materials. District shall only make payment to Contractor for Stored Materials if agreed upon in advance, in writing, by the District and provided that Contractor submits an itemized list of all Stored Materials with Contractor's Application for Payment. Contractor's itemized list of all Stored Materials shall be supported by all of the following:

6.7.2.2.1. Itemized breakdown of the Stored Materials for the purpose of requesting partial payment, identifying the serial numbers and exact storage location of each piece of equipment and material; and

6.7.2.2.2. Verified invoices for the Stored Materials; and

6.7.2.2.3. Original copy of Property of Others Insurance, Employee Theft Protection

Insurance Policy, or an Employee Theft Protection Bond based on the type of insurance required by the District. These documents shall include certificates and endorsements stating the coverage and that the District is a loss payee or obligee, as appropriate.

6.8. Documents on Work

6.8.1. Contractor shall at all times keep on the Work Site, or at another location as the District may authorize in writing, one legible copy of all Contract Documents, including Addenda and Change Orders, and titles 19 and 24 of the California Code of Regulations, the specified edition(s) of the Uniform Building Code (electronic versions are acceptable), all approved Drawings, Plans, Schedules, and Specifications, and all codes and documents referred to in the Specifications, and made part thereof. These documents shall be kept in good order and available to District, Construction Manager, Architect, Architect's representatives, the Project Inspector(s), and all authorities having jurisdiction. Contractor shall be acquainted with and comply with the provisions of these titles as they relate to this Project. (See particularly the duties of Contractor, title 24, part 1, California Code of Regulations, section 4-343.) Contractor shall also be acquainted with and comply with all California Code of Regulations provisions relating to conditions on this Project, particularly titles 8 and 17. Contractor shall coordinate with Architect and Construction Manager and shall submit its verified report(s) according to the requirements of title 24.

6.8.2. Daily Job Reports.

6.8.2.1. Contractor shall maintain, at a minimum, at least one (1) set of Daily Job Reports on the Project. These must be prepared by the Contractor's employee(s) who are present on Site, and must include, at a minimum, the following information:

- 6.8.2.1.1.** A brief description of all Work performed on that day.
- 6.8.2.1.2.** A summary of all other pertinent events and/or occurrences on that day.
- 6.8.2.1.3.** The weather conditions on that day.
- 6.8.2.1.4.** A list of all Subcontractor(s) working on that day,
- 6.8.2.1.5.** A list of each Contractor employee working on that day and the total hours worked for each employee.
- 6.8.2.1.6.** A complete list of all equipment on Site that day, whether in use or not.
- 6.8.2.1.7.** A complete list of all materials, supplies, and equipment delivered on that day.
- 6.8.2.1.8.** A complete list of all inspections and tests performed on that day.

6.8.2.2. Each day Contractor shall provide a copy of the previous day's Daily Job Report to the District or the District's Construction Manager.

6.9. Preservation of Records

District shall have the right to examine and audit all Daily Job Reports or other Project records of Contractor's project manager(s), project superintendent(s), and/or project foreperson(s), all certified payroll records and/or related documents including, without limitation, payroll, payment, timekeeping and tracking documents; all books, estimates, records, contracts, documents, bid documents, bid cost data, subcontract job cost reports, and other data of the Contractor, any Subcontractor, and/or supplier, including computations and projections related to bidding, negotiating, pricing, or performing the Work or

Contract modification, in order to evaluate the accuracy, completeness, and currency of the cost, manpower, coordination, supervision, or pricing data at no additional cost to the District. These documents may be duplicative and/or be in addition to any Bid Documents held in escrow by the District. Contractor shall make available at its office at all reasonable times the materials described in this paragraph for the examination, audit, or reproduction until three (3) years after final payment under this Contract. Notwithstanding the provisions above, Contractor shall provide any records requested by any governmental agency, if available, after the time set forth above.

6.10. Integration of Work

6.10.1. Contractor shall do all cutting, fitting, patching, and preparation of Work as required to make its several parts come together properly, to fit it to receive or be received by work of other contractors, and to coordinate tolerances to various pieces of work, showing upon, or reasonably implied by, the Drawings and Specifications for the completed structure, and shall conform them as District and/or Architect may direct.

6.10.2. All cost caused by defective or ill-timed Work shall be borne by Contractor, inclusive of repair work.

6.10.3. Contractor shall not endanger any work performed by it or anyone else by cutting, excavating, or otherwise altering work and shall not cut or alter work of any other contractor except with written consent of District.

6.11. Obtaining of Permits and Licenses

6.11.1. Contractor shall secure and pay for all permits, licenses, and certificates as indicated in the Special Conditions.

6.12. Work to Comply with Applicable Laws and Regulations

6.12.1. Contractor shall give all notices and comply with all applicable laws, ordinances, rules, and regulations relating to the Work, including the specific laws, ordinances, rules, and regulations as indicated and specified in the Contract Documents and identified below, including but not limited to the appropriate statutes and administrative code sections. If Contractor observes that Drawings and Specifications are at variance therewith, or should Contractor become aware of the development of conditions not covered by Contract Documents that will result in finished Work being at variance therewith, Contractor shall promptly notify District in writing and any changes deemed necessary by District shall be made as provided in Contract for changes in Work.

- 6.12.1.1.** National Electrical Safety Code, U. S. Department of Commerce
- 6.12.1.2.** National Board of Fire Underwriters' Regulations
- 6.12.1.3.** Uniform Building Code, latest addition, and the California Code of Regulations, title 24, including amendments.
- 6.12.1.4.** Manual of Accident Prevention in Construction, latest edition, published by A.G.C. of America
- 6.12.1.5.** Industrial Accident Commission's Safety Orders, State of California
- 6.12.1.6.** Regulations of the State Fire Marshall (title 19, California Code of Regulations) and Pertinent Local Fire Safety Codes

- 6.12.1.7. Americans with Disabilities Act
- 6.12.1.8. Education Code of the State of California
- 6.12.1.9. Government Code of the State of California
- 6.12.1.10. Labor Code of the State of California, division 2, part 7, Public Works and Public Agencies
- 6.12.1.11. Public Contract Code of the State of California
- 6.12.1.12. California Art Preservation Act
- 6.12.1.13. U. S. Copyright Act
- 6.12.1.14. U. S. Visual Artists Rights Act

6.12.2. Contractor shall comply will all applicable mitigation measures, if any, adopted by any public agency with respect to this Project pursuant to the California Environmental Quality Act (Public Resources Code sections 21000 et. seq.)

6.12.3. If Contractor performs any Work that it knew, or through exercise of reasonable care should have known, to be contrary to any applicable laws, ordinance, rules, or regulations, Contractor shall bear all costs arising therefrom.

6.12.4. Where Specifications or Drawings state that materials, processes, or procedures must be approved by the DSA, State Fire Marshall, or other body or agency, Contractor shall be responsible for satisfying requirements of such bodies or agencies.

6.13. Safety/Protection of Persons and Property

6.13.1. Contractor will be solely and completely responsible for conditions of the Work Site, including safety of all persons and property during performance of the Work. This requirement will apply continuously and not be limited to normal working hours.

6.13.2. The wearing of hard hats will be mandatory at all times for all personnel on Site. Contractor shall supply sufficient hard hats to properly equip all employees and visitors.

6.13.3. Any construction review of the Contractor's performance is not intended to include review of the adequacy of the Contractor's safety measures in, on, or near the Work Site.

6.13.4. Implementation and maintenance of safety programs shall be the sole responsibility of the Contractor.

6.13.5. Contractor shall furnish to the District a copy of the Contractor's safety plan within the time frame indicated in the Contract Documents and specifically adapted for the Project.

6.13.6. Contractor shall be responsible for all damages to persons or property that occur as a result of its fault or negligence in connection with the performance of the Contract and shall take all necessary measures and be responsible for the proper care and completion and final acceptance by District. All Work shall be solely at Contractor's risk with the exception of damage to the Work caused by "acts of God" as defined in Public Contract Code section 7105.

6.13.7. Contractor shall take, and require Subcontractors to take, all necessary precautions for safety of workers on the Project and shall comply with all applicable federal, state, local, and other safety laws,

standards, orders, rules, regulations, and building codes to prevent accidents or injury to persons on, about, or adjacent to premises where Work is being performed and to provide a safe and healthful place of employment. Contractor shall furnish, erect, and properly maintain at all times, all necessary safety devices, safeguards, construction canopies, signs, nets, barriers, lights, and watchmen for protection of workers and the public and shall post danger signs warning against hazards created by such features in the course of construction.

6.13.8. Hazards Control. Contractor shall store volatile wastes in covered metal containers and remove them from the Site daily. Contractor shall prevent accumulation of wastes that create hazardous conditions. Contractor shall provide adequate ventilation during use of volatile or noxious substances.

6.13.9. Contractor shall designate a responsible member of its organization on the Project, whose duty shall be to post information regarding protection and obligations of workers and other notices required under occupational safety and health laws, to comply with reporting and other occupational safety requirements, and to protect the life, safety, and health of workers. Name and position of person so designated shall be reported to District by Contractor.

6.13.10. Contractor shall correct any violations of safety laws, rules, orders, standards, or regulations. Upon the issuance of a citation or notice of violation by the Division of Occupational Safety and Health, Contractor shall correct such violation promptly.

6.13.11. Storm Water. Contractor shall comply with the District's Storm Water Pollution Prevention Plan (SWPPP) and, if indicated in the Special Conditions, shall be the District's Qualified SWPPP Practitioner, at no additional cost to the District.

6.13.12. In an emergency affecting safety of life or of work or of adjoining property, Contractor, without special instruction or authorization, shall act, at its discretion, to prevent such threatened loss or injury. Any compensation claimed by Contractor on account of emergency work shall be determined by agreement.

6.13.13. All salvage materials will become the property of the Contractor and shall be removed from the Site unless otherwise called for in the Contract Documents. However, the District reserves the right to designate certain items of value that shall be turned over to the District unless otherwise directed by District.

6.13.14. All connections to public utilities and/or existing on-site services shall be made and maintained in such a manner as to not interfere with the continuing use of same by the District during the entire progress of the Work.

6.13.15. Contractor shall provide such heat, covering, and enclosures as are necessary to protect all Work, materials, equipment, appliances, and tools against damage by weather conditions, such as extreme heat, cold, rain, snow, dry winds, flooding, or dampness.

6.13.16. Contractor shall protect and preserve the Work from all damage or accident, providing temporary roofs, window and door coverings, boxing, or other construction as required by the Architect. Contractor shall be responsible for existing structures, walks, roads, trees, landscaping, and/or improvements in working areas; and shall provide adequate protection therefor. If temporary removal is necessary of any of the above items, or damage occurs due to the Work, the Contractor shall replace same at its expense with same kind, quality, and size of Work or item damaged. This shall include any adjoining property of the District and others.

6.13.17. Contractor shall take adequate precautions to protect existing roads, sidewalks, curbs, pavements, utilities, adjoining property, and structures (including, without limitation, protection from settlement or loss of lateral support), and to avoid damage thereto, and repair any damage thereto

caused by construction operations.

6.13.18. Contractor shall confine apparatus, the storage of materials, and the operations of workers to limits indicated by law, ordinances, permits, or directions of Architect, and shall not interfere with the Work or unreasonably encumber Premises or overload any structure with materials. Contractor shall enforce all instructions of District and Architect regarding signs, advertising, fires, and smoking, and require that all workers comply with all regulations while on Project Site.

6.13.19. Contractor, Contractor's employees, Subcontractors, Subcontractors' employees, or any person associated with the Work shall conduct themselves in a manner appropriate for a school site. No verbal or physical contact with neighbors, students, and faculty, profanity, or inappropriate attire or behavior will be permitted. District may require Contractor to permanently remove noncomplying persons from Project Site.

6.13.20. Contractor shall take care to prevent disturbing or covering any survey markers, monuments, or other devices marking property boundaries or corners. If such markers are disturbed, Contractor shall have a civil engineer, registered as a professional engineer in California, replace them at no cost to District.

6.13.21. In the event that the Contractor enters into any agreement with owners of any adjacent property to enter upon the adjacent property for the purpose of performing the Work, Contractor shall fully indemnify, defend, and hold harmless each person, entity, firm, or agency that owns or has any interest in adjacent property. The form and content of the agreement of indemnification shall be approved by the District prior to entering the adjacent property. The Contractor shall also indemnify the District as provided in the indemnification provision herein. These provisions shall be in addition to any other requirements of the owners of the adjacent property.

6.13.22. Use of Drones. Contractor may utilize drones or similar aerial equipment to monitor the progress of the Work and for security purposes, but Contractor must comply with all legal requirements of the Federal government, the State of California, and the County and City in which the Project is located, applicable to the use of drones or similar aerial equipment. In addition, Contractor shall ensure that no photographs, videos or digital recordings of any kind are taken of District students or staff.

6.14. Working Evenings and Weekends

Contractor may be required to work evenings and/or weekends at no additional cost to the District. Contractor shall give the District seventy-two (72) hours' notice prior to performing any evening and/or weekend work. Contractor shall perform all evening and/or weekend work only upon District's written approval and in compliance with all applicable rules, regulations, laws, and local ordinances including, without limitation, all noise and light limitations. Contractor shall reimburse the District for any Inspector charges necessitated by the Contractor's evening and/or weekend work.

6.15. Noise and Dust Control

6.15.1. In addition to the noise control, dust control and related requirements in the Specifications, Contractor shall control the noise and dust at the Site as indicated here.

6.15.2. Noise Control. The Contractor shall install noise reducing devices on construction equipment. Contractor shall comply with the requirements of the city and county having jurisdiction with regard to noise ordinances governing construction sites and activities. Construction equipment noise at the Site shall be limited as required by applicable law, rule or regulation. If classes are in session at any point during the progress of the Work, and, in the District's reasonable discretion, the noise from any Work disrupts or disturbs the students or faculty or the normal operation of the school at the Site, at the District's request, the Contractor shall schedule the performance of that Work around normal school

hours or make other arrangements so that the Work does not cause disruption or disturbance. In no event shall those arrangements result in adjustment of the Contract Price or the Contract Time.

6.15.3. Dust Control. The Contractor shall be fully and solely responsible for maintaining and upkeeping all areas of the Site and adjoining areas, outdoors and indoors, free from flying debris, grinding powder, sawdust, dirt and dust as well as any other product, product waste or work waste, that by becoming airborne may cause respiratory inconveniences to persons, particularly to students and District personnel. Additionally, the Contractor shall take specific care to avoid deposits of airborne dust or airborne elements. Those protection devices, systems or methods shall be in accordance with the regulations set forth by the EPA and OSHA, and other applicable law, rule or regulation. Additionally, the Contractor shall be responsible to regularly and routinely clean up and remove any and all deposits of dust and other elements. Damage and/or any liability derived from the Contractor's failure to comply with these requirements shall be exclusively at the cost of the Contractor, including, without limitation, any and all penalties that may be incurred for violations of applicable law, rule or regulation, and any amounts expended by the District to pay such damages shall be due and payable to the District on demand. Contractor shall replace any damages property or part thereof and professionally clean any and all items that become covered or partially covered to any degree by dust or other airborne elements. If classes are in session at any point during the progress of Work, and, in the District's reasonable discretion, flying debris, grinding powder, sawdust, dirt or dust from any Work disrupts or disturbs the students or faculty or the normal operation of the school, at the District's request, the Contractor shall schedule the performance of all that Work around normal school hours and make other arrangements so that the Work does not cause disruption or disturbance. In no event shall those arrangements result in adjustment of the Contract Price or the Contract Time.

6.15.4. Contractor Failure to Comply. If the Contractor fails to comply with the requirements for dust control, noise control, or any other maintenance or clean up requirement of the Contract Documents, the District, Architect, Project Inspector, or Construction Manager shall notify the Contractor in writing and the Contractor shall take immediate action. Should the Contractor fail to respond with immediate and responsive action and not later than twenty-four (24) hours from that notification, the District shall have the absolute right to proceed as it may deem necessary to remedy such matter. Any and all costs incurred by the District in connection with those actions shall be the sole responsibility of, and be borne by, the Contractor; the District may deduct those amounts from the Contract Price then or thereafter due the Contractor.

6.16. Cleaning Up

6.16.1. The Contractor shall provide all services, labor, materials, and equipment necessary for protecting the Work, all school occupants, furnishings, equipment, and building structure from damage until its Completion and final acceptance by District. Dust barriers shall be provided to isolate dust and dirt from construction operations. At Completion of the Work and portions thereof, Contractor shall clean to the original state any areas beyond the Work area that become dust laden as a result of the Work. The Contractor must erect the necessary warning signs and barricades to ensure the safety of all school occupants. The Contractor at all times must maintain good housekeeping practices to reduce the risk of fire damage and must make a fire extinguisher, fire blanket, and/or fire watch, as applicable, available at each location where cutting, braising, soldering, and/or welding is being performed or where there is an increased risk of fire.

6.16.2. Contractor at all times shall keep Premises free from debris such as waste, rubbish, and excess materials and equipment caused by the Work. Contractor shall not leave debris under, in, or about the Premises, but shall promptly remove same from the Premises on a daily basis. If Contractor fails to clean up, District may do so and the cost thereof shall be charged to Contractor. If Contract is for work on an existing facility, Contractor shall also perform specific clean-up on or about the Premises upon request by the District as it deems necessary for the continuing education process. Contractor shall comply with all related provisions of the Specifications.

6.16.3. If the Construction Manager, Architect, or District observes the accumulation of trash and debris, the District will give the Contractor a 24-hour written notice to mitigate the condition.

6.16.4. Should the Contractor fail to perform the required clean-up, or should the clean-up be deemed unsatisfactory by the District, the District will then perform the clean-up. All cost associated with the clean-up work (including all travel, payroll burden, and costs for supervision) will be deducted from the Contract Price, or District may withhold those amounts from payment(s) to Contractor.

7. SUBCONTRACTORS

7.1. Contractor shall provide the District with information for all Subcontracts as required in the Contractor's Submittals and Schedules Section.

7.2. No contractual relationship exists between the District and any Subcontractor, supplier, or sub-subcontractor by reason of the Contract.

7.3. Contractor agrees to bind every Subcontractor by terms of the Contract as far as those terms are applicable to Subcontractor's work. If Contractor shall subcontract any part of the Contract, Contractor shall be as fully responsible to District for acts and omissions of any Subcontractor and of persons either directly or indirectly employed by any Subcontractor, as it is for acts and omissions of persons directly employed by Contractor. The divisions or sections of the Specifications are not intended to control the Contractor in dividing the Work among Subcontractors or limit the work performed by any trade.

7.4. District's consent to, or approval of, or failure to object to, any Subcontractor under the Contract shall not in any way relieve Contractor of any obligations under the Contract and no such consent shall be deemed to waive any provisions of the Contract.

7.5. Contractor acknowledges sections 4100 through 4114 of the Public Contract Code of the State of California, as regards subletting and subcontracting, and shall comply with all applicable requirements therein. In addition, Contractor acknowledges sections 1720 through 1861 of the Labor Code of the State of California, as regards the payment of prevailing wages and related issues, and shall comply with all applicable requirements therein all including, without limitation, section 1775 and the Contractor's and Subcontractors' obligations and liability for violations of prevailing wage law and other applicable laws.

7.6. No Contractor whose Bid is accepted shall, without consent of the awarding authority and in full compliance with section 4100, et seq, of the Public Contract Code, including, without limitation, sections 4107, 4107.5, and 4109 of the Public Contract Code, either:

7.6.1. Substitute any person as a Subcontractor in place of the Subcontractor designated in the original Bid; or

7.6.2. Permit any Subcontract to be assigned or transferred, or allow any portion of the Work to be performed by anyone other than the original Subcontractor listed in the Bid; or

7.6.3. Sublet or subcontract any portion of the Work in excess of one-half of one percent (1/2 of 1%) of the Contractor's total bid as to which his original bid did not designate a Subcontractor.

7.7. The Contractor shall be responsible for the coordination of the trades, Subcontractors, sub-subcontractors, and material or equipment suppliers working on the Project.

7.8. Contractor is solely responsible for settling any differences between the Contractor and its

Subcontractor(s) or between Subcontractors.

- 7.9. Contractor must include in all of its subcontracts the assignment provisions as indicated in the Termination section of these General Conditions.

8. OTHER CONTRACTS/CONTRACTORS

- 8.1. District reserves the right to let other contracts, and/or to perform work with its own forces, in connection with other portions of the Project or other construction or operations at or about the Site. Contractor shall afford other contractor's reasonable opportunity for introduction and storage of their materials and execution of their work and shall properly coordinate and connect Contractor's Work with the work of other contractors.
- 8.2. In addition to Contractor's obligation to protect its own Work, Contractor shall protect the work of any other contractor that Contractor encounters while working on the Site.
- 8.3. If any part of Contractor's Work depends for proper execution or results upon work of District or any other contractor, Contractor shall inspect and promptly report to the District in writing before proceeding with its Work any defects in District's or any other contractor's work that render Contractor's Work unsuitable for proper execution and results. Contractor shall be held accountable for damages to District for District's or any other contractor's work that Contractor failed to inspect or should have inspected. Contractor's failure to inspect and report shall constitute Contractor's acceptance of all District's or any other contractor's work as fit and proper for reception of Contractor's Work, except as to defects that may develop in District's or any other contractor's work after execution of Contractor's Work.
- 8.4. To ensure proper execution of its subsequent work, Contractor shall measure and inspect work already in place and shall at once report to the District in writing any discrepancy between that executed work and the Contract Documents.
- 8.5. Contractor shall ascertain to its own satisfaction the scope of the Project and nature of District's or any other contracts that have been or may be awarded by District in completion of the Project to the end that Contractor may perform this Contract in light of the other contracts, if any.
- 8.6. Nothing herein contained shall be interpreted as granting to Contractor exclusive occupancy of the Site, the Premises, or of the Project. The District shall have complete access to the Project Site for any reasonable purpose at all times. Contractor shall not cause any unnecessary hindrance or delay to the use and/or school operation(s) of the Premises and/or to District or any other contractor working on the Project. If simultaneous execution of any contract or school operation is likely to cause interference with performance of Contractor's Contract, Contractor shall coordinate with those contractor(s), person(s), and/or entity(s) and shall notify the District of the resolution.

9. DRAWINGS AND SPECIFICATIONS

- 9.1. A complete list of all Drawings that form a part of the Contract is to be found as an index on the Drawings themselves, and/or may be provided to the Contractor and/or in the Table of Contents.
- 9.2. Materials or Work described in words that so applied have a well-known technical or trade meaning shall be deemed to refer to recognized standards, unless noted otherwise.
- 9.3. Trade Name or Trade Term. It is not the intention of the Contract to go into detailed descriptions of any materials and/or methods commonly known to the trade under "trade name" or "trade term." The mere mention or notation of "trade name" or "trade term" shall be considered sufficient notice to Contractor that it will be required to complete the work so named, complete, finished, and operable,

with all its appurtenances, according to the best practices of the trade.

- 9.4. The naming of any material and/or equipment shall mean furnishing and installing of same, including all incidental and accessory items thereto and/or labor therefor, as per best practices of the trade(s) involved, unless specifically noted otherwise.
- 9.5. Contract Documents are complementary, and what is called for by one shall be binding as if called for by all. As such, Drawings and Specifications are intended to be fully cooperative and to agree. However, if Contractor observes that Drawings and Specifications are in conflict, Contractor shall promptly notify District and Architect in writing, and any necessary changes shall be made as provided in the Contract Documents.
- 9.6. In the case of discrepancy or ambiguity in the Contract Documents, the order of precedence in the Agreement shall prevail. However, in the case of discrepancy or ambiguity solely between and among the Drawings and Specifications, the discrepancy or ambiguity shall be resolved in favor of the interpretation that will provide District with the functionally complete and operable Project described in the Drawings and Specifications. In case of ambiguity, conflict, or lack of information, District will furnish clarifications with reasonable promptness.
- 9.7. Drawings and Specifications are intended to comply with all laws, ordinances, rules, and regulations of constituted authorities having jurisdiction, and where referred to in the Contract Documents, the laws, ordinances, rules, and regulations shall be considered as a part of the Contract within the limits specified. Contractor shall bear all expense of correcting work done contrary to said laws, ordinances, rules, and regulations.

9.8. Ownership of Drawings

9.8.1. All copies of the Drawings, Designs, Specifications, and copies of other incidental architectural and engineering work, or copies of other Contract Documents furnished by District, are the property of District. They are not to be used by Contractor in other work and, with the exception of signed sets of Contract Documents, are to be returned to District on request at Completion of Work, or may be used by District as it may require without any additional costs to District. Neither the Contractor nor any Subcontractor, or material or equipment supplier shall own or claim a copyright in the Drawings, Specifications, and other documents prepared by the Architect. District hereby grants the Contractor, Subcontractors, sub-subcontractors, and material or equipment suppliers a limited license to use applicable portions of the Drawings prepared for the Project in the execution of their Work under the Contract Documents.

10. CONTRACTOR'S SUBMITTALS AND SCHEDULES

Contractor's submittals shall comply with the provisions and requirements of the Specifications including, without limitation Submittals. No submittal, unless approved in writing by the District as acceptable and complete, shall be a Contract Document.

10.1. Schedules, Safety Plan and Complete Subcontractor List

10.1.1. Within **TEN (10)** calendar days after the date of the Notice to Proceed (unless otherwise specified in the Notice to Proceed or in the Special Conditions), Contractor shall prepare and submit to the District for review, in a form supported by sufficient data to substantiate its accuracy as the District may require:

10.1.1.1. **Schedule of Work.** Contractor shall provide a preliminary schedule of construction indicating the starting and completion dates of the various stages of the Work, including any information and following any form as may be specified in the Specifications. Once approved by District, this shall become the Construction Schedule. This schedule shall include and identify all tasks

that are on the Project's critical path with a specific determination of the start and completion of each critical path task, all contract milestones and each milestone's completion date(s) as may be required by the District, and the date of Project Completion.

10.1.1.1.1. Proposed Advanced Schedule. The District is not required to accept an early completion ("advanced") schedule; i.e., one that shows early completion dates for the Contract completion or milestones. Contractor shall not be entitled to extra compensation if the District allows the Contractor to proceed performing the Contract on an earlier ("advanced") schedule and Contractor completes the Project, for whatever reason, beyond the date shown in that earlier ("advanced") schedule, but within the Time for Completion indicated in the Contract. A schedule showing the work completed in less than the Time for Completion indicated in the Contract, shall be considered to have Project Float.

10.1.1.1.2. Float or Slack in the Schedule. Float or slack is the amount of time between the early start date and the late start date, or the early finish date and the late finish date, of any of the activities in the schedule. Float or slack is not for the exclusive use of or benefit of either the District or the Contractor, but its use shall be determined solely by the District.

10.1.1.2. Schedule of Submittals. The Contractor shall provide a preliminary schedule of submittals, including Shop Drawings, Product Data, and Samples submittals. Once approved by District, this shall become the Submittal Schedule. All submittals shall be forwarded to the District by the date indicated on the approved Submittal Schedule, unless an earlier date is necessary to maintain the Construction Schedule, in which case those submittals shall be forwarded to the District so as not to delay the Construction Schedule.

10.1.1.3. Schedule of Values. The Contractor shall provide a preliminary schedule of values for all component parts of the Work for which progress payments may be requested. The schedule of values must include quantities and prices of items totaling the Contract Price and must subdivide the Work into component parts in sufficient detail to serve as the basis for progress payments during construction. The preliminary schedule of values should include, at a minimum, the following information and the following structure:

10.1.1.3.1. Divided into at least the following categories:

- 10.1.1.3.1.1.** Overhead and profit;
- 10.1.1.3.1.2.** Supervision;
- 10.1.1.3.1.3.** General conditions;
- 10.1.1.3.1.4.** Layout;
- 10.1.1.3.1.5.** Mobilization;
- 10.1.1.3.1.6.** Submittals;
- 10.1.1.3.1.7.** Bonds and insurance;
- 10.1.1.3.1.8.** Closeout documentation;
- 10.1.1.3.1.9.** Demolition;
- 10.1.1.3.1.10.** Installation;
- 10.1.1.3.1.11.** Rough-in;
- 10.1.1.3.1.12.** Finishes;
- 10.1.1.3.1.13.** Testing;
- 10.1.1.3.1.14.** Punch List and acceptance.

10.1.1.3.2. Divided by each of the following areas:

- 10.1.1.3.2.1.** Site work;
- 10.1.1.3.2.2.** By each building;
- 10.1.1.3.2.3.** By each floor.

10.1.1.3.3. The preliminary schedule of values shall not provide for values any greater than the following percentages of the Contract value:

- 10.1.1.3.3.1.** Mobilization and layout combined to equal not more than 1%;
- 10.1.1.3.3.2.** Submittals, samples and shop drawings combined to equal not more than 3%;
- 10.1.1.3.3.3.** Bonds and insurance combined to equal not more than 2%.

10.1.1.3.4. Closeout Documentation. Closeout Documentation shall have a value in the preliminary schedule of not less than 5%. The value for Closeout Documentation shall be in addition to and shall not be a part of the Contract retention.

10.1.1.3.5. All items on the Schedule of Values must have a specific completion date on the Construction Schedule, or District has approved the Construction Schedule and the Construction Schedule is fully cost-loaded and resource-loaded, unless waived by the District in writing, and detailed as required by the Contract Documents

10.1.1.3.6. Contractor shall certify that the preliminary schedule of values as submitted to the District is accurate and reflects the costs as developed in preparing Contractor's bid. The preliminary schedule of values shall be subject to the District's review and approval of the form and content thereof. In the event that the District objects to any portion of the preliminary schedule of values, the District shall notify the Contractor, in writing, of the District's objection(s) to the preliminary schedule of values. Within five (5) calendar days of the date of the District's written objection(s), Contractor shall submit a revised preliminary schedule of values to the District for review and approval. The foregoing procedure for the preparation, review and approval of the preliminary schedule of values shall continue until the District has approved the entirety of the preliminary schedule of values.

10.1.1.3.7. Once the preliminary schedule of values is approved by the District, this shall become the Schedule of Values. The Schedule of Values shall not be thereafter modified or amended by the Contractor without the prior written consent and approval of the District, which may be granted or withheld in the sole discretion of the District.

10.1.1.3.8. Notwithstanding any provision of the Contract Documents to the contrary, payment of the Contractor's overhead, supervision, general conditions costs, and profit, as reflected in the Schedule of Values, shall be paid by the District in equal installments, based on percentage complete, with the disbursement of Progress Payments and the Final Payment.

10.1.1.3.9. The Contractor shall not "front-load" the Schedule of Values with false dollar amounts for activities to be performed in the early stages of the Project. The District may, in its sole discretion, utilize the costs listed in the Schedule of Values as the true cost of items to be deducted from the Contract Price through credit or deductive Change Order. The values for each line item shall include the amount of overhead and profit applicable to each item of work and shall include, at a minimum, a breakdown between rough and finish Work for the basic trades as well as individual dollar figures for large dollar equipment and materials to be installed or furnished for the Project. No individual line item or scope of work in the Schedule of Values shall exceed \$50,000, except with the express, written consent of the District. Exceptions will be given by the District for a single item of Equipment for which the true cost exceeds \$50,000. The Schedule of Values shall be subject to the District's review and approval of the form and content thereof. Upon request, Contractor shall provide District with data and documentation substantiating the accuracy of the proposed line items. In the event that the District shall reasonably object to any portion of the Schedule of Values, within ten (10) days of the District's receipt of the Schedule of Values, the District shall notify the Contractor, in writing of the District's objection(s) to the Schedule of Values together with any request for substantiating data

or documentation. Within five (5) days of the date of the District's written objection(s) and request for substantiating data and documentation, Contractor shall submit a revised Schedule of Values to the District for review and approval together with the requested data and documentation. The foregoing procedure for the preparation, review and approval of the Schedule of Values shall continue until the District has approved of the entirety of the Schedule of Values. Once the Schedule of Values is approved by the District, the Schedule of Values shall not be thereafter modified or amended by the Contractor without the prior consent and approval of the District, which may be granted or withheld in the sole reasonable discretion of the District. Notwithstanding any provision of the Contract Documents to the contrary, payment of the Contractor's overhead, supervision and general conditions costs and profit, as such items are reflected in the Schedule of Values, shall be made incrementally as included in the activities included in the Approved Construction Schedule.

10.1.1.4. Safety Plan. The Contractor shall provide a preliminary Contractor's Safety Plan specifically adapted for the Project. Contractor's Safety Plan shall comply with the following requirements:

10.1.1.4.1. All applicable requirements of California Division of Industrial Safety ("CalOSHA") and/or of the United States Occupational Safety and Health Administration ("OSHA").

10.1.1.4.2. All provisions regarding Project safety, including all applicable provisions in these General Conditions.

10.1.1.4.3. Contractor's Safety Plan shall be prepared in both English and in the predominant language(s) of the Contractor's and its Subcontractors' employees.

10.1.1.5. Complete Subcontractor List. Contractor shall provide a preliminary Subcontractor List stating the name, address, telephone number, facsimile number, California State Contractors License number, classification, and monetary value of all Subcontracts for parties furnishing labor, material, or equipment for the Project.

10.1.2. Contractor must provide all schedules both in hard copy and electronically, in a format (e.g., Microsoft Project or Primavera) approved in advance by the District.

10.1.3. The District will review the schedules submitted and the Contractor shall make changes and corrections in the schedules as requested by the District and resubmit the schedules until approved by the District.

10.1.4. The District shall have the right at any time to revise the Schedule of Values if, in the District's sole opinion, the Schedule of Values does not accurately reflect the value of the Work performed.

10.1.5. All submittals and schedules must be approved by the District before Contractor can rely on them as a basis for payment.

10.2. Monthly Progress Schedule(s)

10.2.1. Contractor shall provide Monthly Progress Schedule(s) to the District. A Monthly Progress Schedule shall update the approved Construction Schedule or the last Monthly Progress Schedule, showing all work completed and to be completed. The Monthly Progress Schedule shall be sent to the District and shall be in a format acceptable to the District and contain a written narrative of the progress of work that month and any changes, delays, or events that may affect the work. The process for District approval of the Monthly Progress Schedule shall be the same as the process for approval of the Construction Schedule.

10.2.2. Contractor shall also submit Monthly Progress Schedule(s) with all payment applications.

10.3. Material Safety Data Sheets (MSDS)

Contractor is required to ensure Material Safety Data Sheets are available in a readily accessible place at the Work Site for any material requiring a Material Safety Data Sheet per the Federal "Hazard Communication" standard, or employees right to know law. The Contractor is also required to ensure proper labeling on substances brought onto the Project Site and that any person working with the material or within the general area of the material is informed of the hazards of the substance and follows proper handling and protection procedures. Two additional copies of the Material Safety Data Sheets shall also be submitted directly to the District.

10.4. Logistic Plan

Contractor shall provide a staging and logistics plan identifying laydown areas, loading and unloading areas, crane locations, fence locations, temporary utility connections, trailer locations, and emergency evacuation meeting area. This Logistics Plan must be approved by the District prior to the Contractor mobilizing on the Site.

10.5. Information Included in Submittals.

All Submittals shall be accompanied by a written transmittal and each set of plans shall carry a "wet stamp" or other writing by the Contractor providing an identification of the portion of the Drawings or the Specifications pertaining to the Submittal, with each Submittal numbered consecutively for ease of reference along with the following information: (i) date of submission; (ii) Project name; (iii) name of submitting Subcontractor; and (iv) if applicable, the revision number. The foregoing information is in addition to, and not in lieu of, any other information required for the District's review, evaluation and approval of the Contractor's Submittals. Each Submittal shall be complete with its required number of copies, no piecemeal documentation is allowed. Any Submittal not bearing the required wet stamp as stated herein, shall be rejected until the appropriate wet stamp information is provided on each submittal.

10.6. Verification of Submittal Information.

By approving and submission of Submittals, the Contractor represents to the District and Architect that the Contractor has determined and verified materials, field measurements, field construction criteria, catalog numbers and similar data related thereto and has checked and coordinated the information contained within such Submittals with the requirements of the Work and of the Contract Documents. Each Submittal shall include the following certification duly executed by the Contractor's Superintendent or Project Manager for the Work: "The Contractor has reviewed and approved the field dimensions and construction criteria of the attached Submittal. The Contractor has verified that the Submittal is complete and includes notations of any portion of the Work depicted in the Submittal which is not in strict conformity with the Contract Documents. The information in the attached Submittal has been reviewed and coordinated by the Contractor with information included in other Submittals."

10.7. Contractor Responsibility for Deviations.

The Contractor shall not be relieved of responsibility for correcting deviations from the requirements of the Contract Documents by the District's and Architect's review of Submittals unless the Contractor has specifically informed the District in writing of such deviation at the time of submission of the Submittal and the District has given written approval to the specific deviation. The Contractor shall not be relieved of responsibility for errors or omissions in Submittals by the District's and Architect's review or comments thereon.

10.8. No Performance of Work Without Architect Review.

The Contractor shall perform no portion of the Work requiring the District's and Architect's review of Submittals until the District and Architect have completed their review and returned the Submittal to the Contractor indicating "No Exception Taken" to that Submittal. The Contractor shall not perform any portion of the Work forming a part of a Submittal or which is affected by a related Submittal until the entirety of the Submittal or other related Submittal has been fully processed. All Work shall be in accordance with the final action taken by the District and the Architect review in review of Submittals and other applicable portions of the Contract Documents.

10.9. District and Architect Review of Submittals.

The purpose of the District's and Architect's review of Submittals and the time for the District's and Architect's return of Submittals to the Contractor shall be as set forth elsewhere in the Contract Documents. If the District and/or Architect return a Submittal as rejected or requiring correction(s) with re-submission, the Contractor, so as not to delay the progress of the Work, shall promptly thereafter resubmit a Submittal conforming to the requirements of the Contract Documents; the resubmitted Submittal shall indicate the portions thereof modified in accordance with the District's and Architect's direction. When professional certification of performance criteria of materials, systems or equipment is required by the Contract Documents, the District shall be entitled to rely upon the accuracy and completeness of the Contractor's calculations and certifications accompanying Submittals. The District's and Architect's review of the Submittals is for the limited purposes described in the Contract Documents. The District and Architect will review each Submittal twice. Should additional Submittals be required as a result of failure of the Contractor to address comments, the Contractor will pay for the Architect's services on a time and material basis for each subsequent review.

10.10. Deferred Approval Items.

In the event that any portion of the Work is designated in the Contract Documents as a "Deferred Approval" item from DSA, Contractor shall be solely and exclusively responsible for the preparation of Submittals for such item(s) in a timely manner so as not to delay or hinder the completion of the Work within the Contract Time. All work, labor, materials, equipment or services necessary to complete the design, engineering and permitting/approval of the Deferred Approval items shall be provided by the Contractor without adjustment of the Contract Price or the Contract Time.

10.11. Contractor Responsibility for Deviations

The Contractor shall not be relieved of responsibility for correcting deviations from the requirements of the Contract Documents by the District's or Architect's review of Submittals unless the Contractor has specifically informed the District and the Architect in writing of such deviation at the time of submission of the Submittal and the District and the Architect have given written approval to the specific deviation. The Contractor shall not be relieved of responsibility for errors or omissions in Submittals by the District's or the Architect's review or comments thereon.

11. SITE ACCESS, CONDITIONS AND REQUIREMENTS

11.1. Site Investigation

Before bidding on the Work, Contractor shall make a careful investigation of the Site and thoroughly familiarize itself with the requirements of the Contract. By the act of submitting a bid for the Work included in the Contract, Contractor shall be deemed to have made a complete study and investigation, and to be familiar with and accepted the existing conditions of the Site.

11.2. Soils Investigation Report

11.2.1. When a soils investigation report obtained from test holes at Site is available, that report shall be available to the Contractor but shall not be a part of the Contract. Any information obtained from that report or any information given on Drawings as to subsurface soil condition or to elevations of existing grades or elevations of underlying rock is approximate only, is not guaranteed, does not form a part of the Contract, and Contractor may not rely thereon. By submitting its bid, Contractor acknowledges that it made visual examination of Site and made whatever tests Contractor deems appropriate to determine underground condition of soil.

11.2.2. Contractor agrees that no claim against District will be made by Contractor for damages and hereby waives any rights to damages if, during progress of Work, Contractor encounters subsurface or latent conditions at Site materially differing from those shown on Drawings or indicated in Specifications, or for unknown conditions of an unusual nature that differ materially from those ordinarily encountered in the work of the character provided for in Plans and Specifications, except as indicated in the provisions of these General Conditions regarding trenches, trenching, and/or existing utility lines.

11.3. Access to Work

District and its representatives shall at all times have access to Work wherever it is in preparation or progress, including storage and fabrication. Contractor shall provide safe and proper facilities for access so that District's representatives may perform their functions.

11.4. Layout and Field Engineering

11.4.1. All field engineering required for layout of this Work and establishing grades for earthwork operations shall be furnished by Contractor at its expense. This Work shall be done by a qualified, California-registered civil engineer approved in writing by District and Architect. Any required Record and/or As-Built Drawings of Site development shall be prepared by the approved civil engineer.

11.4.2. Contractor shall be responsible for having ascertained pertinent local conditions such as location, accessibility, and general character of the Site and for having satisfied itself as to the conditions under which the Work is to be performed. District shall not be liable for any claim for allowances because of Contractor's error or negligence in acquainting itself with the conditions at the Site.

11.4.3. Contractor shall protect and preserve established benchmarks and monuments and shall make no changes in locations without the prior written approval of District. Contractor shall replace any benchmarks or monuments that are lost or destroyed subsequent to proper notification of District and with District's approval.

11.5. Utilities for Construction

Utilities necessary to complete the Work and to completely perform all of the Contractors' obligations shall be obtained by the Contractor without adjustment of the Contract Price. The Contractor shall furnish and install necessary or appropriate temporary distributions of utilities, including utilities furnished by the District. Any such temporary distributions shall be removed by the Contractor upon completion of the Work. The costs of all such utility services, including the installation and removal of temporary distributions thereof, shall be borne by the Contractor and included in the Contract Price. Also refer to other utility requirements as indicated in the Specifications.

11.6. Sanitary Facilities

At all times during Work at the Site, the Contractor shall obtain and maintain temporary sanitary facilities in conformity with applicable law, rule or regulation. The Contractor shall maintain temporary sanitary facilities in a neat and clean manner with sufficient toilet room supplies. Personnel engaged in the Work are not permitted to use toilet facilities at the Site. Also refer to other Sanitary facility requirements as

indicated in the Specifications.

11.7. Surveys

Contractor shall provide surveys done by a California-licensed civil engineer surveyor to determine locations of construction, grading, and site work as required to perform the Work.

11.8. Regional Notification Center

Contractor, except in an emergency, shall contact the appropriate regional notification center at least two (2) days prior to commencing any excavation if the excavation will be conducted in an area or in a private easement that is known, or reasonably should be known, to contain subsurface installations other than the underground facilities owned or operated by the District, and obtain an inquiry identification number from that notification center. No excavation shall be commenced and/or carried out by the Contractor unless an inquiry identification number has been assigned to the Contractor or any Subcontractor and the Contractor has given the District the identification number. Any damages arising from Contractor's failure to make appropriate notification shall be at the sole risk and expense of the Contractor. Any delays caused by failure to make appropriate notification shall be at the sole risk of the Contractor and shall not be considered for an extension of the Contract time.

11.9. Existing Utility Lines

11.9.1. Pursuant to Government Code section 4215, District assumes the responsibility for removal, relocation, and protection of main or trunk utility lines and facilities located on the construction Site at the time of commencement of construction under the Contract with respect to any such utility facilities that are not identified in the Plans and Specifications. Contractor shall not be assessed for liquidated damages for delay in completion of the Project caused by failure of District or the owner of a utility to provide for removal or relocation of such utility facilities.

11.9.2. Locations of existing utilities provided by District shall not be considered exact, but approximate within reasonable margin and shall not relieve Contractor of responsibilities to exercise reasonable care nor costs of repair due to Contractor's failure to do so. District shall compensate Contractor for the costs of locating, repairing damage not due to the failure of Contractor to exercise reasonable care, and removing or relocating such utility facilities not indicated in the Plans and Specifications with reasonable accuracy, and for equipment necessarily idle during such work.

11.9.3. No provision herein shall be construed to preclude assessment against Contractor for any other delays in completion of the Work. Nothing in this Article shall be deemed to require District to indicate the presence of existing service laterals, appurtenances, or other utility lines, within the exception of main or trunk utility lines, whenever the presence of these utilities on the Site can be inferred from the presence of other visible facilities, such as buildings, meter junction boxes, on or adjacent to the Site.

11.9.4. If Contractor, while performing Work, discovers utility facilities not identified by District in Contract Plans and Specifications, Contractor shall immediately, but in no case longer than two (2) Business Days, notify the District and the utility in writing. The cost of repair for damage to above-mentioned visible facilities without prior written notification to the District shall be borne by the Contractor.

11.10. Notification

Contractor understands, acknowledges and agrees that the purpose for prompt notification to the District pursuant to these provisions is to allow the District to investigate the condition(s) so that the District shall have the opportunity to decide how the District desires to proceed as a result of the condition(s). Accordingly, failure of Contractor to promptly notify the District in writing, pursuant to the applicable

provisions of these General Conditions, shall constitute Contractor's waiver of any claim for damages or delay incurred as a result of the condition(s).

11.11. Hazardous Materials

Contractor shall comply with all provisions and requirements of the Contract Documents related to hazardous materials including, without limitation, certifications related to hazardous materials in the document entitled Certifications to be Completed by Contractor.

11.12. No Signs

Neither the Contractor nor any other person or entity shall display any signs not required by law or the Contract Documents at the Site, fences trailers, offices, or elsewhere on the Site without specific prior written approval of the District.

12. TRENCHES

12.1. Trenches Greater Than Five Feet

Pursuant to Labor Code section 6705, if the Contract Price exceeds \$25,000 and involves the excavation of any trench or trenches five (5) feet or more in depth, the Contractor shall, in advance of excavation, promptly submit to the District and/or a registered civil or structural engineer employed by the District or Architect, a detailed plan showing the design of shoring for protection from the hazard of caving ground during the excavation of such trench or trenches.

12.2. Excavation Safety

If such plan varies from the Shoring System Standards established by the Construction Safety Orders, the plan shall be prepared by a registered civil or structural engineer, but in no case shall such plan be less effective than that required by the Construction Safety Orders. No excavation of such trench or trenches shall be commenced until said plan has been accepted by the District or by the person to whom authority to accept has been delegated by the District.

12.3. No Tort Liability of District

Pursuant to Labor Code section 6705, nothing in this Article shall impose tort liability upon the District or any of its employees.

12.4. No Excavation without Permits

The Contractor shall not commence any excavation Work until it has secured all necessary permits including the required CAL OSHA excavation/shoring permit. Any permits shall be prominently displayed on the Site prior to the commencement of any excavation.

12.5. Discovery of Hazardous Waste, Unusual Conditions and/or Unforeseen Conditions

12.5.1. Pursuant to Public Contract Code section 7104, if the Work involves digging trenches or other excavations that extend deeper than four (4) feet below the surface, the Contractor shall immediately, but in no case longer than two (2) Business Days, and before the following conditions are disturbed, notify the District, in writing, of any:

12.5.1.1. Material that the Contractor believes may be material that is hazardous waste, as defined in section 25117 of the Health and Safety Code, and requires removal to a Class I, Class II, or Class III disposal site in accordance with provisions of existing law.

12.5.1.2. Subsurface or latent physical conditions at the Site differing from those indicated.

12.5.1.3. Unknown physical conditions at the Site of any unusual nature, different materially from those ordinarily encountered and generally recognized as inherent in work of the character provided for in the Contract.

12.5.2. The District shall promptly investigate the conditions, and if it finds that the conditions do materially so differ, or do involve hazardous waste, and cause a decrease or increase in the Contractor's cost of, or the time required for, performance of any part of the Work, shall issue a Change Order under the procedures described herein.

12.5.3. In the event that a dispute arises between District and the Contractor whether the conditions materially differ, or involve hazardous waste, or cause a decrease or increase in the Contractor's cost of, or time required for, performance of any part of the Work, the Contractor shall not be excused from any scheduled Completion date provided for by the Contract, but shall proceed with all work to be performed under the Contract. The Contractor shall retain any and all rights provided by the Contract or by law that pertain to the resolution of disputes and protests, which include the requirement that Contractor complies with the notice and PCO provisions of the Contract Documents. Contractor's failure to submit a proposed change order pursuant to the terms of the Contract Documents shall be deemed a waiver of Contractor's right to an adjustment of the Contract Price of Contract Time.

13. INSURANCE AND BONDS

13.1. Insurance

Unless different provisions and/or limits are indicated in the Special Conditions, all insurance required of Contractor and/or its Subcontractor(s) shall be in the amounts indicated herein and include the provisions set forth herein.

13.1.1. Commercial General Liability and Automobile Liability Insurance

13.1.1.1. Contractor shall procure and maintain, during the life of the Contract, Commercial General Liability Insurance and Automobile Liability Insurance that shall protect Contractor, District, State, Construction Manager(s), Project Inspector(s), and Architect(s) from all claims for bodily injury, property damage, personal injury, death, advertising injury, and medical payments arising from operations under the Contract. This coverage shall be provided in a form at least as broad as the Insurance Services Office (ISO) standard form. Contractor shall ensure that Products Liability and Completed Operations coverage, Fire Damage Liability, and any Auto including owned, non-owned, and hired, are included within the above policies and at the required limits, or Contractor shall procure and maintain these coverages separately.

13.1.1.2. Contractor's deductible or self-insured retention for its Commercial General Liability Insurance policy shall not exceed \$25,000 unless approved in writing by District.

13.1.2. Umbrella Liability Insurance

13.1.2.1. Contractor shall procure and maintain, during the life of the Contract, an Excess Liability and/or Umbrella Liability Insurance Policy. Any Umbrella Liability Insurance Policy shall protect Contractor, District, State, Construction Manager(s), Project Manager(s), and Architect(s) in the amounts indicated herein, and shall comply with all requirements for Commercial General Liability and Automobile Liability and Employers' Liability Insurance. This coverage shall be provided in a form at least as broad as the Insurance Services Office (ISO) standard form.

13.1.2.2. There shall be no gap between the per occurrence amount of any underlying policy and

the start of the coverage under the Umbrella Liability Insurance Policy.

13.1.2.3. Whether this Excess Liability and/or Umbrella Liability Insurance Policy is written on a “follow form” or “stand alone” form, the coverages shall equal or greater than the Contractor’s Commercial General Liability and Automobile Liability and Employers’ Liability Insurance with no exclusions that reduce or eliminate coverage items.

13.1.3. Subcontractor(s): Contractor shall require its Subcontractor(s), if any, to procure and maintain Commercial General Liability Insurance, Automobile Liability Insurance, and Umbrella Liability Insurance with minimum limits equal to at least fifty percent (50%) of the amounts required of the Contractor.

13.1.4. Workers’ Compensation and Employers’ Liability Insurance

13.1.4.1. In accordance with provisions of section 3700 of the California Labor Code, the Contractor and every Subcontractor shall be required to secure the payment of compensation to its employees.

13.1.4.2. Contractor shall procure and maintain, during the life of this Contract, Workers’ Compensation Insurance and Employers’ Liability Insurance for all of its employees engaged in Work under the Contract, on/or at the Site of the Project. This coverage shall cover, at a minimum, medical and surgical treatment, disability benefits, rehabilitation therapy, and survivors’ death benefits. Contractor shall require its Subcontractor(s), if any, to procure and maintain Workers’ Compensation Insurance and Employers’ Liability Insurance for all employees of Subcontractor(s). Any class of employee or employees not covered by a Subcontractor’s insurance shall be covered by Contractor’s insurance. If any class of employee or employees engaged in Work under the Contract, on or at the Site of the Project, are not protected under the Workers’ Compensation Insurance, Contractor shall provide, or shall cause a Subcontractor to provide, adequate insurance coverage for the protection of any employee(s) not otherwise protected before any of those employee(s) commence work.

13.1.5. Builder's Risk Insurance: Builder's Risk “All Risk” Insurance.

Contractor shall procure and maintain, during the life of this Contract, Builder’s Risk (Course of Construction), or similar first party property coverage acceptable to the District, issued on a replacement cost value basis. The cost shall be consistent with the total replacement cost of all insurable Work included within the Contract Documents. Coverage is to insure against all risks of accidental physical loss and shall include without limitation the perils of vandalism and/or malicious mischief (both without any limitation regarding vacancy or occupancy), sprinkler leakage, water damage, mold, civil authority, theft, sonic disturbance, earthquake, flood, collapse, wind, fire, war, terrorism, lightning, smoke, and rioting. Coverage shall include debris removal, demolition, increased costs due to enforcement of all applicable ordinances and/or laws in the repair and replacement of damaged and undamaged portions of the property, and reasonable costs for the Architect’s and engineering services and expenses required as a result of any insured loss upon the Work and Project, including completed Work and Work in progress, to the full insurable value thereof. Contractor must review the **Special Conditions** to confirm the scope of this requirement and if the District has modified this provision.

13.1.6. Proof of Carriage of Insurance and Other Requirements: Endorsements and Certificates

13.1.6.1. Contractor shall not commence Work nor shall it allow any Subcontractor to commence Work under the Contract, until Contractor and its Subcontractor(s) have procured all required insurance and Contractor has delivered in duplicate to the District complete endorsements (or entire insurance policies) and certificates indicating the required coverages have been obtained, and the District has approved these documents.

13.1.6.2. Endorsements, certificates, and insurance policies shall include the following:

13.1.6.2.1. A clause stating:

13.1.6.2.1.1. “This policy shall not be amended, canceled or modified and the coverage amounts shall not be reduced until notice has been mailed to District, Architect, and Construction Manager stating date of amendment, modification, cancellation or reduction. Date of amendment, modification, cancellation or reduction may not be less than thirty (30) days after date of mailing notice.”

13.1.6.2.1.2. In lieu of receiving an endorsement with this clause, the District may, at its sole discretion, accept written notification from Contractor and its insurer to the District of any amendments, modifications, cancellations or reduction in coverage, not less than thirty (30) days prior to such coverage changes occur.

13.1.6.2.2. Language stating in particular those insured, extent of insurance, location and operation to which insurance applies, expiration date, to whom cancellation and reduction notice will be sent, and length of notice period.

13.1.6.3. All endorsements, certificates and insurance policies shall state that District, its trustees, employees and agents, the State of California, Construction Manager(s), Project Manager(s), Inspector(s) and Architect(s) are named additional insureds under all policies except Workers’ Compensation Insurance and Employers’ Liability Insurance.

13.1.6.4. Contractor’s and Subcontractors’ insurance policy(s) shall be primary and non-contributory to any insurance or self-insurance maintained by District, its trustees, employees and/or agents, the State of California, Construction Manager(s), Project Manager(s), Inspector(s), and/or Architect(s).

13.1.6.5. All endorsements shall waive any right to subrogation against any of the named additional insureds.

13.1.6.6. All policies shall be written on an occurrence form.

13.1.6.7. Unless otherwise stated in the Special Conditions, all of Contractor’s insurance shall be placed with insurers **ADMITTED** in California with a current A.M. Best’s rating of no less than **A-** or **A:VII**.

13.1.6.8. The insurance requirements set forth herein shall in no way limit the Contractor’s liability arising out or relating to the performance of the Work or related activities.

13.1.6.9. Failure of Contractor and/or its Subcontractor(s) to comply with the insurance requirements herein shall be deemed a material breach of the Agreement.

13.1.7. Insurance Policy Limits

Unless different limits are indicated in the **Special Conditions**, the limits of insurance shall not be less than the following amounts:

Commercial General Liability	Includes: Personal & Advertising Injury, Product Liability and Completed Operations	\$2,000,000 each occurrence; \$4,000,000 general aggregate
Automobile Liability – <u>Any Auto</u>	Combined Single Limit	\$2,000,000 per occurrence
Excess Liability (Umbrella)		\$6,000,000 per occurrence;

		\$6,000,000 aggregate
Workers Compensation		Statutory limits pursuant to State law
Employers' Liability		\$2,000,000 each accident, each disease; \$2,000,000 policy limit
Builder's Risk (Course of Construction)		Issued for the value and scope of Work indicated herein.
Property of Others	Combined Single Limit General Aggregate	Issued for the value and scope of Work stored off-site.

13.2. Contract Security – Bonds

13.2.1. Contractor shall furnish two surety bonds issued by a California admitted surety insurer as follows:

13.2.1.1. Performance Bond: A bond in an amount at least equal to one hundred percent (100%) of Contract Price as security for faithful performance of this Contract.

13.2.1.2. Payment Bond: A bond in an amount at least equal to one hundred percent (100%) of the Contract Price as security for payment of persons performing labor and/or furnishing materials in connection with the Contract.

13.2.2. Cost of bonds shall be included in the Bid and Contract Price.

13.2.3. All bonds related to the Project shall be in the forms set forth in the Contract Documents and shall comply with all requirements of the Contract Documents, including, without limitation, the bond forms.

14. WARRANTY/GUARANTEE/INDEMNITY

14.1. Warranty/Guarantee

14.1.1. Contractor shall obtain and preserve for the benefit of the District, manufacturer's warranties on materials, fixtures, and equipment incorporated into the Work.

14.1.2. In addition to guarantees required elsewhere, Contractor shall, and hereby does guarantee and warrant all Work against all defects for a period of **ONE (1)** year after the later of the following dates:

14.1.2.1. The date of completion as defined in Public Contract Code section 7107, subdivision (c),

14.1.2.2. The commissioning date for the Project, if any.

14.1.3. At the District's sole option, Contractor shall repair or replace any and all of that Work, together with any other Work that may be displaced in so doing, that may prove defective in workmanship and/or materials within a **ONE (1)** year period from date of Completion as defined above without expense whatsoever to District. In the event of failure of Contractor and/or Surety to commence and pursue with diligence said replacements or repairs within **TEN (10)** days after being notified in writing, Contractor and Surety hereby acknowledge and agree that District is authorized to proceed to have defects repaired and made good at expense of Contractor and/or Surety who hereby agree to pay costs and charges therefore immediately on demand.

14.1.4. If, in the opinion of District, defective work creates a dangerous condition or requires immediate

correction or attention to prevent further loss to District or to prevent interruption of operations of District, District will attempt to give the notice required above. If Contractor or Surety cannot be contacted or neither complies with District's request for correction within a reasonable time as determined by District, District may, notwithstanding the above provision, proceed to make all corrections and/or provide attentions the District believes are necessary. The costs of correction or attention shall be charged against Contractor and Surety of the guarantees provided in this Article or elsewhere in the Contract Documents.

14.1.5. The above provisions do not in any way limit the guarantees on any items for which a longer guarantee is specified or on any items for which a manufacturer gives a guarantee for a longer period. Contractor shall furnish to District all appropriate guarantee or warranty certificates as indicated in the Specifications or upon request by District.

14.1.6. Nothing herein shall limit any other rights or remedies available to District.

14.2. Indemnity

14.2.1. To the furthest extent permitted by California law, Contractor shall indemnify, defend with legal counsel reasonably acceptable to the District, keep and hold harmless the District and its consultants, the Architect and its consultants, the Construction Manager and its consultants, separate contractors, and their respective board members, officers, representatives, contractors, agents, and employees, in both individual and official capacities ("Indemnitees"), against all suits, claims, damages, losses, and expenses, including but not limited to attorney's fees, caused by, arising out of, resulting from, or incidental to, the performance of the Work by Contractor, its Subcontractors, vendors, or suppliers, including, without limitation, any such suit, claim, damage, loss, or expense attributable to, without limitation, bodily injury, sickness, disease, death, alleged patent violation or copyright infringement, or to injury to or destruction of tangible property (including damage to the Work itself) including the loss of use resulting therefrom, except to the extent caused by the sole negligence, active negligence, or willful misconduct of the Indemnitees, and/or to any extent that would render these provisions void or unenforceable. This agreement and obligation of Contractor shall not be construed to negate, abridge, or otherwise reduce any right or obligation of indemnity that would otherwise exist as to any party or person described herein. This indemnification, defense, and hold harmless obligation includes any failure or alleged failure by Contractor to comply with any provision of law, any failure or alleged failure to timely and properly fulfill all of its obligations under the Contract Documents in strict accordance with their terms, and without limitation, any stop payment notice actions or liens, including liens by the California Department of Labor Standards Enforcement.

14.2.2. Contractor shall give prompt notice to the District in the event of any injury (including death), loss, or damage included herein. Without limitation of the provisions herein, if Contractor's agreement to indemnify, defend, and hold harmless the Indemnitees as provided herein against liability for damage arising out of bodily injury to persons or damage to property caused by or resulting from the negligence of any of the Indemnitees shall to any extent be or be determined to be void or unenforceable, it is the intention of the parties that these circumstances shall not otherwise affect the validity or enforceability of Contractor's agreement to indemnify, defend, and hold harmless the rest of the Indemnitees, as provided herein, and in the case of any such suits, claims, damages, losses, or expenses caused in part by the default, negligence, or act or omission of Contractor, any Subcontractor, anyone directly or indirectly employed by any of them or anyone for whose acts any of them may be liable, and in part by any of the Indemnitees, Contractor shall be and remain fully liable on its agreements and obligations herein to the full extent permitted by law.

14.2.3. In any and all claims against any of the Indemnitees by any employee of Contractor, any Subcontractor, anyone directly or indirectly employed by any of them or anyone for whose acts any of them may be liable, Contractor's indemnification obligation herein shall not be limited in any way by any limitation on the amount or type of damages, compensation, or benefits payable by or for Contractor or

any Subcontractor under workers' compensation acts, disability benefit acts, or other employee benefit acts.

14.2.4. The defense and indemnification obligations hereunder shall survive the Completion of Work, including the warranty/guarantee period, and/or the termination of the Agreement.

15. TIME

15.1. Notice to Proceed

District may issue a Notice to Proceed as indicated in the Instructions to Bidders.

15.2. Hours of Work

Work shall be performed during regular working hours as permitted by the appropriate governmental agency except that in the event of an emergency, or when required to complete the Work in accordance with job progress, Work may be performed outside of regular working hours with the advance written consent of the District and approval of any required governmental agencies. Contractor and Subcontractors shall continuously furnish sufficient forces to ensure the performance of the Work in accordance with the Construction Schedule.

15.3. Progress and Completion

15.3.1. Time of the Essence

Time limits stated in the Contract Documents are of the essence to the Contract. By executing the Agreement, Contractor confirms that the Contract Time is a reasonable period for performing the Work.

15.3.2. No Commencement Without Insurance

15.3.2.1. Contractor shall not commence operations on the Project or elsewhere prior to the effective date of insurance and bonds. The date of commencement of the Work shall not be changed by the effective date of such insurance. If Contractor commences Work without insurance and bonds, all Work is performed at Contractor's peril and shall not be compensable until and unless Contractor secures bonds and insurance pursuant to the terms of the Contract Documents and subject to District's claim for damages.

15.4. Schedule

Contractor shall provide to District, Construction Manager, and Architect a schedule in conformance with the Contract Documents and as required in the Notice to Proceed and the Contractor's Submittals and Schedules section of these General Conditions.

15.5. Expeditious Completion

The Contractor shall proceed expeditiously with adequate forces and shall achieve Completion within the Contract Time.

16. EXTENSIONS OF TIME –

16.1. Contractor's Notice of Delay

16.1.1. In addition to the requirements indicated in this subsection, Contractor shall submit any request for an adjustment of the Contract Price or the Contract Time through the Change Order provisions in

these General Conditions.

16.1.2. Contractor shall, within **FIVE (5)** calendar days of any delay impacting the critical path in completing the Work, notify District in writing of the causes of the delay including documentation and facts explaining the delay.

16.1.3. Any request by Contractor for an adjustment of the Contract Price or the Contract Time for a delay shall be submitted in accordance with the provisions in the Contract Documents governing changes in Work. When requesting time, requests must be submitted with full justification and documentation. Such justification must be based on the official Construction Schedule as updated at the time of occurrence of the delay or execution of Work related to any changes to the Scope of Work.

16.1.4. Any claim for delay must include the following information as support, without limitation:

16.1.4.1. Duration. The duration of the activity relating to the changes in the Work and the resources (manpower, equipment, material, etc.) required to perform the activities within the stated duration.

16.1.4.2. Logical Ties / Fragnets. Specific logical ties to the Contract Schedule for the proposed changes and/or delay showing the activity/activities in the Construction Schedule that are affected by the change and/or delay. (A portion of any delay of seven (7) days or more must be provided.) Include a "fragnet" analysis for the portion of the schedule and the activities the Contractor contends are impacted by the delay.

16.1.4.3. Updated Construction Schedule. A recovery or updated Construction Schedule must be submitted.

16.1.5. District shall review the facts and extent of any noticed delay and may grant Contract Time extension(s) of time for completing Work when, in the District's judgment, the findings of fact justify an extension.

16.1.6. Extension(s) of time shall apply only to that portion of Work affected by delay, and shall not apply to other portions of Work not so affected.

16.1.7. An extension of time may only be granted if Contractor has timely submitted the updated Construction Schedule as required herein.

16.1.8. Following submission of a notice of delay, the District may determine whether the delay is to be considered:

16.1.8.1. Excusable and Compensable, Excusable and Non-Compensable, or Unexcused;

16.1.8.2. How long the delay continues; and

16.1.8.3. To what extent the prosecution and Completion of the Work might be delayed thereby.

16.1.9. Contractor's failure to request adjustment(s) of the Contract Time in strict conformity with applicable provisions of the Contract Documents shall be deemed Contractor's waiver of its right to assert a claim for a delay.

16.1.10. Limitations Upon Adjustment of Contract Time on Account of Delays. Any adjustment of the Contract Time on account of an Excusable Delay or a Compensable Delay shall be limited as set forth herein. No adjustment of the Contract Time shall be made on account of any Excusable Delays or Compensable Delays unless those delay(s) actually and directly impact Work or Work activities on the

critical path of the then current and updated approved Construction Schedule as of the date on which a delay first occurs. The District shall not be deemed in breach of, or otherwise in default of any obligation hereunder, if the District shall deny a request by the Contractor for an adjustment of the Contract Time for any delay that does not actually and directly impact Work on the then current and updated approved Construction Schedule. In submitting a request for an adjustment of Contract Time, and as a condition precedent to the District's review of that request, Contractor shall insert into the then current and updated approved Construction Schedule a "fragnet" analysis representing the event that Contractor claims to result in delay to the critical path as depicted in the updated approved Construction Schedule. If an Excusable Delay and a Compensable Delay occur concurrently, the maximum extension of the Contract Time shall be the number of days from the commencement of the first delay to the cessation of the delay that ends last. If an Unexcused Delay occurs concurrently with either an Excusable Delay or a Compensable Delay, the maximum extension of the Contract Time shall be the number of days, if any, which the Excusable Delay or the Compensable Delay exceeds the period of time of the Unexcused Delay.

16.2. Excusable and Compensable Delay(s)

16.2.1. Contractor is **not** entitled to additional compensation for any delay, even a delay caused by Adverse Weather or an Excusable Delay, unless **all** of the following conditions are met:

16.2.1.1. The District is responsible for the delay;

16.2.1.2. The delay is unreasonable under the circumstances involved and impacts the critical path of the Work and extends the most current Contract Completion date;

16.2.1.3. The delay was not within the contemplation of District and Contractor;

16.2.1.4. Contractor complies with the Change Order procedures, and if necessary, the Claims procedures of the Contract Documents;

16.2.1.5. The delay could not have been avoided or mitigated by the Contractor's care, prudence, foresight, and diligence;

16.2.1.6. The delay extends the most current Contract Completion date; and

16.2.1.7. The delay is not concurrent with a Contractor-caused delay or other type of Excusable Delay.

16.2.2. In accordance with California Public Contract Code section 7102, if the Contractor's progress is delayed by the events described in the preceding subsection, Contractor shall not be precluded from the recovery of damages directly and proximately resulting therefrom. In that event, Contractor's damages, if any, shall be limited to direct, actual and unavoidable additional costs of labor, materials or construction equipment directly resulting from that delay, and shall exclude special, indirect or consequential damages. In no event shall Contractor seek costs or damages for delays, interruptions, hindrances or disruptions to the Work for on-Site or off-Site costs or damages based upon formulas, e.g. Eichleay or other formula. Except as expressly provided for herein, Contractor shall not have any other claim, demand or right to adjustment of the Contract Price arising out of delay, interruption, hindrance or disruption to the progress of the Work. Adjustments to the Contract Price and the Contract Time, if any, on account of Changes to the Work or Suspension of the Work shall be governed by the applicable provisions of the Contract Documents, including without limitation, the "Changes in the Work" section and the percentages in the "Format for Proposed Change" section of these General Conditions.

16.3. Excusable and Non-Compensable Delay(s)

16.3.1. An "Excusable Delay" shall mean an interruption of the Work beyond the reasonable control of

the Contractor and that:

16.3.1.1. Could have not been avoided by the Contractor exercising care, prudence, foresight, and diligence, and

16.3.1.2. Actually extended the most current Project Completion date.

16.3.2. The Contractor may be entitled to an extension of the Project Completion date if there is an Excusable Delay, but the Contractor shall not be entitled to additional compensation for an Excusable Delay.

16.3.3. Excusable Delays are limited to interruptions that satisfy the above requirements and that are acts of God; acts of a public enemy; fires; floods; windstorms; tornadoes; earthquakes; wars; riots; insurrections; epidemics; quarantine restrictions; strikes; lockouts; fuel shortages; freight embargoes; and Adverse Weather that satisfies the requirements herein.

16.3.4. Contractor is aware that governmental agencies and utilities, including, without limitation, the Division of the State Architect, the Department of General Services, gas companies, electrical utility companies, water districts, and other agencies may have to approve Contractor-prepared drawings or approve a proposed installation. Contractor shall include in its bid, time for possible review of its drawings and for reasonable delays and damages that may be caused by such agencies. Contractor is not entitled to make a claim for damages or delays or an Excusable Delay arising from the review of Contractor's drawings or other approvals from the Division of the State Architect, the Department of General Services, gas companies, electrical utility companies, water districts, and other agencies.

16.3.5. Neither the financial resources of the Contractor or any person or entity directly or indirectly engaged by the Contractor in performance of any portion of the Work shall be deemed conditions beyond the control of the Contractor. If an event of Excusable Delay occurs, the Contract Time shall be subject to adjustment hereunder only if the Contractor establishes: (i) full compliance with all applicable provisions of the Contract Documents relative to the method, manner and time for Contractor's notice and request for adjustment of the Contract Time; (ii) that the event(s) forming the basis for Contractor's request to adjust the Contract Time are outside the reasonable control and without any fault or neglect of the Contractor or any person or entity directly or indirectly engaged by Contractor in performance of any portion of the Work; and (iii) that the event(s) forming the basis for Contractor's request to adjust the Contract Time directly and adversely impacted the critical path of the Work as indicated in the approved Construction Schedule or the most recent updated approved Construction Schedule relative to the date(s) of the claimed event(s) of Excusable Delay.

16.3.6. Computation of Time / Adverse Weather

16.3.6.1. The Contractor will only be allowed a time extension for Adverse Weather conditions if requested by Contractor within five (5) calendar days of the Adverse Weather event, and only if all of the following conditions are met – thereby making the resulting delay an Excusable Delay.

16.3.6.1.1. The weather conditions constitute Adverse Weather, as defined herein and further specified in the Special Conditions;

16.3.6.1.2. Contractor can verify that the Adverse Weather caused delays in excess of five (5) hours of the indicated labor required to complete the scheduled tasks of Work on the day affected by the Adverse Weather;

16.3.6.1.3. The Contractor's crew is dismissed as a result of the Adverse Weather; and

16.3.6.1.4. The number of days of delay for the month exceed those indicated in the

Special Conditions.

16.3.6.2. A day-for-day extension will only be allowed for those days in excess of those indicated in the Special Conditions.

16.3.6.3. The Contractor shall work seven (7) days per week, if necessary, irrespective of inclement weather, to maintain access and the Construction Schedule, and to protect the Work under construction from the effects of Adverse Weather, all at no further cost to the District.

16.3.6.4. The Contract Time has been determined with consideration given to the average climate weather conditions prevailing in the County in which the Project is located.

16.4. Unexcused Delay(s) – Liquidated Damages

16.4.1. Unexcused Delays refer to any delay to the progress of the Work caused by events or factors other than those specifically identified in the “Excusable and Compensable Delay(s)” or the “Excusable and Non-Compensable Delay(s)” sections above. Neither the Contract Price nor the Contract Time shall be adjusted on account of Unexcused Delays.

16.4.2. Contractor and District hereby agree that the exact amount of damages for failure to complete the Work within the time specified is extremely difficult or impossible to determine. If the Work is not completed within the time specified in the Contract Documents, it is understood that the District will suffer damage. It being impractical and unfeasible to determine the amount of actual damage, it is agreed the Contractor shall forfeit and pay to District as fixed and liquidated damages, and not as a penalty, the amount set forth in the Agreement for each calendar day of delay in Completion. Contractor and its Surety shall be liable for the amount thereof pursuant to Government Code section 53069.85.

16.4.3. Contractor shall not forfeit or pay liquidated damages for an Excusable Delay or an Excusable and Compensable Delay.

17. CHANGES IN THE WORK

17.1. No Changes Without Authorization

17.1.1. There shall be no change whatsoever in the Drawings, Specifications, or in the Work without an executed Change Order, a written Unilateral Change Order, or a written Force Account Directive authorized by the District as herein provided. District shall not be liable for the cost of any extra work, any changes to the Contract Time, or any substitutions, changes, additions, omissions, or deviations from the Drawings and Specifications unless the District's governing board has authorized the same and the cost thereof has been approved in writing by an executed Change Order, a written Unilateral Change Order, or a written Force Account Directive.

17.1.2. Verbal Order of Change in the Work. Any verbal order, direction, instruction, interpretation, or determination from the District, the Project Inspector or the Architect which in the opinion of the Contractor causes any change to the scope of the Work, or otherwise requires an adjustment to the Contract Price or the Contract Time, shall be treated as a Change only if the Contractor gives the Architect written notice within three (3) Business Days of the order, directions, instructions, interpretation or determination and prior to acting in accordance therewith. Time is of the essence in Contractor's written notice pursuant to the preceding sentence so that the District can promptly investigate and consider alternative measures to address the order, direction, instruction, interpretation or determination giving rise to Contractor's notice. Accordingly, Contractor acknowledges that its failure, for any reason, to give written notice within three (3) Business Days of any verbal order, direction, instruction, interpretation or determination shall be deemed Contractor's waiver of any right to assert or claim any entitlement to an adjustment of the Contract Time or the Contract Price on account of that verbal order, direction,

instruction, interpretation or determination. The written notice shall state the date, circumstances, extent of adjustment to the Contract Price or the Contract Time, if any, requested, and the source of the verbal order, directions, instructions, interpretation or determination that the Contractor regards as a Change. Unless the Contractor acts in strict accordance with this procedure, any verbal order, direction, instruction, interpretation or determination shall not be treated as a Change and the Contractor hereby waives any claim for any adjustment to the Contract Price or the Contract Time on account thereof.

17.1.3. The Surety, in executing and providing the Performance Bond and the Payment Bond, shall be deemed to have expressly agreed to any change to the Contract and to any extension of time made by reason thereof.

17.1.4. No extension of time for performance of the Work shall be allowed hereunder unless claim for such extension is made at the time changes in the Work are ordered, and such time duly adjusted in writing in the Change Order, Unilateral Change Order, or Force Account Directive. The provisions of the Contract Documents shall apply to all such changes, additions, and omissions with the same effect as if originally embodied in the Drawings and Specifications.

17.1.5. Contractor shall perform immediately all work that has been authorized by a fully executed Change Order, Unilateral Change Order, or Force Account Directive. Contractor shall be fully responsible for any and all delays and/or expenses caused by Contractor's failure to expeditiously perform this Work and Contractor's failure or refusal to so proceed with that Work may be deemed to be Contractor's default of a material obligation of the Contractor under the Contract Documents.

17.1.6. Should any Change Order result in an increase in the Contract Price, the cost of that Change Order shall be agreed to, in writing, in advance by Contractor and District and be subject to the monetary limitations set forth in Public Contract Code section 20118.4. In the event that Contractor proceeds with any change in Work without a Change Order executed by the District, Unilateral Change Order, or Force Account Directive, Contractor waives any claim of additional compensation or time for that additional work.

17.1.7. Contractor understands, acknowledges, and agrees that the reason for District authorization is so that District may have an opportunity to analyze the Work and decide whether the District shall proceed with the Change Order or alter the Project so that a change in Work becomes unnecessary.

17.1.8. In an emergency affecting safety of life or of work or of adjoining property, Contractor, without special instruction or authorization, shall act, at its discretion, to prevent all threatened loss or injury. Any compensation or time claimed by Contractor on account of emergency work shall be determined as indicated herein as a PCO.

17.1.9. No payments will be made, nor will District accept proposed change orders until the Contractor has complied with all the requirements of the Escrow of Bid Documentation document (if applicable).

17.2. Architect Authority

The Architect will have authority to order minor changes in the Work not involving any adjustment in the Contract Price, or an extension of the Contract Time, or a change that is inconsistent with the intent of the Contract Documents. These changes shall be effected by written Change Order, Unilateral Change Order, or by Architect's response(s) to RFI(s).

17.3. Change Orders

17.3.1. A Change Order is a written instrument prepared and issued by the District and/or the Architect and signed by the District (as authorized by the District's governing board), the Contractor, the Architect, and approved by the Project Inspector (if necessary) and DSA (if necessary), stating their agreement

regarding all of the following:

- 17.3.1.1. A description of a change in the Work;
- 17.3.1.2. The amount of the adjustment in the Contract Price, if any; and
- 17.3.1.3. The extent of the adjustment in the Contract Time, if any.

17.3.2. If a Change Order is required to be approved by DSA, the District may call it a Construction Change Document.

17.3.3. If the District approves of a Change, the District or the Architect shall provide a written Change Order to the Contractor describing the Change and setting forth the adjustment to the Contract Time and the Contract Price, if any, on account of that Change. All Change Orders shall be full payment and final settlement of all rights for direct, indirect and consequential costs, including without limitation, costs of delays or impacts related to, or arising out of, items covered and affected by the Change Order, as well as any adjustments to the Contract Time. Any demand or request for an adjustment to the Contract Time or the Contract Price relating to any Change incorporated into a Change Order not presented by the Contractor for inclusion in the Change Order shall be deemed waived. The Contractor shall execute the Change Order prepared pursuant to the foregoing. After the Change Order has been prepared and forwarded to the Contractor for execution, the Contractor shall not modify or amend the form or content of such Change Order, or any portion thereof.

17.4. Unilateral Change Orders

17.4.1. A Unilateral Change Order is a written order prepared and issued by the District, the Construction Manager, and/or the Architect and signed by the District and the Architect, directing a change in the Work. The District may as provided by law, by Unilateral Change Order and without invalidating the Contract, order changes in the Work consisting of additions, deletions, or other revisions. Any dispute as to the sum of the Unilateral Change Order or timing of payment shall be resolved pursuant to the Payment provisions and the Claims and Disputes provisions herein. **A Unilateral Change Order is NOT a Construction Change Document (which is defined above as a Change Order that DSA must approve).**

17.4.2. The District may issue a Unilateral Change Order in the absence of agreement on the terms of a Change Order.

17.5. Force Account Directives

17.5.1. When work, for which a definite price has not been agreed upon in advance, is to be paid for on a force account basis, all direct costs necessarily incurred and paid by the Contractor for labor, material, and equipment used in the performance of that Work, shall be subject to the approval of the District and compensation will be determined as set forth herein.

17.5.2. District will issue a Force Account Directive to proceed with the Work on a force account basis, and a not-to-exceed budget will be established by District.

17.5.3. All requirements regarding direct cost for labor, labor burden, material, equipment, and markups on direct costs for overhead and profit described in this section shall apply to Force Account Directives. However, District will only pay for actual costs verified in the field by the District or its authorized representative(s) on a daily basis.

17.5.4. Contractor shall be responsible for all cost related to the administration of Force Account Directive. The markup for overhead and profit for Contractor modifications shall be full compensation to

the Contractor to administer Force Account Directive.

17.5.5. Contractor shall notify District or its authorized representative(s) at least twenty-four (24) hours prior to proceeding with any of the force account work. Furthermore, the Contractor shall notify the District when it has consumed eighty percent (80%) of the budget, and shall not exceed the budget unless specifically authorized in writing by the District. Contractor will not be compensated for force account work in the event that Contractor fails to timely notify the District regarding the commencement of force account work, or exceeding the force account budget.

17.5.6. Contractor shall diligently proceed with the work, and on a daily basis, submit a daily force account report on a form supplied by the District no later than 5:00 p.m. each day. The report shall contain a detailed itemization of the daily labor, material, and equipment used on the force account work only. The names of the individuals performing the force account work shall be included on the daily force account reports. The type and model of equipment shall be identified and listed. District will review the information contained in the reports, and sign the reports no later than the next work day, and return a copy of the report to Contractor for its records. District will not sign, nor will Contractor receive compensation for work District cannot verify. Contractor will provide a weekly force account summary indicating the status of each Force Account Directive in terms of percent complete of the not-to-exceed budget and the estimated percent complete of the work.

17.5.7. In the event Contractor and District reach a written agreement on a set cost for the work while the work is proceeding based on a Force Account Directive, the Contractor's signed daily force account reports shall be discontinued and all previously signed reports shall be invalid.

17.6. Price Request

17.6.1. Definition of Price Request. A Price Request ("PR") is a written request prepared by the Architect requesting the Contractor to submit to the District and the Architect an estimate of the effect of a proposed change in the Work on the Contract Price and the Contract Time.

17.6.2. Scope of Price Request. A Price Request shall contain adequate information, including any necessary Drawings and Specifications, to enable Contractor to provide the cost breakdowns required herein. Contractor shall not be entitled to any additional compensation for preparing a response to a Price Request, whether ultimately accepted or not.

17.6.3. Contractor shall not consider Price Requests to be instructions either to stop work in progress or to execute the proposed change.

17.6.4. Within the time specified in Price Request after receipt of Price Request, Contractor shall submit a quotation estimating cost adjustments to the Contract Price and the Contract Time necessary to execute the change, with the following documentation and information:

17.6.4.1. Include a list of quantities of products required or eliminated and unit costs, with total amount of purchases and credits to be made. If requested, furnish survey data to substantiate quantities.

17.6.4.2. Indicate applicable taxes, delivery charges, equipment rental, and amounts of trade discounts.

17.6.4.3. Include costs of labor and supervision directly attributable to the change.

17.6.4.4. Include an updated Contractor's Construction Schedule that indicates the effect of the change, including, but not limited to, changes in activity duration, start and finish times, and activity relationship. Use available total float before requesting an extension of the Contract Time.

17.7. Proposed Change Order

17.7.1. Proposed Change Order. The Contractor may issue a Proposed Change Order (“PCO”), only as a written request prepared by it to the District and the Architect, requesting that the District issue a Change Order based upon a proposed change to the Work.

17.7.2. Changes in Contract Price. A PCO shall include breakdowns pursuant to the provisions herein to validate any change in Contract Price and include all reasonable documentation as required herein.

17.7.3. Changes in Time. A PCO shall also include any changes in time required to complete the Project. Include an updated Contractor's Construction Schedule that indicates the effect of the change, including, but not limited to, changes in activity duration, start and finish times, and activity relationships. Use available total float before requesting an extension of the Contract Time. Any additional time requested shall not be the number of days to make the proposed change, but must be based upon the impact to the Construction Schedule as defined in the Contract Documents. If Contractor fails to request a time extension in a PCO, then the Contractor is thereafter precluded from requesting time and/or claiming a delay. If the Contractor is requesting additional time and believes that time is both Excusable and Compensable, then the Contractor must provide detailed documentation that supports its position and that addresses all the components of the “Excusable and Compensable Delay(s)” section above.

17.7.4. Unknown and/or Unforeseen Conditions. If Contractor submits a PCO requesting an increase in Contract Price and/or Contract Time that is based at least partially on Contractor's assertion that Contractor has encountered unknown and/or unforeseen condition(s) on the Project, then Contractor shall base the PCO on provable information that, beyond a reasonable doubt and to the District's satisfaction, demonstrates that the unknown and/or unforeseen condition(s) were actually unknown and/or unforeseen and that the condition(s) were reasonably unknown and/or unforeseen. If not, the District shall deny the PCO and the Contractor shall complete the Project without any increase in Contract Price and/or Contract Time based on that PCO.

17.7.5. Time to Submit PCO. Contractor shall submit its PCO within five (5) days of the date Contractor discovers, or reasonably should discover, the circumstances giving rise to the proposed change order, unless additional time to submit a proposed change order is granted in writing by the District. Time is of the essence in Contractor's written notice pursuant to the preceding sentence so that the District can promptly investigate and consider alternative measures to address the basis for the PCO. Accordingly, Contractor acknowledges that its failure, for any reason, to give written notice (with Supporting Documentation to permit the District's review and evaluation) within this time frame shall be deemed Contractor's waiver, release, discharge and relinquishment of any right to assert or claim any entitlement to an adjustment of the Contract Time or the Contract Price on account of the circumstances giving rise to the PCO.

17.8. Format for Proposed Change Order

17.8.1. The following “Format For Proposed Change For Subcontractor Performed Work” and “Format For Proposed Change For Contractor Performed Work” shall be used as applicable by the District and the Contractor (e.g. Change Orders, PCO's) to communicate proposed additions and deductions to the Contract, supported by attached documentation.

FORMAT FOR PROPOSED CHANGE FOR SUBCONTRACTOR PERFORMED WORK

	<u>SUBCONTRACTOR PERFORMED WORK</u>	<u>ADD</u>	<u>DEDUCT</u>
(A)	<u>Labor Charge</u> 1. Hours. Attach total itemized hours. 2. Rate. This shall be no more than the Straight-Time Total Hourly Rate as determined by the Department of Industrial Relations ("DIR") for the applicable labor category.		
(B)	<u>Labor Burden & Worker's Compensation Charge</u> 1. This shall be no more than twenty percent (20%) of item (A) , the Labor Charge. 2. This shall be the total cumulative charge permitted for all Subcontractors or all labor performed by the Subcontractor or Subcontractor's Subcontractor(s) (i.e., all "lower-tier" Subcontractor(s)).		
(C)	<u>Subtotal (A+B)</u>		
(D)	<u>Material Charge</u> Attach itemized quantity and unit cost plus sales tax and invoice(s) from vendor(s).		
(E)	<u>Equipment Charge</u> Attach invoice(s) from supplier(s).		
(F)	<u>Subtotal (C+D+E)</u>		
(G)	<u>Subcontractor's Overhead and Profit Charge</u> 1. This shall be no more than five percent (8%) of item (F) . 2. This shall be the total cumulative mark-up permitted for the Subcontractor and Subcontractor's Subcontractor(s) (i.e., all "lower-tier" Subcontractor(s)).		
(H)	<u>Subtotal (F+G)</u>		
(I)	<u>Contractor's Overhead, Profit, Bond and Insurance</u> 1. This shall be no more than six percent (6%) of Item (F) . 2. This shall be the total mark-up permitted for Contractor.		
(J)	<u>TOTAL (H+I)</u>		
(K)	<u>Time</u>	_____ Days	

FORMAT FOR PROPOSED CHANGE FOR CONTRACTOR PERFORMED WORK

	<u>CONTRACTOR PERFORMED WORK</u>	<u>ADD</u>	<u>DEDUCT</u>
(A)	<u>Labor Charge</u> 1. Hours. Attach total itemized hours. 2. Rate. This shall be no more than the Straight-Time Total Hourly Rate as determined by the Department of Industrial Relations ("DIR") for the applicable labor category.		
(B)	<u>Labor Burden & Worker's Compensation Charge</u> 1. This shall be no more than twenty percent (20%) of item (A), the Labor Charge. 2. This shall be the total cumulative charge permitted for all labor performed by Contractor.		
(C)	<u>Subtotal (A+B)</u>		
(D)	<u>Material Charge</u> Attach itemized quantity and unit cost plus sales tax and invoice(s) from vendor(s).		
(E)	<u>Equipment Charge</u> Attach invoice(s) from supplier(s).		
(F)	<u>Subtotal (C+D+E)</u>		
(G)	<u>Contractor's Overhead, Profit, Bond and Insurance</u> 1. This shall be no more than six percent (6%) of Item (F). 2. This shall be the total mark-up permitted for Contractor.		
(H)	<u>TOTAL (F+G)</u>		
(I)	<u>Time</u>	_____ Days	

17.8.2. All Proposed Change Order requests by Contractor for a change shall include a complete itemized breakdown with the following detail:

17.8.2.1. Labor. Labor breakdown by trade classification, wage rates, and estimated hours. Labor costs shall only include fringe benefits indicated by governing trade organizations. Wages shall not exceed current prevailing wages in the locality for performance of the changes.

17.8.2.1.1. The Contractor's or Subcontractors' labor burden and Workers' Compensation premium shall only be charged as indicated herein. In no event shall Contractor include any other charges than as indicated herein without the prior written approval of the District.

17.8.2.2. Material. Material quantities, and types of products, and transportation costs, if applicable.

17.8.2.3. Equipment. Equipment breakdown by make, type, size, rental rates (if not owned), equipment hours and transportation costs, if applicable.

17.8.2.3.1. The equipment costs shall not exceed one hundred percent (100%) of the Association of Equipment Distributors (AED) rental rates or Caltrans rates, whichever is less. Hourly, daily, weekly, or monthly rates shall be used, whichever is lower. Hourly rates including operator shall not be used.

17.8.2.3.2. The time to be paid for equipment shall be the actual time that the equipment is in productive operation on the Work or idled as a result of the event or circumstance giving rise to the Proposed Change Order. In computing the hourly rental of equipment, any time less than thirty (30) minutes shall be considered one-half (1/2) hour. No payment will be made for time while equipment is inoperative due to breakdown, or for non-workdays. In addition, the rental time shall not include the time required to move the equipment to and from the project site. No mobilization or demobilization will be allowed for equipment already on site. If such equipment is not moved by its own power, then loading and transportation costs will be paid in lieu of rental time thereof. However, neither moving time nor loading and transportation costs will be paid if the equipment is used on the Project Site in any other way than upon the work directly related to the event or circumstance giving rise to the Proposed Change Order.

17.8.2.3.3. Individual pieces of equipment having a replacement value of one thousand dollars (\$1,000) or less shall be considered to be small tools or small equipment, and no payment will be made since the costs of these tools and equipment is included as part of the markup for overhead and profit defined herein.

17.8.2.3.4. Payment to the Contractor for the use of equipment as set forth above shall constitute full compensation to the Contractor for the cost of fuel, power, oil, lubricants, supplies, small equipment, necessary attachments, repairs and maintenance of any kind, depreciation, storage, insurance, labor (except for equipment operators), and any and all costs to the Contractor incidental to the use of the equipment.

17.8.2.3.5. Should Contractor, or any of its owners, officers, directors or agents, hold any ownership interest in any company, organization, association or corporation from whom rental equipment is secured. Contractor shall immediately notify District of such and the price set for any such rental shall be agreed upon in advance by the Contractor and the District.

17.8.2.3.6. Overhead, Profit, Bond and Insurance Costs. Markup for overhead and profit, which shall be used to compensate Contractor for all costs for all administration, general conditions, and supervision, including, without limitation:

17.8.2.3.6.1. All home office overhead, field office overhead, field office personnel including, but not limited to, principals, project managers, superintendents, supervisory foremen, estimators, project engineers, detailers, draftsmen, schedulers, consultants, watchmen, payroll clerks, administrative assistants, labor compliance costs and secretaries.

17.8.2.3.6.2. All field and field office expenses including, but not limited to, field trailers, parking, storage sheds, office equipment and supplies, telephone service and long distance telephone calls, computers, fax machines, temporary utilities, sanitary facilities and services, janitorial services, small tools and equipment with a cost under \$1000 each, portable scaffolding, blocking, shores, appliances, job vehicles, security and fencing, conformance to regulatory requirements including compliance to safety regulations, safety programs and meetings, cartage, warranties, As-Built Drawings, as well as any related maintenance costs.

17.8.2.3.6.3. Administrative functions such as, but not limited to, reviewing, coordinating, distributing, processing, posting, recording, estimating, negotiating, expediting, engineering, drawing, detailing, revising shop drawings, carting, cleaning, protecting the work, and other incidental Work related to the change.

17.8.2.3.6.4. All other costs and taxes required to be paid, but not included under direct costs as defined above including, without limitation, payroll taxes, social security, etc.

17.8.2.3.6.5. All costs for Contractor's bonds and insurance.

17.8.2.3.6.6. Taxes: Federal excise tax shall not be included. District will issue an exemption on request.

17.8.2.3.7. Contract Time. Justification for any adjustment in Contract Time including a schedule analysis identifying critical schedule activities delayed by the request. Contract Time shall be extended or reduced by Change Orders, Unilateral Change Orders, or Force Account Directives for a period of time commensurate with the time reasonably necessary to perform a Change. This time must be requested in writing by the Contractor with the Price Request, PCO, or expressly in writing as part of its documentation for Unilateral Change Orders, or Force Account Directives. The Contractor shall justify any Contract Time extension by submittal of a schedule analysis as required in this Changes section of these General Conditions accurately portraying the impact of the change on the critical path of the Construction Schedule. Changes performed within available float shall not justify an extension to the Contract Time. The District shall make the final determination of the amount of Contract Time to allocate to any Change.

17.8.2.4. Supporting Documentation. Contractor shall include with each PCO, along with the itemized breakdown as required herein, reasonable documentation substantiating the requested change in the Contract Price and Contract Time. If the District deems Contractor's supporting documentation incomplete or inadequate to substantiate the requested change to the Contract Price and Contract Time, the District may request that Contractor supplement the PCO with additional, reasonable supporting documentation.

17.9. Change Order Certification

17.9.1. All Change Orders and PCOs shall include the following certification by the Contractor. The Parties acknowledged that if a Change Order is approved that does not include this language, that Change Order shall be deemed to include this certification language:

The Contractor approves the foregoing as to the changes, if any, and the price specified for each item and the extension of time allowed, if any, for completion of the entire Work as stated herein, and agrees to furnish all

labor, materials, and service, and perform all work necessary to complete all additional work specified for the consideration stated herein. Submission of sums which have no basis in fact or which Contractor knows are false are at the sole risk of Contractor and may be a violation of the False Claims Act set forth under Government Code section 12650 et seq. It is understood that the changes herein to the Contract shall only be effective when approved by the governing board of the District. It is expressly understood that the value of the extra Work or changes includes all of the Contractor's costs, expenses, field overhead, home office overhead, profit, both direct and indirect, resulting from additional time required on the Project or resulting from delay to the Project. Any costs, expenses, damages, or time extensions not included are deemed waived.

17.10. Determination of Change Order Cost

17.10.1. The amount of the increase or decrease in the Contract Price from a Change Order, if any, shall be determined in one or more of the following ways as applicable to a specific situation and at the District's discretion:

17.10.1.1. District acceptance of a PCO;

17.10.1.2. By agreement between District and Contractor.

17.10.1.3. By unit prices or alternates contained in Contractor's original bid. If the Bid for the Work included proposal(s) for Alternate Bid Item(s), during Contractor's performance of the Work, the District may elect to add any such Alternate Bid Item(s) if the that item did not form a basis for award of the Contract or delete any such Alternate Bid Item(s) if that item formed a basis for award of the Contract. If the District elects to add or delete an Alternate Bid Item(s) pursuant to the foregoing, the cost or credit for that Alternate Bid Item(s) shall be as set forth in the Contractor's Bid, at the District's discretion. If any Alternate Bid Item is added or deleted from the Work pursuant to the foregoing, the Contract Time shall be adjusted by the number of days allocated for the added or deleted Alternate Bid Item in the Contract Documents; if days are not allocated for any Alternate Bid Item added or deleted pursuant to the foregoing, the Contract Time shall be equitably adjusted.

17.10.1.4. By the District, based upon actual and necessary costs incurred by the Contractor as determined by the District on the basis of the Contractor's records. Promptly upon determining the extent of adjustment to the Contract Price, the District shall notify the Contractor in writing of the same; the Contractor shall be deemed to have accepted the District's determination of the amount of adjustment to the Contract Price on account of a Change to the Work unless Contractor shall notify the District, in writing, not more than fifteen (15) days from the date of the District's written notice, of any objection to the District's determination. Failure of the Contractor to timely notify the District of Contractor's objections to the District's determination of the extent of adjustment to the Contract Price shall be deemed Contractor's acceptance of the District's determination and a waiver of any right or basis of the Contractor to thereafter protest or otherwise object to the District's determination. Notwithstanding any objection of the Contractor to the District's determination of the extent of any adjustment to the Contract Price pursuant to this provision, Contractor shall diligently proceed to perform and complete any such Change.

17.11. Deductive Change Orders

If Contractor offers a proposed amount for a deductive Change Order(s), Contractor shall include a minimum of five percent (5%) total overhead and profit to be deducted with the amount of the work of the Change Order(s). If Subcontractor work is involved, Subcontractors shall also include a minimum of five percent (5%) overhead and profit to be deducted with the amount of its deducted work, for a total

minimum of ten percent (10%) total overhead and profit to be deducted. Any deviation from this provision shall not be allowed.

17.12. Discounts, Rebates and Refunds

For purposes of determining the cost, if any, of any change, addition, or omission to the Work hereunder, all trade discounts, rebates, refunds, and all returns from the sale of surplus materials and equipment shall accrue and be credited to the Contractor, and the Contractor shall make provisions so that such discounts, rebates, refunds, and returns may be secured, and the amount thereof shall be allowed as a reduction of the Contractor's cost in determining the actual cost of construction for purposes of any change, addition, or omission in the Work as provided herein.

17.13. Accounting Records

With respect to portions of the Work performed by Change Orders, Unilateral Change Orders, or Force Account Directives, Contractor shall keep and maintain cost-accounting records satisfactory to the District, which shall be available to the District on the same terms as any other books and records Contractor is required to maintain pursuant to the Contract Documents.

17.14. Notice Required

If Contractor is seeking an adjustment in the Contract Price, or any extension in the Contract Time for Completion, it shall notify District pursuant to the provisions of the Contract Documents. No adjustment in the Contract Price or Contract Time shall be considered unless made in accordance with the Contract Documents. Contractor shall proceed to execute the Work even though the adjustment may not have been agreed upon. Any change in the Contract Price or extension of the Contract Time resulting from such contract adjustment shall only be authorized by a Change Order.

17.15. Applicability to Subcontractors

Any requirements under this Article shall be equally applicable to Change Orders, Unilateral Change Orders, or Force Account Directives issued to Subcontractors by the Contractor to the extent as required by the Contract Documents.

17.16. Alteration to Change Order Language

Contractor shall not alter Change Orders or reserve time in Change Orders. Contractor shall execute finalized Change Orders and proceed under the provisions herein with proper notice.

17.17. Failure of Contractor to Execute Change Order

Contractor shall be in default of the Contract if Contractor fails to execute a Change Order when the Contractor agrees with the addition and/or deletion of the Work in that Change Order.

18. REQUEST FOR INFORMATION

18.1. Any Request for Information ("RFI") shall reference all applicable Contract Document(s), including Specification section(s), detail(s), page number(s), drawing number(s), and sheet number(s), etc. Contractor shall make suggestions and interpretations of the issue raised by each RFI. An RFI cannot modify the Contract Price, Contract Time, or the Contract Documents.

18.2. Contractor shall be liable to the District for all costs incurred by the District associated with the processing, reviewing, evaluating and responding to any RFI, including without limitation, fees of the Architect and any other design consultant to the Architect or the District, that District reasonably

determines:

18.2.1. Does not reflect adequate or competent supervision or coordination by the Contractor or any Subcontractor; or

18.2.2. Does not reflect the Contractor's adequate or competent knowledge of the requirements of the Work or the Contract; or

18.2.3. Requests an interpretation or decision of a matter where the information sought is equally available to the Contractor; or

18.2.4. Is not justified for any other reason.

18.3. Prior to submitting the RFI, Contractor shall diligently review the Contract Documents for information responsive to the RFI, including information incorporated by reference. Contractor should not issue an RFI regarding information contained in or inferable from the Contract Documents, including information incorporated by reference. An RFI is invalid if the RFI response is contained in or inferable from the Contract Documents.

18.4. Contractor shall be responsible for preparing and submitting each RFI so as to not cause delay to the progress of the Work nor to cause any impact to the Contractor's labor productivity. An RFI may be considered untimely if not submitted within **Forty Eight (48) hours** of receipt from a Contractor's subcontractor. Untimely submission of any RFI will preclude Contractor from asserting any claims for delay or for labor impact against the District.

18.5. If the Contractor fails to timely notify the Architect in writing of any Conditions encountered and the Contractor proceeds to perform any portion of the Work containing or affected by such Conditions the Contractor shall bear all costs associated with or required to correct, remove, or otherwise remedy any portion of the Work affected thereby without adjustment of the Contract Time or the Contract Price. In requesting information of the District to address and resolve any conditions, the Contractor shall act with promptness in submitting any written request so as to allow the District a reasonable period of time to review, evaluate and respond to any request, taking into account the then current status of the progress and completion of the Work and the actual or potential impact of any conditions upon the completion of the Work within the Contract Time. The Contract Time shall not be subject to adjustment in the event that the Contractor shall fail to timely request information from the District.

19. PAYMENTS

19.1. Contract Price

19.1.1. The Contract Price is stated in the Agreement and, including authorized adjustments, is the total amount payable by the District to the Contractor for performance of the Work pursuant to the Contract Documents. If all or a portion of the Project is being funded by funds requiring approval by the State Allocation Board (SAB), payment may be subject to that approval being received, funding by the SAB, and funds being released by the Office of Public School Construction (OPSC).

19.2. Applications for Progress Payments

19.2.1. Procedure for Applications for Progress Payments

19.2.1.1. Application for Progress Payment

19.2.1.1.1. Not before the fifth (5th) day of each calendar month during the progress of the Work, Contractor shall submit to the District and the Architect an itemized Application for

Payment for Work completed in accordance with the Schedule of Values. The Application for Payment shall be notarized, if required, and supported by the following or each portion thereof unless waived by the District in writing:

- 19.2.1.1.1.1.** The amount paid to the date of the Application for Payment to the Contractor, to all its Subcontractors, and all others furnishing labor, material, or equipment for its Contract;
- 19.2.1.1.1.2.** The amount being requested by the Application for Payment by the Contractor on its own behalf and separately stating the amount requested on behalf of each of the Subcontractors and all others furnishing labor, material, and equipment under the Contract;
- 19.2.1.1.1.3.** The balance that will be due to each of the entities after payment is made;
- 19.2.1.1.1.4.** A certification that the As-Built Drawings and annotated Specifications are current;
- 19.2.1.1.1.5.** An Itemized breakdown of Work performed;
- 19.2.1.1.1.6.** An updated and acceptable construction schedule in conformance with the provisions herein;
- 19.2.1.1.1.7.** The additions to and subtractions from the Contract Price and Contract Time;
- 19.2.1.1.1.8.** A total of the retention held;
- 19.2.1.1.1.9.** The material invoices, evidence of equipment purchases, rentals, and other support and details of cost as the District may require from time to time;
- 19.2.1.1.1.10.** The percentage of completion of the Contractor's Work by line item;
- 19.2.1.1.1.11.** The Schedule of Values updated from the preceding Application for Payment;
- 19.2.1.1.1.12.** A duly completed and executed conditional waiver and release upon progress payment compliant with Civil Code section 8132 from each subcontractor of any tier and supplier to be paid from the current progress payment;
- 19.2.1.1.1.13.** A duly completed and executed unconditional waiver and release upon progress payment compliant with Civil Code section 8134 from each subcontractor of any tier and supplier that was paid from the previous progress payment; and
- 19.2.1.1.1.14.** A certification by the Contractor of the following:

The Contractor warrants title to all Work performed as of the date of this payment application. The Contractor further warrants that all Work performed as of the date of this payment application is free and clear of liens, claims, security interests, or encumbrances in favor of the Contractor, Subcontractors, material and equipment suppliers, workers, or other persons or entities making a claim by reason of having provided labor, materials, and equipment relating to the Work, except those of which the District has been informed.
- 19.2.1.1.1.15.** If requested by the District, a third party, or as required by the California

Department of Industrial Relations, all requested or required certified payroll record ("CPR(s)") for each journeyman, apprentice, worker, or other employee employed by the Contractor and/or each Subcontractor in connection with the Work for the period of the Application for Payment.

19.2.1.1.2. Except as expressly provided for herein, no payments shall be made by the District on account of any item of the Work, including without limitation, materials or equipment that, at the time of the Contractor's submittal of an Application for Progress Payment, has/have not been incorporated into and made a part of the Work.

19.2.1.1.3. Contractor shall be subject to the False Claims Act set forth under Government Code section 12650 et seq., for information provided with any Application for Progress Payment.

19.2.2. Prerequisites for Progress Payments

19.2.2.1. First Payment Request: The following items, if applicable, must be completed before District will accept and/or process Contractor's first payment request:

- 19.2.2.1.1.** Installation of the Project sign;
- 19.2.2.1.2.** Installation of field office;
- 19.2.2.1.3.** Installation of temporary facilities and fencing;
- 19.2.2.1.4.** Schedule of Values;
- 19.2.2.1.5.** Contractor's Construction Schedule;
- 19.2.2.1.6.** Schedule of unit prices, if applicable;
- 19.2.2.1.7.** Submittal Schedule;
- 19.2.2.1.8.** Receipt by Architect of all submittals due as of the date of the payment application;
- 19.2.2.1.9.** Copies of necessary permits;
- 19.2.2.1.10.** Copies of authorizations and licenses from governing authorities;
- 19.2.2.1.11.** Initial progress report;
- 19.2.2.1.12.** Surveyor qualifications;
- 19.2.2.1.13.** Written acceptance of District's survey of rough grading, if applicable;
- 19.2.2.1.14.** List of all Subcontractors, with names, license numbers, telephone numbers, and Scope of Work;
- 19.2.2.1.15.** All bonds and insurance endorsements; and
- 19.2.2.1.16.** Resumes of Contractor's project manager, and if applicable, job site secretary, record documents recorder, and job site superintendent.

19.2.2.2. Second Payment Request: District will not process the second payment request until and unless all submittals and Shop Drawings have been accepted for review by the Architect.

19.2.2.3. No Waiver of Criteria: Any payment made to Contractor where criteria set forth herein have not been met shall not constitute a waiver of said criteria by District. The approval of any Application for Progress Payment or the disbursement of any Progress Payment to the Contractor shall not be deemed nor constitute acceptance of defective Work or Work not in conformity with the Contract Documents. Instead, such payment shall be construed as a good faith effort by District to resolve differences so Contractor may pay its Subcontractors and suppliers. Contractor agrees that failure to submit such items may constitute a material breach of the Contract by Contractor and may subject Contractor to termination.

19.3. Progress Payments

19.3.1. District's Approval of Application for Payment

19.3.1.1. Upon receipt of an Application for Payment, District shall act in accordance with the following:

19.3.1.1.1. Each Application for Payment shall be reviewed by the District as soon as practicable after receipt for the purpose of determining that the Application for Payment is a proper Application for Payment.

19.3.1.1.2. Any Application for Payment determined not to be a proper Application for Payment suitable for payment shall be returned to the Contractor as soon as practicable, but not later than seven (7) days, after receipt. An Application for Payment returned pursuant to this paragraph shall be accompanied by a document setting forth in writing the reasons why the Application for Payment is not proper. The number of days available to the District to make a payment without being subject to any applicable statute regarding prompt payment or interest accrual, shall be reduced by the number of days by which the District exceeds this seven-day return requirement.

19.3.1.1.3. An approved Application for Payment shall be considered payable if funds are available for payment after the deduction of amounts allowed by law and/or pursuant to the section herein entitled "Decisions to Withhold Payment,"

19.3.1.2. The District's review of the Contractor's Application for Payment will be based on the District's and the Architect's observations at the Site and the data comprising the Application for Payment that the Work has progressed to the point indicated and that, to the best of the District's and the Architect's knowledge, information, and belief, the quality of the Work is in accordance with the Contract Documents. The foregoing representations are subject to:

19.3.1.2.1. Observation of the Work for general conformance with the Contract Documents,

19.3.1.2.2. Results of subsequent tests and inspections,

19.3.1.2.3. Minor deviations from the Contract Documents correctable prior to Completion, and

19.3.1.2.4. Specific qualifications expressed by the Architect.

19.3.1.3. District's approval of each Application for Payment shall be based on Contractor complying with all requirements for a fully complete and valid Application for Payment.

19.3.2. Payments to Contractor

19.3.2.1. Within thirty (30) days after District's receipt of each undisputed and properly submitted Application for Payment, Contractor shall be paid a sum equal to ninety-five percent (95%) of the value of the Work performed (as verified by Architect and Inspector and certified by Contractor) up to the last day of the previous month, less the aggregate of previous payments and amount to be withheld. The value of the Work completed shall be Contractor's best estimate. No inaccuracy or error in Contractor's estimate shall operate to release the Contractor, or any Surety upon any bond, from damages arising from such Work, or from the District's right to enforce each and every provision of this Contract, and the District shall have the right subsequently to correct any error made in any estimate for payment.

19.3.2.2. District shall withhold five percent (5%) retention from all Progress Payments.

19.3.2.3. District may withhold ten percent (10%) retention from all Progress Payments pursuant to Public Contract Code section 7201, if the Project is determined to be "substantially complex."

19.3.2.4. The Contractor shall not be entitled to have any payment requests processed, or be entitled to have any payment made for Work performed, so long as any lawful or proper direction given by the District concerning the Work, or any portion thereof, remains incomplete.

19.3.2.5. In accordance with Public Contract Code §20104.50, in the event that the District shall fail to make any Progress Payment within thirty (30) days after receipt of an undisputed and properly submitted Application for Progress Payment, the District shall pay the Contractor interest on the undisputed amount of such Application for Progress Payment equal to the legal rate of interest set forth in California Code of Civil Procedure §685.010(a).

19.3.3. No Waiver

No payment by District hereunder shall be interpreted so as to imply that District has inspected, approved, or accepted any part of the Work. Notwithstanding any payment, the District may enforce each and every provision of this Contract. The District may correct or require correction of any error subsequent to any payment.

19.3.4. Warranty of Title

19.3.4.1. If a lien or a claim based on a stop notice or stop payment notice of any nature should at any time be filed against the Work or any District property, by any entity that has supplied material or services at the request of the Contractor, Contractor and Contractor's Surety shall promptly, on demand by District and at Contractor's and Surety's own expense, take any and all action necessary to cause any such lien or a claim based on a stop notice or stop payment notice to be released or discharged immediately therefrom.

19.3.4.2. If the Contractor fails to furnish to the District within ten (10) calendar days after demand by the District, satisfactory evidence that a lien or a claim based on a stop notice or stop payment notice has been so released, discharged, or secured, the District may discharge such indebtedness and deduct the amount required therefore, together with any and all losses, costs, damages, and attorney's fees and expense incurred or suffered by District from any sum payable to Contractor pursuant to the Contract.

19.4. Decisions to Withhold Payment

19.4.1. Reasons to Withhold Payment

District may withhold payment in whole, or in part, to the extent reasonably necessary to protect the District if, in the District's opinion, the representations to the District required herein cannot be

made. District may withhold payment, in whole, or in part, to such extent as may be necessary to protect the District from loss because of, but not limited to:

- 19.4.1.1.** Defective Work not remedied within **FORTY-EIGHT (48)** hours of written notice to Contractor;
- 19.4.1.2.** Stop notices, stop payment notices or other liens served upon the District as a result of the Contract;
- 19.4.1.3.** Liquidated damages assessed against the Contractor;
- 19.4.1.4.** The cost to complete the Work if there exists reasonable doubt that the Work can be completed for the unpaid balance of the Contract Price or by the Completion Date;
- 19.4.1.5.** Damage to the District or other contractor(s);
- 19.4.1.6.** Unsatisfactory performance of the Work by Contractor;
- 19.4.1.7.** Failure to store and properly secure materials;
- 19.4.1.8.** Failure of the Contractor to submit, on a timely basis, proper, sufficient, and acceptable documentation required by the Contract Documents, including, without limitation, a Construction Schedule, Schedule of Submittals, Schedule of Values, Monthly Progress Schedules, Shop Drawings, Product Data and samples, Proposed product lists, executed Change Orders, and/or verified reports;
- 19.4.1.9.** Failure of the Contractor to maintain As-Built Drawings;
- 19.4.1.10.** Erroneous estimates by the Contractor of the value of the Work performed, or other false statements in an Application for Payment;
- 19.4.1.11.** Unauthorized deviations from the Contract Documents;
- 19.4.1.12.** Failure of the Contractor to perform the Work in a timely manner in compliance with the Construction Schedule, established progress schedules, and/or completion dates;
- 19.4.1.13.** If requested by the District, or the failure to provide to the DIR, certified payroll records acceptable to the District and the DIR for each journeyman, apprentice, worker, or other employee employed by the Contractor and/or each Subcontractor in connection with the Work for the period of the Application for Payment;
- 19.4.1.14.** Failure to properly pay prevailing wages as defined in Labor Code sections 1720 et seq. and/or failure to comply with any other Labor Code requirements;
- 19.4.1.15.** Failure to properly maintain or clean up the Site;
- 19.4.1.16.** Failure to timely indemnify, defend or hold harmless the District;
- 19.4.1.17.** Any payments due to the District, including but not limited to payments for failed tests, utilities changes, or permits;
- 19.4.1.18.** Failure to pay Subcontractor(s) or supplier(s) as required by law and by the Contract Documents;
- 19.4.1.19.** Failure to pay any royalty, license or similar fees;

19.4.1.20. Failure of the Contractor to submit on a timely basis all Closeout Documentation in a manner and form that is proper, sufficient, and reasonably acceptable to the District, and to not cause a delay in the Completion or approval of the Project; or

19.4.1.21. Failure to perform any implementation and/or monitoring required by any SWPPP for the Project and/or the imposition of any penalties or fines imposed therefore against Contractor or District.

19.4.1.22. Payment is delayed due to an audit inquiry by the State, the County Office of Education, the County, or any entity with jurisdiction related to the Project.

19.4.1.23. Contractor is otherwise in breach, default or in substantial violation of any provision of the Contract;

19.4.2. Reallocation of Withheld Amounts

19.4.2.1. District may, in its discretion, apply any withheld amount to pay outstanding claims or obligations as defined herein. In so doing, District shall make such payments on behalf of Contractor. If any payment is so made by District, then that amount shall be considered a payment made pursuant to the Contract and District shall not be liable to Contractor for any payment made in good faith. These payments may be made without prior judicial determination of claim or obligation. District will render Contractor an accounting of funds disbursed on behalf of Contractor.

19.4.2.2. If Contractor defaults or neglects to perform the Work in accordance with the Contract Documents or fails to perform any provision thereof, District may, after **FORTY-EIGHT (48)** hours written notice to the Contractor and, without prejudice to any other remedy, make good such deficiencies. District shall adjust the total Contract Price by reducing the amount thereof by the cost of making good such deficiencies. If District deems it inexpedient to correct Work that is damaged, defective, or not done in accordance with Contract provisions, an equitable reduction in the Contract Price (of at least one hundred twenty-five percent (125%) of the estimated reasonable value of the nonconforming Work) shall be made therefor.

19.4.3. Payment After Cure

When Contractor cures the grounds for declining approval, payment shall be made for amounts so withheld. No interest shall be paid on any retention or amounts withheld due to the failure of the Contractor to perform in accordance with the terms and conditions of the Contract Documents.

19.5. Subcontractor Payments

19.5.1. Payments to Subcontractors. No later than seven (7) days after receipt, or pursuant to Business and Professions Code section 7108.5 and Public Contract Code section 7107, the Contractor shall pay to each Subcontractor, out of the amount paid to the Contractor on account of such Subcontractor's portion of the Work, the amount to which said Subcontractor is entitled. Contractor shall, by appropriate agreement with each Subcontractor, require each Subcontractor to make payments to its Sub-subcontractors in a similar manner.

19.5.2. No Obligation of District for Subcontractor Payment. District shall have no obligation to pay, or to see to the payment of, money to a Subcontractor except as may otherwise be required by law.

19.5.3. Joint Checks. District shall have the right in its sole discretion, if necessary for the protection of the District, to issue joint checks made payable to the Contractor and Subcontractors and material or equipment suppliers. The joint check payees shall be responsible for the allocation and disbursement of funds included as part of any such joint payment. In no event shall any joint check payment be construed

to create any contract between the District and a Subcontractor of any tier, any obligation from the District to such Subcontractor, or rights in such Subcontractor against the District.

20. COMPLETION OF THE WORK

20.1. Completion

20.1.1. The Project may only be accepted by action of the governing board of the District.

20.1.2. District shall accept the Project and may have a Notice of Completion recorded when Project Completion has been achieved in accordance with the Contract Documents and to the satisfaction of District. For purposes of the payment of Retention, Completion is defined in Public Contract Code section 7107. For purposes of the timely filing of Stop Payment Notices, Completion is defined in California Civil Code section 9200, et seq.

20.1.3. Although there is no “substantial completion” for this Project, the District, at its sole option, may accept the Project and record a Notice of Completion when Project Completion has been completed to the satisfaction of District, except for minor corrective items, as distinguished from incomplete items. If Contractor fails to complete all minor corrective items within thirty-five (35) days after the date of the District's acceptance of the Project, District shall withhold from the final payment one hundred fifty percent (150%) of an estimate of the amount sufficient to complete the corrective items, as determined by District, until the item(s) are completed.

20.1.4. At the end of the thirty-five (35) day period, if there are any items remaining to be corrected, District may elect to proceed as provided herein related to adjustments to Contract Price, and/or District's right to perform the Work of the Contractor.

20.2. Closeout Procedures

20.2.1. Punch List

Contractor shall notify the Architect when Contractor considers the Work complete. Upon notification, Architect will prepare a list of minor items to be completed or corrected (“Punch List”). Contractor and/or its Subcontractors shall proceed promptly to complete and correct items on the Punch List. Failure to include an item on Punch List does not alter the responsibility of the Contractor to complete all Work in accordance with the Contract Documents.

20.2.2. Closeout Requirements

20.2.2.1. Utility Connections

Buildings shall be connected to water, gas, sewer, and electric services, complete and ready for use. Service connections shall be made and existing services reconnected.

20.2.2.2. As-Built Drawings

20.2.2.2.1. In addition to its requirement to provide monthly As-Built Drawings to the District, the Contractor shall provide a final set of As-Built Drawings, sometimes referred to as “Record Drawings,” showing all of the Work as actually constructed upon Completion of the Project as indicated in the Specifications.

20.2.2.2.2. Contractor is liable and responsible for any and all inaccuracies in the As-Built Drawings, even if inaccuracies become evident at a future date.

20.2.2.2.3. Upon Completion of the Work and as a condition precedent to approval of final payment, Contractor shall obtain the Inspector's approval of the final set of As-Built Drawings.

20.2.2.3. Operations & Maintenance Manuals: Contractor shall prepare all operation and maintenance manuals and date as indicated in the Specifications.

20.2.2.4. Closeout Documentation: Contractor shall provide all Closeout Documentation, which shall include the following, without limitation:

20.2.2.4.1. A full set of final As-Built Drawings, as further defined herein.

20.2.2.4.2. All Operations & Maintenance Manuals and information, as further defined herein.

20.2.2.4.3. All Warranties, as further defined herein.

20.2.2.4.4. Verified report(s) for all scope(s) of work (DSA 6-C, Rev 03/22/13, or more recent revision if available).

20.3. Final Inspection

20.3.1. Contractor shall comply with Punch List procedures as provided herein, and maintain the presence of a Project Superintendent and Project Manager until the Punch List is complete to ensure proper and timely completion of the Punch List. Under no circumstances shall Contractor demobilize its forces prior to completion of the Punch List. Upon receipt of Contractor's written notice that all of the Punch List items have been fully completed and the Work is ready for final inspection and acceptance, Architect and Project Inspector will inspect the Work and shall submit to Contractor and District a final inspection report noting the Work, if any, required in order to complete in accordance with the Contract Documents. Absent unusual circumstances, this report shall consist of the Punch List items not yet satisfactorily completed.

20.3.2. Upon Contractor's completion of all items on the Punch List and any other uncompleted portions of the Work, the Contractor shall notify the District and Architect, who shall again inspect such Work. If the Architect finds the Work complete and acceptable under the Contract Documents, the Architect will notify Contractor, who shall then jointly submit to the Architect and the District its final Application for Payment.

20.3.3. Final Inspection Requirements

20.3.3.1. Before calling for final inspection, Contractor shall determine that the following have been performed:

20.3.3.1.1. The Work has been completed.

20.3.3.1.2. All life safety items are completed and in working order.

20.3.3.1.3. Mechanical and electrical Work are complete and tested, fixtures are in place, connected, and ready for tryout.

20.3.3.1.4. Electrical circuits scheduled in panels and disconnect switches labeled.

20.3.3.1.5. Painting and special finishes complete.

20.3.3.1.6. Doors complete with hardware, cleaned of protective film, relieved of sticking

or binding, and in working order.

20.3.3.1.7. Tops and bottoms of doors sealed.

20.3.3.1.8. Floors waxed and polished as specified.

20.3.3.1.9. Broken glass replaced and glass cleaned.

20.3.3.1.10. Grounds cleared of Contractor's equipment, raked clean of debris, and trash removed from Site.

20.3.3.1.11. Work cleaned, free of stains, scratches, and other foreign matter, of damaged and broken material replaced.

20.3.3.1.12. Finished and decorative work shall have marks, dirt, and superfluous labels removed.

20.3.3.1.13. Final cleanup, as provided herein.

20.4. Costs of Multiple Inspections

More than two (2) requests of the District to make a final inspection shall be considered an additional service of District, Architect, Construction Manager, and/or Project Inspector, and all subsequent costs will be invoiced to Contractor and if funds are available, withheld from remaining payments.

20.5. Partial Occupancy or Use Prior to Completion

20.5.1. District's Rights to Occupancy. The District may occupy or use any completed or partially completed portion of the Work at any stage. Neither the District's Final Acceptance, the making of Final Payment, any provision in Contract Documents, nor the use or occupancy of the Work, in whole or in part, by District shall constitute acceptance of Work not in accordance with the Contract Documents nor relieve the Contractor or the Contractor's Performance Bond Surety from liability with respect to any warranties or responsibility for faulty or defective Work or materials, equipment and workmanship incorporated therein. The District and the Contractor shall agree in writing to the responsibilities assigned to each of them for payments, security, maintenance, heat, utilities, damage to the Work, insurance, the period for correction of the Work, and the commencement of warranties required by the Contract Documents. Any dispute as to responsibilities shall be resolved pursuant to the Claims and Disputes provisions herein, with the added provision that during the dispute process, the District shall have the right to occupy or use any portion of the Work that it needs or desires to use.

20.5.2. Inspection Prior to Occupancy or Use. Immediately prior to partial occupancy or use, the District, the Contractor, and the Architect shall jointly inspect the area to be occupied or portion of the Work to be used in order to determine and record the condition of the Work.

20.5.3. No Waiver. Unless otherwise agreed upon, partial or entire occupancy or use of a portion or portions of the Work shall not constitute beneficial occupancy or acceptance of the Work not complying with the requirements of the Contract Documents.

21. FINAL PAYMENT AND RETENTION

21.1. Final Payment

21.1.1. Upon receipt and approval of a valid and final Application for Payment, the Architect will issue a final Certificate of Payment or similar document indicating Architect's agreement that the Project has

reached Completion. The District shall thereupon jointly inspect the Work and either accept the Work as complete or notify the Architect and the Contractor in writing of reasons why the Work has not reached Completion to the satisfaction of the District.

21.1.2. Upon acceptance of the Work of the Contractor as having reached Completion to the satisfaction of the District (that, absent unusual circumstances, will occur when the Punch List items have been satisfactorily completed), the District may record a Notice of Completion with the County Recorder, and the Contractor shall, upon receipt of final payment from the District, pay all the amount(s) due to its Subcontractors.

21.2. Prerequisites for Final Payment

The following conditions must be fulfilled prior to Final Payment:

21.2.1. A full and final waiver or release of all stop notices and stop payment notices in connection with the Work shall be submitted by Contractor, including a release of stop notice or stop payment notice in recordable form, together with (to the extent permitted by law) a copy of the full and final release of all stop notice or stop payment notice rights.

21.2.2. A duly completed and executed conditional waiver and release upon final payment compliant with Civil Code section 8136 from each subcontractor of any tier and supplier to be paid from the current progress payment;

21.2.3. A duly completed and executed unconditional waiver and release upon final payment compliant with Civil Code section 8138 from each subcontractor of any tier and supplier that was paid from the previous progress payment; and

21.2.4. Contractor shall have made all corrections to the Work that are required to remedy any defects therein, to obtain compliance with the Contract Documents or any requirements of applicable codes and ordinances, or to fulfill any of the orders or directions of District required under the Contract Documents.

21.2.5. Each Subcontractor shall have delivered to the Contractor all written guarantees, warranties, applications, and bonds required by the Contract Documents for its portion of the Work.

21.2.6. Contractor must have completed all requirements set forth under "Closeout Procedures," including, without limitation, submission of an approved set of complete Record Drawings.

21.2.7. Architect shall have issued its written approval that final payment can be made.

21.2.8. Contractor shall have delivered to the District all manuals and materials required by the Contract Documents.

21.2.9. Contractor shall have completed final clean up as provided herein.

21.3. Retention

21.3.1. The retention, less any amounts disputed by the District or that the District has the right to withhold pursuant to provisions herein, shall be paid:

21.3.1.1. After approval of the District by the Architect's Certificate of Payment;

21.3.1.2. After the satisfaction of the conditions set forth herein;

21.3.1.3. Within sixty (60) days after Completion;

21.3.1.4. No earlier than thirty-five (35) days of the recording of the Notice of Completion by District, if a Notice of Completion is recorded by the District.

21.3.2. No interest shall be paid on any retention, or on any amounts withheld due to a failure of the Contractor to perform, in accordance with the terms and conditions of the Contract Documents, except as provided to the contrary in any Escrow Agreement between the District and the Contractor pursuant to Public Contract Code section 22300.

21.4. Substitution of Securities

The District will permit the substitution of securities in accordance with the provisions of Public Contract Code section 22300.

21.5. Claims Asserted After Final Payment

Any lien, stop payment notice or other claim filed or asserted after the Contractor's acceptance of the Final Payment by any Subcontractor, of any tier, laborer, Material Supplier or others in connection with or for Work performed under the Contract Documents shall be the sole and exclusive responsibility of the Contractor pursuant to the indemnification obligations of the Contract Documents. In the event any lien, stop payment notice or other claim of any Subcontractor, Laborer, Material Supplier or others performing Work under the Contract Documents remain unsatisfied after Final Payment is made, Contractor shall refund to District all monies that the District may pay or be compelled to pay in discharging any lien, stop payment notice or other claim, including, without limitation all costs and reasonable attorneys' fees incurred by District in connection therewith.

22. UNCOVERING WORK, CORRECTION OF WORK AND RIGHT TO TAKEOVER WORK

22.1. Uncovering of Work

If a portion of the Work is covered without Project Inspector or Architect approval or not in compliance with the Contract Documents, it must, if required in writing by the District, the Project Inspector, or the Architect, be uncovered for the Project Inspector's or the Architect's observation and be replaced at the Contractor's expense without change in the Contract Price or Contract Time.

22.2. Rejection of Work

Prior to the District's Acceptance of the Work, any Work or materials or equipment forming a part of the Work or incorporated into the Work that is defective or not in conformity with the Contract Documents may be rejected by the District, the Architect or the Project Inspector and the Contractor shall correct all rejected Work without any adjustment to the Contract Price or the Contract Time, even if the Work, materials or equipment have been previously inspected by the Architect or the Project Inspector or even if they failed to observe the defective or non-conforming Work, materials or equipment.

22.3. Nonconforming Work

22.3.1. Contractor shall promptly remove from Premises all Work identified by District as failing to conform to the Contract Documents whether incorporated or not. Contractor shall promptly replace and re-execute its own Work to comply with the Contract Documents without additional expense to the District and shall bear the expense of making good all work of other contractors destroyed or damaged by any removal or replacement pursuant hereto and/or any delays to the District or other Contractors caused thereby.

22.3.2. If Contractor does not remove Work that District has identified as failing to conform to the Contract Documents within a reasonable time, not to exceed **FORTY-EIGHT (48)** hours, District may

remove it and may store any material at Contractor's expense. If Contractor does not pay expense(s) of that removal within ten (10) days' time thereafter, District may, upon ten (10) days' written notice, sell any material at auction or at private sale and shall deduct all costs and expenses incurred by the District and/or District may withhold those amounts from payment(s) to Contractor.

22.4. Correction of Work

22.4.1. Correction of Rejected Work. Pursuant to the notice provisions herein, the Contractor shall promptly correct the Work rejected by the District, the Architect, or the Project Inspector as failing to conform to the requirements of the Contract Documents, whether observed before or after Completion and whether or not fabricated, installed, or completed. The Contractor shall bear costs of correcting the rejected Work, including additional testing, inspections, and compensation for the Inspector's or the Architect's services and expenses made necessary thereby.

22.4.2. One-Year Warranty Corrections. If, within one (1) year after the date of Completion of the Work or a designated portion thereof, or after the date for commencement of warranties established hereunder, or by the terms of an applicable special warranty required by the Contract Documents, any of the Work is found to be not in accordance with the requirements of the Contract Documents, the Contractor shall correct it promptly after receipt of written notice from the District to do so. This period of one (1) year shall be extended with respect to portions of the Work first performed after Completion by the period of time between Completion and the actual performance of the Work. This obligation hereunder shall survive acceptance of the Work under the Contract and termination of the Contract. The District shall give such notice promptly after discovery of the condition.

22.5. District's Right to Takeover Work

22.5.1. If the Contractor should neglect to prosecute the Work properly or fail to perform any provisions of this Contract, the District, after **FORTY-EIGHT (48)** hours written notice to the Contractor, may, without prejudice to any other remedy it may have, make good such deficiencies and may deduct the cost thereof from the payment then or thereafter due the Contractor.

22.5.2. If it is found at any time, before or after Completion of the Work, that Contractor has varied from the Drawings and/or Specifications, including, but not limited to, variation in material, quality, form, or finish, or in the amount or value of the materials and labor used, District may require at its option:

22.5.2.1. That all such improper Work be removed, remade or replaced, and all work disturbed by these changes be made good by Contractor at no additional cost to the District;

22.5.2.2. That the District deduct from any amount due Contractor the sum of money equivalent to the difference in value between the work performed and that called for by the Drawings and Specifications; or

22.5.2.3. That the District exercise any other remedy it may have at law or under the Contract Documents, including but not limited to the District hiring its own forces or another contractor to replace the Contractor's nonconforming Work, in which case the District shall either issue a deductive Change Order, a Unilateral Change Order, or invoice the Contractor for the cost of that work. Contractor shall pay any invoices within thirty (30) days of receipt of same or District may withhold those amounts from payment(s) to Contractor.

22.5.3. Acceptance of Defective or Non-Conforming Work. The District may, in its sole and exclusive discretion, elect to accept Work that is defective or that is not in accordance with the requirements of the Contract Documents, instead of requiring its removal and correction, in which case the Contract Price shall be reduced as appropriate and equitable.

23. TERMINATION AND SUSPENSION

23.1. District's Right to Terminate Contractor for Cause

23.1.1. Grounds for Termination. The District, in its sole discretion, may terminate the Contract and/or terminate the Contractor's right to perform the work of the Contract based upon the following:

23.1.1.1. Contractor refuses or fails to execute the Work or any separable part thereof with sufficient diligence as will ensure its completion within the time specified or any extension thereof, or

23.1.1.2. Contractor fails to complete said Work within the time specified or any extension thereof, or

23.1.1.3. Contractor persistently fails or refused to perform Work or provide material of sufficient quality as to be in compliance with Contract Documents; or

23.1.1.4. Contractor files a petition for relief as a debtor, or a petition is filed against the Contractor without its consent, and the petition not dismissed within sixty (60) days; or

23.1.1.5. Contractor makes a general assignment for the benefit of its creditors, or a receiver is appointed on account of its insolvency; or

23.1.1.6. Contractor persistently or repeatedly refuses fails, except in cases for which extension of time is provided, to supply enough properly skilled workers or proper materials to complete the Work in the time specified; or

23.1.1.7. Contractor fails to make prompt payment to Subcontractors, or for material, or for labor; or

23.1.1.8. Contractor persistently disregards laws, or ordinances, or instructions of District; or

23.1.1.9. Contractor fails to supply labor, including that of Subcontractors, that can work in harmony with all other elements of labor employed or to be employed on the Work; or

23.1.1.10. Contractor or its Subcontractor(s) is/are otherwise in breach, default, or in substantial violation of any provision of this Contract.

23.1.2. Notification of Termination

23.1.2.1. Upon the occurrence at District's sole determination of any of the above conditions, District may, without prejudice to any other right or remedy, serve written notice upon Contractor and its Surety of District's termination of this Contract and/or the Contractor's right to perform the work of the Contract. This notice will contain the reasons for termination. Unless, within three (3) days after the service of the notice, any and all condition(s) shall cease, and any and all violation(s) shall cease, or arrangement satisfactory to District for the correction of the condition(s) and/or violation(s) be made, this Contract and/or the Contractor's right to perform the Work shall cease and terminate. Upon termination, Contractor shall not be entitled to receive any further payment until the entire Work is finished.

23.1.2.2. Upon termination, District may immediately serve written notice of tender upon Surety whereby Surety shall have the right to takeover and perform this Contract only if Surety:

23.1.2.2.1. Within three (3) days after service upon it of the notice of tender, gives District written notice of Surety's intention to takeover and perform this Contract; and

23.1.2.2.2. Commences performance of the Contract within seven (7) days from date of serving of its notice to District.

23.1.2.3. If Surety fails to notify District or begin performance as indicated herein, District may takeover the Work and execute the Work to completion by any method it may deem advisable at the expense of Contractor and/or its Surety. Contractor and/or its Surety shall be liable to District for any excess cost or other damages the District incurs thereby. Time is of the essence in the Contract. If the District takes over the Work as herein provided, District may, without liability for so doing, take possession of and utilize in completing the Work such materials, appliances, plan, and other property belonging to Contractor as may be on the Site of the Work, in bonded storage, or previously paid for.

23.1.2.4. Conversion to Termination for Convenience. In the event the Contract is terminated under this "District's Right to Terminate Contractor for Cause" section and it is finally determined by an arbitrator, court, jury or other tribunal having jurisdiction, for any reason, that the Contractor was not in default under the provisions hereof or that the District's exercise of its rights under this section was defective, deficient, ineffective, invalid or improper for any reason, the termination shall be deemed a termination for convenience of the District under the "Termination of Contractor for Convenience" section herein and thereupon, the rights and obligations of the District and the Contractor shall be determined in accordance with the "Termination of Contractor for Convenience" section herein.

23.1.3. Effect of Termination

23.1.3.1. Contractor shall, only if ordered to do so by the District, immediately remove from the Site all or any materials and personal property belonging to Contractor that have not been incorporated in the construction of the Work, or which are not in place in the Work. District retains the right, but not the obligation, to keep and use any materials and personal property belonging to Contractor that have not been incorporated in the construction of the Work, or which are not in place in the Work. Contractor and its Surety shall be liable upon the performance bond for all damages caused the District by reason of the Contractor's failure to complete the Contract.

23.1.3.2. In the event that the District shall perform any portion of, or the whole of the Work, pursuant to the provisions of the General Conditions, the District shall not be liable nor account to the Contractor in any way for the time within which, or the manner in which, the Work is performed by the District or for any changes the District may make in the Work or for the money expended by the District in satisfying claims and/or suits and/or other obligations in connection with the Work.

23.1.3.3. In the event that the Contract is terminated for any reason, no allowances or compensation will be granted for the loss of any anticipated profit by the Contractor or any impact or impairment of Contractor's bonding capacity.

23.1.3.4. If the expense to the District to finish the Work exceeds the unpaid Contract Price, Contractor and Surety shall pay difference to District within twenty-one (21) days of District's request.

23.1.3.5. Assignment and Assumption of Subcontracts. District shall have the right (but shall have no obligation) to assume and/or assign to a general contractor or construction manager or other third party who is qualified and has sufficient resources to complete the Work, the rights of the Contractor under its subcontracts with any or all Subcontractors. In the event of an assumption or assignment by the District, no Subcontractor shall have any claim against the District or third party for Work performed by Subcontractor or other matters arising prior to termination of the Contract. The District or any third party, as the case may be, shall be liable only for obligations to the Subcontractor arising after assumption or assignment. Should the District so elect, the Contractor shall execute and deliver all documents and take all steps, including the legal assignment of its contractual rights, as the District may require, for the purpose of fully vesting in the District the rights and benefits of it

Subcontractor under Subcontracts or other obligations or commitments. All payments due the Contractor hereunder shall be subject to a right of offset by the District for expenses and damages suffered by the District as a result of any default, acts, or omissions of the Contractor. Contractor must include this assignment provision in all of its contracts with its Subcontractors.

23.1.3.6. The foregoing provisions are in addition to and not in limitation of any other rights or remedies available to District.

23.2. Emergency Termination of Public Contracts Act of 1949

23.2.1. The Contract is subject to termination as provided by sections 4410 and 4411 of the Government Code of the State of California, being a portion of the Emergency Termination of Public Contracts Act of 1949.

23.2.1.1. Section 4410 of the Government Code states:

In the event a national emergency occurs, and public work, being performed by contract, is stopped, directly or indirectly, because of the freezing or diversion of materials, equipment or labor, as the result of an order or a proclamation of the President of the United States, or of an order of any federal authority, and the circumstances or conditions are such that it is impracticable within a reasonable time to proceed with a substantial portion of the work, then the public agency and the contractor may, by written agreement, terminate said contract.

23.2.1.2. Section 4411 of the Government Code states:

Such an agreement shall include the terms and conditions of the termination of the contract and provision for the payment of compensation or money, if any, which either party shall pay to the other or any other person, under the facts and circumstances in the case.

23.2.2. Compensation to the Contractor shall be determined at the sole discretion of District on the basis of the reasonable value of the Work done, including preparatory work. As an exception to the foregoing and at the District's discretion, in the case of any fully completed separate item or portion of the Work for which there is a separate previously submitted unit price or item on the accepted Schedule of Values, that price shall control. District, in its sole discretion, may adopt the Contract Price as the reasonable value of the Work performed or any portion thereof.

23.3. Termination of Contractor for Convenience

23.3.1. District in its sole discretion may terminate the Contract upon three (3) days written notice to the Contractor. Under a termination for convenience, the District retains the right to all the options available to the District if there is a termination for cause. In case of a termination for convenience, Contractor shall have no claims against the District except:

23.3.1.1. The actual cost for labor, materials, and services performed that is unpaid and can be documented through timesheets, invoices, receipts, or otherwise, and

23.3.1.2. Five percent (5%) of the total cost of work performed as of the date of termination, or five percent (5%) of the value of the Work yet to be performed, whichever is less. This five percent (5%) amount shall be full compensation for all Contractor's and its Subcontractor(s)' mobilization and/or demobilization costs and any anticipated loss profits resulting from termination of the Contractor for convenience.

23.4. Suspension of Work

23.4.1. District may, without cause, order Contractor in writing to suspend, delay or interrupt the Project in whole or in part for such period of time as District may determine. When the District resumes the Project, the Parties will attempt to negotiate an adjustment in the Contract Price for increases or decreases in the cost of performance of the Project caused by suspense, delay or interruption. If the parties cannot agree on an adjusted Contract Price, the District may terminate the Contract as permitted herein.

23.4.2. In the event the District shall order suspension of the Work, an adjustment shall be made to the Contract Price for increases in the direct cost of performance of the Work of the Contract Documents, actually caused by suspension, delay or interruption ordered by the District; provided however that no adjustment of the Contract Price shall be made to the extent: (i) that performance is, was or would have been so suspended, delayed or interrupted by another cause for which the Contractor is responsible under the Contract Documents; or (ii) that an equitable adjustment is made or denied under another provision of the Contract Documents. The foregoing notwithstanding, any adjustment of the Contract Price shall not include any adjustment to increase the Contractor's overhead, general administrative costs or profit, all of which will remain as reflected in the Schedule of Values submitted by the Contractor pursuant to the Contract Documents. In the event of the District's suspension of the Work, the Contract Time shall be equitably adjusted.

23.5. Scope Reduction

In cases of suspension, partial or complete termination, or at the discretion of the District, the District reserves the right to unilaterally approve a deductive Change Order to reduce scope of work or perform work with other forces or its own forces.

24. CLAIMS RESOLUTION

24.1. Exclusive Remedy.

24.1.1. Compliance with the claim resolution process and timelines described in this Claims Resolution section as well as the notice provisions of the Contract are express conditions precedent to Contractor's right to commence litigation or arbitration, file a claim under the California Government Code, or commence any other legal action related to the Project ("Claims Resolution Process").

24.1.2. Contractor acknowledges that its failure, for any reason, to provide written notice and all required supporting documentation to permit the District's review and evaluation within the time frame required by this Claims Resolution Process, shall be deemed Contractor's waiver, release, discharge and relinquishment of any right to assert, request, or demand any entitlement to an adjustment of the Contract Time or the contract Price on account of any instruction, request, drawings, specifications, action, condition, omission, default or other situation.

24.1.3. To the extent any provision(s) of this Claims Resolution Process conflict with or otherwise impair the timeframes and procedures of Public Contract Code section 9204, the provisions of Section 9204 shall control. If provisions of this Claims Resolution Process are supplementary and/or in addition to the requirements of Section 9204, but do not conflict with or otherwise impair the timeframes and procedures of Section 9204, the provisions of this Claims Resolution Process and the Contract shall control.

24.2. Performance during Claim Resolution Process.

The Contractor shall diligently proceed with Work on the Project at the same time that Claims are addressed under the Claims Resolution Process. It is the intent of District to resolve Claims with the Contractor as close to the events giving rise to the Claims as possible, and to avoid stale or late Claims and the late documenting of Claims. Contractor's failure to diligently proceed in accordance with the District's

instructions or the Contract terms will be considered a material breach of the Contract and a waiver of Contractor's rights under this Contract.

24.3. Waiver.

If Contractor fails to timely submit any written notices required under the terms of the Contract or in this Claims Resolution section, Contractor waives and releases its rights regarding further review of its Claim, unless Contractor and District mutually agree in writing to other time limits.

24.4. Intention.

The Claims Resolution Process required herein is intended to provide a concise mechanism for resolving Claims as they arise during the Project, while requiring accurate documentation related to contested issues as to those Claims that are not contemporaneously resolved.

24.5. Other Provisions.

If portions of the Contract, other than this Claims Resolution Process, establish a specific process regarding a specific subject, then that process shall govern and control the resolutions of any disagreements thereunder. Otherwise, the provisions in this Claims Resolution Process shall control the resolution of all Claims.

24.6. Claim Presentation

24.6.1. Claim: A claim is a written demand by Contractor (or by Contractor on behalf of a Subcontractor) that the Contractor must submit by **registered mail or certified mail return receipt requested** for:

24.6.1.1. An extension to the Contract Time, including relief from damages or penalties assessed by the District for delay;

24.6.1.2. Payment of money or damages arising from work done by, or on behalf of, the Contractor pursuant to the Contract and payment that is not otherwise expressly provided for in the Contract Documents or the Contractor is not otherwise entitled; or

24.6.1.3. Payment that is disputed by the District.

("Claim")

24.6.2. A PCO may be a Claim, but the Parties agree that a PCO shall only be a Claim if:

24.6.2.1. The District states in writing that it disagrees with the terms of a PCO and directs the Contractor to utilize the Claim Resolution Process, or

24.6.2.2. The District rejects in whole or in part a PCO and the Contractor states in writing that it is utilizing the Claim Resolution Process for the portion of the PCO that the District rejected.

24.7. Subcontractors.

24.7.1. Public Contract Code section 9204(d)(5) states that the Contractor may present to the District a Claim on behalf of a Subcontractor or lower tier Subcontractor. A Subcontractor may request in writing, either on his or her own behalf or on behalf of a lower tier Subcontractor, that the Contractor present a claim for Work which was performed by the Subcontractor or by a lower tier Subcontractor on behalf of the Subcontractor. The Subcontractor requesting that the Claim be presented to the District shall furnish reasonable documentation to support the Claim. Within 45 days of receipt of this written request, the

Contractor shall notify the Subcontractor in writing as to whether the Contractor presented the claim to the District and, if the Contractor did not present the Claim, provide the Subcontractor with a statement of the reasons for not having done so.

24.7.2. Contractor is responsible for providing this Claims Resolution Process to its Subcontractors and for ensuring that all Subcontractors or others who may assert Claims by and through Subcontractors and/or the Contractor are informed of this Claims Resolution Process. No Claim submitted by any party that fails to follow the provisions of this Claims Resolution Process will be considered. Contractor shall indemnify, keep and hold harmless the District and its consultants, against all suits, claims, damages, losses, and expenses, including but not limited to attorney's fees, caused by, arising out of, resulting from, or incidental to, the failure to provide this Claims Resolution Process to its Subcontractors or others who may assert Claims by and through Subcontractors and/or the Contractor.

24.7.3. Contractor Must Timely Identify, Present and Document Any Claim

24.7.3.1. Every Claim shall be stated with specificity in writing and signed by Contractor under penalty of perjury and presented to the District within ten (10) calendar days from the date Contractor discovers or reasonably should discover, that an act, error or omission of District, its agents or employees, or action, condition or other situation has occurred that may entitle Contractor to make a Claim. This shall include the Contractor's actual or constructive knowledge of any instruction, request, drawings, specifications, action, condition, omission, default or other situation for which the contractor believes there should an adjustment of the Contract Price or Contract Time. Contractor shall provide this writing even if Contractor has not yet been damaged, delayed, or incurred extra cost when Contractor discovers, or reasonably should discover, the act, error, omission, action, condition or situation giving rise to the incidents giving rise to the Claim. The writing shall:

24.7.3.1.1. Identify all of the issues, events, conditions, circumstances and/or causes giving rise to the Claim;

24.7.3.1.2. Identify all pertinent dates and/or durations and all actual and/or anticipated effects on the Contract Price, milestones and/or Contract Time adjustments; and

24.7.3.1.3. Identify in detail line-item costs if the Claim seeks money.

24.7.3.1.4. If the Claim involves extra work, a detailed cost breakdown of the amounts the Contractor is seeking, including actual cost records (including without limitation, payroll records, material and rental invoices and the like) demonstrating that those costs have actually been incurred. To the extent costs have not yet been incurred at the time the Claim is submitted, actual cost records must be submitted on a current basis not less than once a week during any periods costs are incurred. A cost record will be considered current if submitted within seven (7) days of the date the cost reflected in the record is incurred. At the request of District, extra costs may be subject to further verification procedures (such as having an inspector verify the performance of alleged extra work on a daily basis).

24.7.3.1.5. If the Claim involves an error or omission in the Contract Documents:

24.7.3.1.5.1. An affirmative representation under penalty of perjury by Contractor and any affected Subcontractors and suppliers that the error or omission was not discovered prior to submitting a proposal for the Work, and

24.7.3.1.5.2. A detailed statement demonstrating that the error or omission reasonably should not have been discovered, by Contractor, its Subcontractors and suppliers, prior to submitting a proposal for the Work.

24.7.3.1.6. If the Claim involves a request for additional compensation for escalation of materials costs, then this provision exclusively governs those request(s) by Contractor and the following are all conditions precedent to Contractor's submission of a Change Order Request or Claim for additional compensation for escalation of materials costs.

24.7.3.1.6.1. Contractor shall not be entitled to submit a request for compensation for escalation of materials unless the actual cost of materials exceeds ten percent (10%) of the **total** material costs on the Project.

24.7.3.1.6.2. The cost escalation is the result of unusual and unforeseeable market conditions not reasonably foreseeable at the time of award of the Contract and was not an escalated cost resulting from any action or inaction of the Contractor.

24.7.3.1.6.3. Contractor timely ordered and/or purchased the materials at issue.

24.7.3.1.6.4. Contractor's material costs were reasonable at the time of Contractor's bid for the Project.

24.7.3.1.6.5. Contractor demonstrates an actual increase in the cost of materials in its Contract Price at the time of award of the Contract and/or as reflected in Contractor's escrowed bid documents compared to Contractor's actual material payment cost paid either at time of purchase or delivery, whichever is earlier.

24.7.3.1.6.6. An actual year-to-date price increase has occurred and can be substantiated by the E.N.R. 20-City Average Material Cost Index for the material at issue that demonstrates the claim for an increase in price of the material at the time of delivery of the higher priced material to the Project.

24.7.3.2. The writing shall be accompanied by all documents substantiating Contractor's position regarding the Claim.

24.7.3.3. A Claim that asserts an effect on any schedule milestones and/or Contract Time shall include all pertinent scheduling data demonstrating the impact(s) on the critical path(s), milestone(s) and/or Contract Time.

24.7.3.4. Contractor agrees that it shall not base its damages, its calculations or its Claim on a "total cost" approach, a "modified total cost" approach or a "jury verdict method" approach.

24.7.4. Certification. Each copy of the Claim Documentation shall be certified by a responsible officer of the Contractor in accordance with the requirements of the Contract Documents. This certification shall be under penalty of perjury and must include the following language immediately above or before the Contractor's signature: ***"I declare under penalty of perjury under the laws of the State of California that the information provided and statements made in this Claim are true and correct, substantiated and of merit."*** The Contractor acknowledges that this requirement is not a mere formality but is intended to ensure that the Contractor only submits Claims that it believes are true and correct, substantiated and have merit. Should Contractor fail to submit the foregoing written statement signed under penalty of perjury, Contractor waives and releases its Claim, including all rights and remedies in connection therewith. This certification must include a certification of any portion of the Claim from Subcontractor(s) or others who are asserting Claims by and through Subcontractors and/or the Contractor

24.7.5. District's Written Statement/Decision on Claim. The District shall issue a written statement/decision regarding the Claim to the Contractor within forty-five (45) days of receipt of the written Claim from the Contractor, or three (3) days after the District's first regular governing board meeting after that 45-day period if the District's governing board does not meet within that first 45-day

period. If the District fails to timely provide a written statement/decision regarding the Claim, the Claim shall be deemed rejected in its entirety.

24.7.6. Contractor Must Demand an Informal Meet and Confer Conference if Contractor Pursues Any Claim

24.7.6.1. FAILURE OF A CONTRACTOR TO TIMELY DEMAND A MEET AND CONFER CONFERENCE IS A WAIVER OF ITS RIGHT TO PURSUE ALL OR A PORTION OF ITS CLAIM.

24.7.6.2. Where There Is No Agreement: If there is no agreement between Contractor and the District on a Claim, then within ten (10) calendar days of the date of the District's written statement/decision in response to a Claim or PCO, if Contractor pursues that Claim, then Contractor must demand, by **registered mail or certified mail return receipt requested**, a meet and confer conference with District staff. A meet and confer conference with District staff shall be a condition precedent to Contractor seeking any further relief, including a mediation as indicated below.

24.7.6.3. Where There Is Partial Agreement: If Contractor and the District partially agree on a Claim but do not reach complete agreement, then the Parties shall complete a Change Order, if applicable, for the issues and/or amounts agreed to. For those issues not agreed to, if Contractor pursues those issues from that Claim, then Contractor must demand, by **registered mail or certified mail return receipt requested**, a meet and confer conference with District staff regarding those issues. A meet and confer conference with District staff shall be a condition precedent to Contractor seeking any further relief, including a mediation as indicated below, in connection with the District's rejection.

24.7.6.4. Meet and Confer Conference. District and Contractor shall schedule the meet and confer conference as soon as reasonably possible after Contractor's written demand for a meet and confer conference, but in no case later than thirty (30) days after Contractor's demand.

24.7.6.5. District's Written Decision. Within ten (10) **business** days of the meet and confer conference, the District shall issue a written decision. If the District fails to timely provide a written statement/decision after the meet and confer conference, all Claim issues that were part of the meet and confer conference shall be deemed rejected in their entirety.

24.7.6.5.1. If the District's decision completely resolves the Claim, then the Parties shall complete a Change Order, if applicable, for the issues and/or amounts agreed to.

24.7.6.5.2. If the District rejects the Contractor's Claim in whole or in part or does not issue a timely written response, then the parties shall mediate the remaining issues of the Claim.

24.7.6.5.3. Contractor's costs incurred in seeking relief for Claims are not recoverable from District.

24.7.7. Mediation.

24.7.7.1. At the District's sole discretion, this mediation may be a multiple-party mediation with the Architect, the Construction Manager, the Inspector, and/or other District consultants.

24.7.7.2. The District and Contractor shall mutually agree to a mediator within ten (10) **business** days after the disputed portion of the Claim has been identified in writing. If the parties cannot agree upon a mediator, each party shall select a mediator and those mediators shall select a qualified neutral third party to mediate with regard to the disputed portion of the Claim. Each party shall bear the fees and costs charged by its respective mediator in connection with the selection of the neutral mediator.

24.7.8. Contractor's Obligation to File a Government Code Claim. Nothing in this Contract, including this Claims Resolution Process, waives, modifies or tolls the Contractor's obligation to present a timely claim under Government Code section 910, et seq. Therefore, in addition to complying with this Claims Resolution Process, the Contractor is required to present claims to the District pursuant to Government Code section 910, et seq. If after the requirements of this Claims Resolution Process are satisfied, and all or a portion of the Claim remains unresolved, and if the Government Code claim is rejected by the District, the Contractor may proceed under the post-mediation provisions of this Claims Resolution Process.

24.7.9. Post Mediation Provisions

24.7.9.1. Claims of \$375,000 or Less: The provisions of Public Contract Code § 20104.4 shall apply. Pursuant to Public Contract Code § 20104.4(a), within sixty (60) days, but no earlier than thirty (30) days, following the filing of responsive pleadings, the court shall submit the matter to nonbinding mediation unless waived by mutual stipulation of both parties. Pursuant to Public Contract Code § 9204(d)(2)(D), a mediation conducted pursuant to this Claims Resolution Process shall excuse the obligation under Public Contract Code § 20104.4(a) to mediate after litigation has been commenced unless otherwise agreed to by the parties in writing.

24.7.9.2. Litigation of Claims in Excess of \$375,000. If, after a mediation as indicated above, the Parties have not resolved the Claim, either Party may commence an action in a court of competent jurisdiction to contest that decision within ninety (90) days following the conclusion of that mediation or one (1) year following the accrual of the cause of action, whichever is later. By mutual agreement, the Parties can agree to instead resolve the Claim through arbitration.

24.7.10. The District shall be entitled to remedy any false claims, as defined in California Government Code section 12650 *et seq.*, made to the District by the Contractor or any Subcontractor under the standards set forth in Government Code section 12650 *et seq.* Any Contractor or Subcontractor who submits a false claim shall be liable to the District for three times the amount of damages that the District sustains because of the false claim. A Contractor or Subcontractor who submits a false claim shall also be liable to the District for (a) the costs, including attorney fees, of a civil action brought to recover any of those penalties or damages, and (b) a civil penalty of up to \$11,000 for each false claim. In addition, Contractor may be subject to criminal prosecution under California Penal Code §72 and/or civil liability under False Claims Act. If so, the District may be entitled to recover its costs incurred to investigate any False Claim, including but not limited to attorneys' fees and expert fees incurred in connection with that investigation.

24.8. Documentation of Resolution.

If a Claim is resolved, the District shall determine if that resolution shall be documented in an Agreement and Release of Any and All Claims form or other document, as appropriate.

24.9. Claim Resolution Process – Non-Applicability.

The procedures and provisions in this Claims Resolution section shall **not** apply to:

24.9.1. District's determination of what Work is or will be constructed, or whether the Work complies with the Contract Documents for purposes of accepting the Work;

24.9.2. District's rights and obligations as a public entity, such as, but without limitation, the revocation of pre-qualified or qualified status, barring a contractor from District contracts, the imposition of penalties or forfeitures prescribed by statute or regulation; provided, however, that penalties imposed against a public entity by statutes such as Public Contract Code section 7107, shall be subject to the mandatory dispute resolution provisions of this Claims Resolution section and the Contract;

24.9.3. Personal injury, wrongful death or property damage claims;

24.9.4. Latent defect or breach of warranty or guarantee to repair;

24.9.5. Stop notices or stop payment notices; or

24.9.6. Any other District rights as set forth herein.

24.10. The District's failure to respond to a Claim from the Contractor within the time periods described herein or to otherwise meet the time requirements of Public Contract Code section 9204 shall automatically result in the Claim being deemed rejected in its entirety, with no admission by the District as to the merits of the Claim.

24.11. If District fails to timely issue payment for any Claim or portion of a Claim as required pursuant to these Claim Resolution Procedures, the Contractor is permitted to assess interest indicated in Public Contract Code section 9204. Notwithstanding this provision, and in accordance with Public Contract Code section 7107, the District is entitled to withhold up to 150% of disputed amounts and the District shall not be liable for payment of interest on such disputed amounts pending final adjudication of such disputes.

25. LABOR, WAGE & HOUR, APPRENTICE AND RELATED PROVISIONS

25.1. Contractor & Subcontractor Registration

25.1.1. Contractor shall comply with the registration and compliance monitoring provisions of Labor Code section 1771.4, including furnishing its CPRs to the Labor Commissioner of California and complying with any applicable enforcement by the Department of Industrial Relations. Labor Code section 1771.1(a) states the following:

"A contractor or subcontractor shall not be qualified to bid on, be listed in a bid proposal, subject to the requirements of Section 4104 of the Public Contract Code, or engage in the performance of any contract for public work, as defined in this chapter, unless currently registered and qualified to perform public work pursuant to Section 1725.5. It is not a violation of this section for an unregistered contractor to submit a bid that is authorized by Section 7029.1 of the Business and Professions Code or by Section 10164 or 20103.5 of the Public Contract Code, provided the contractor is registered to perform public work pursuant to Section 1725.5 at the time the contract is awarded."

25.1.2. Contractor acknowledges that, for purposes of Labor Code section 1725.5, all or some of the Work is a public work to which Labor Code section 1771 applies. Contractor shall comply with Labor Code section 1725.5, including without limitation the registration requirements. Additionally, all Contractor's Subcontractors shall comply with Labor Code section 1725.5 to be qualified to bid on, be listed in a bid proposal, subject to the requirements of Section 4104 of the Public Contract Code, or engage in the performance of the Contract. Contractor represents that all of its Subcontractors are registered pursuant to Labor Code section 1725.5.

25.1.3. The Project is subject to compliance monitoring and enforcement by the Department of Industrial Relations. Contractor shall post job site notices, as prescribed by regulation. Contractor shall comply with all requirements of Labor Code section 1771.4, except the requirements that are exempted by the Labor Commissioner for the Project.

25.2. Wage Rates, Travel and Subsistence

25.2.1. Pursuant to the provisions of article 2 (commencing at section 1770), chapter 1, part 7, division 2,

of the Labor Code of California, the general prevailing rate of per diem wages and the general prevailing rate for holiday and overtime work in the locality in which this public work is to be performed for each craft, classification, or type of worker needed to execute this Contract are on file at the District's principal office and copies will be made available to any interested party on request and are available to any interested party on request or at www.dir.ca.gov/oprl/statistics_and_databases.html. Contractor shall obtain and post a copy of these wage rates at the job site.

25.2.2. Holiday and overtime work, when permitted by law, shall be paid for at a rate of at least one and one-half times the above specified rate of per diem wages, unless otherwise specified. The holidays upon which those rates shall be paid need not be specified by the District, but shall be all holidays recognized in the applicable collective bargaining agreement. If the prevailing rate is not based on a collectively bargained rate, the holidays upon which the prevailing rate shall be paid shall be as provided in Section 6700 of the Government Code.

25.2.3. Contractor shall pay and shall cause to be paid each worker engaged in Work on the Project not less than the general prevailing rate of per diem wages determined by the Director of the Department of Industrial Relations ("DIR") ("Director"), regardless of any contractual relationship which may be alleged to exist between Contractor or any Subcontractor and such workers.

25.2.4. If during the period this bid is required to remain open, the Director determines that there has been a change in any prevailing rate of per diem wages in the locality in which the Work under the Contract is to be performed, such change shall not alter the wage rates in the Invitation to Bid or the Contract subsequently awarded.

25.2.5. Pursuant to Labor Code section 1775, Contractor shall, as a penalty to District, forfeit the statutory amount, (currently not to exceed two hundred dollars (\$200) for each calendar day, or portion thereof), for each worker paid less than the prevailing rates, as determined by the District and/or the Director, for the work or craft in which that worker is employed for any public work done under Contract by Contractor or by any Subcontractor under it.

25.2.5.1. The amount of the penalty shall not be less than forty dollars (\$40) for each calendar day, or portion thereof, unless the failure of Contractor was a good faith mistake and, if so, the error was promptly and voluntarily corrected when brought to the attention of Contractor.

25.2.5.2. The amount of the penalty shall not be less than eighty dollars (\$80) for each calendar day or portion thereof, if Contractor has been assessed penalties within the previous three (3) years for failing to meet Contractor's prevailing wage obligations on a separate contract, unless those penalties were subsequently withdrawn or overturned.

25.2.5.3. The amount of the penalty may not be less than one hundred twenty dollars (\$120) for each calendar day, or portion thereof, if the Labor Commissioner determines the Contractor willfully violated Labor Code section 1775.

25.2.5.4. The difference between such prevailing wage rates and the amount paid to each worker for each calendar day or portion thereof for which each worker was paid less than the prevailing wage rate, shall be paid to each worker by Contractor.

25.2.6. Any worker employed to perform Work on the Project, which Work is not covered by any classification listed in the general prevailing wage rate of per diem wages determined by the Director, shall be paid not less than the minimum rate of wages specified therein for the classification which most nearly corresponds to Work to be performed by him, and such minimum wage rate shall be retroactive to time of initial employment of such person in such classification.

25.2.7. Pursuant to Labor Code section 1773.1, per diem wages are deemed to include employer

payments for health and welfare, pension, vacation, travel time, subsistence pay, and apprenticeship or other training programs authorized by section 3093, and similar purposes.

25.2.8. Contractor shall post at appropriate conspicuous points on the Site of Project, a schedule showing all determined minimum wage rates and all authorized deductions, if any, from unpaid wages actually earned. In addition, Contractor shall post a sign-in log for all workers and visitors to the Site, a list of all subcontractors of any tier on the Site, and the required Equal Employment Opportunity poster(s).

25.3. Hours of Work

25.3.1. As provided in article 3 (commencing at section 1810), chapter 1, part 7, division 2, of the Labor Code, eight (8) hours of labor shall constitute a legal days work. The time of service of any worker employed at any time by Contractor or by any Subcontractor on any subcontract under this Contract upon the Work or upon any part of the Work contemplated by this Contract shall be limited and restricted by Contractor to eight (8) hours per day, and forty (40) hours during any one week, except as hereinafter provided. Notwithstanding the provisions hereinabove set forth, Work performed by employees of Contractor in excess of eight (8) hours per day and forty (40) hours during any one week, shall be permitted upon this public work upon compensation for all hours worked in excess of eight (8) hours per day at not less than one and one-half times the basic rate of pay.

25.3.2. Contractor shall keep and shall cause each Subcontractor to keep an accurate record showing the name of and actual hours worked each calendar day and each calendar week by each worker employed by Contractor in connection with the Work or any part of the Work contemplated by this Contract. The record shall be kept open at all reasonable hours to the inspection of District and to the Division of Labor Standards Enforcement of the DIR.

25.3.3. Pursuant to Labor Code section 1813, Contractor shall as a penalty to the District forfeit the statutory amount (believed by the District to be currently twenty five dollars (\$25)) for each worker employed in the execution of this Contract by Contractor or by any Subcontractor for each calendar day during which such worker is required or permitted to work more than eight (8) hours in any one calendar day and forty (40) hours in any one calendar week in violation of the provisions of article 3 (commencing at section 1810), chapter 1, part 7, division 2, of the Labor Code.

25.3.4. Any Work necessary to be performed after regular working hours, or on Sundays or other holidays shall be performed without additional expense to the District.

25.4. Payroll Records

25.4.1. If requested by the District, Contractor shall provide to the District and shall cause each Subcontractor performing any portion of the Work to provide the District and an accurate and certified payroll record ("CPR(s)"), showing the name, address, social security number, work classification, straight time, and overtime hours worked each day and week, and the actual per diem wages paid to each journeyman, apprentice, worker, or other employee employed by the Contractor and/or each Subcontractor in connection with the Work.

25.4.1.1. In addition to any other requirements pursuant to Labor Code sections 1770, et seq., the CPRs enumerated hereunder shall be certified and shall be provided to the District on a weekly basis. The CPRs from the Contractor and each Subcontractor for each week shall be provided on or before Wednesday of the week following the week covered by the CPRs. District shall not make any payment to Contractor until:

25.4.1.1.1. Contractor and/or its Subcontractor(s) provide CPRs acceptable to the District, and

25.4.1.1.2. The District is given sufficient time to review and/or audit the CPRs to determine their acceptability. Any delay in Contractor and/or its Subcontractor(s) providing CPRs to the District in a timely manner will directly delay the District's review and/or audit of the CPRs and Contractor's payment.

25.4.2. All CPRs shall be available for inspection at all reasonable hours at the principal office of Contractor on the following basis:

25.4.2.1. A certified copy of an employee's CPR shall be made available for inspection or furnished to the employee or his/her authorized representative on request.

25.4.2.2. CPRs shall be made available for inspection or furnished upon request to a representative of District, Division of Labor Standards Enforcement, Division of Apprenticeship Standards, and/or the Department of Industrial Relations.

25.4.2.3. CPRs shall be made available upon request by the public for inspection or copies thereof made; provided, however, that a request by the public shall be made through either the District, Division of Apprenticeship Standards, or the Division of Labor Standards Enforcement. If the requested CPRs have not been provided pursuant to the provisions herein, the requesting party shall, prior to being provided the records reimburse the costs of preparation by Contractor, Subcontractors, and the entity through which the request was made. The public shall not be given access to the records at the principal office of Contractor.

25.4.3. The form of certification for the CPRs shall be as follows:

I, _____ (Name-Print), the undersigned, am the _____
_____ (Position in business) with the authority to act for and on behalf of _____
_____ (Name of business and/or Contractor), certify under penalty of perjury that the records or copies thereof submitted and consisting of _____
(Description, number of pages) are the originals or true, full, and correct copies of the originals which depict the payroll record(s) of actual disbursements by way of cash, check, or whatever form to the individual or individual named, and (b) we have complied with the requirements of sections 1771, 1811, and 1815 of the Labor Code for any work performed by our employees on the Project.

Date: _____ Signature: _____
(Section 16401 of Title 8 of the California Code of Regulations)

25.4.4. Each Contractor shall file a certified copy of the CPRs with the entity that requested the records within ten (10) days after receipt of a written request.

25.4.5. Any copy of records made available for inspection as copies and furnished upon request to the public or any public agency by District, Division of Apprenticeship Standards, or Division of Labor Standards Enforcement shall be marked or obliterated in such a manner as to prevent disclosure of an individual's name, address, and social security number. The name and address of Contractor awarded Contract or performing Contract shall not be marked or obliterated.

25.4.6. Contractor shall inform District of the location of the records enumerated hereunder, including the street address, city, and county, and shall, within five (5) Business Days, provide a notice of change of location and address.

25.4.7. In the event of noncompliance with the requirements of this section, Contractor shall have ten (10) days in which to comply subsequent to receipt of written notice specifying in what respects Contractor must comply with this section. Should noncompliance still be evident after the ten (10) day

period, Contractor shall, as a penalty to District, forfeit one hundred dollars (\$100) for each calendar day, or portion thereof, for each worker, until strict compliance is effectuated. Upon the request of Division of Apprenticeship Standards or Division of Labor Standards Enforcement, these penalties shall be withheld from progress payments then due.

25.4.8. It shall be the responsibility of Contractor to ensure compliance with the provisions of Labor Code section 1776.

25.5. Apprentices

25.5.1. Contractor acknowledges and agrees that, if this Contract involves a dollar amount greater than or a number of working days greater than that specified in Labor Code section 1777.5, then this Contract is governed by the provisions of Labor Code Section 1777.5. It shall be the responsibility of Contractor to ensure compliance with this Article and with Labor Code section 1777.5 for all apprenticeship occupations.

25.5.2. Apprentices of any crafts or trades may be employed and, when required by Labor Code section 1777.5, shall be employed provided they are properly registered in full compliance with the provisions of the Labor Code.

25.5.3. Every such apprentice shall be paid the standard wage paid to apprentices under the regulations of the craft or trade at which he/she is employed, and shall be employed only at the work of the craft or trade to which she/he is registered.

25.5.4. Only apprentices, as defined in section 3077 of the Labor Code, who are in training under apprenticeship standards and written apprentice agreements under chapter 4 (commencing at section 3070), division 3, of the Labor Code, are eligible to be employed. The employment and training of each apprentice shall be in accordance with the provisions of the apprenticeship standards and apprentice agreements under which he/she is training.

25.5.5. Pursuant to Labor Code section 1777.5, if that section applies to this Contract as indicated above, Contractor and any Subcontractors employing workers in any apprenticeable craft or trade in performing any Work under this Contract shall apply to the applicable joint apprenticeship committee for a certificate approving the Contractor or Subcontractor under the applicable apprenticeship standards and fixing the ratio of apprentices to journeymen employed in performing the Work.

25.5.6. Pursuant to Labor Code section 1777.5, if that section applies to this Contract as indicated above, Contractor and any Subcontractor may be required to make contributions to the apprenticeship program.

25.5.7. If Contractor or Subcontractor willfully fails to comply with Labor Code section 1777.5, then, upon a determination of noncompliance by the Administrator of Apprenticeship, it shall:

25.5.7.1. Be denied the right to bid on any subsequent project for one (1) year from the date of such determination;

25.5.7.2. Forfeit as a penalty to District the full amount as stated in Labor Code section 1777.7. Interpretation and enforcement of these provisions shall be in accordance with the rules and procedures of the California Apprenticeship Council and under the authority of the Chief of the Division of Apprenticeship Standards.

25.5.8. Contractor and all Subcontractors shall comply with Labor Code section 1777.6, which section forbids certain discriminatory practices in the employment of apprentices.

25.5.9. Contractor shall become fully acquainted with the law regarding apprentices prior to

commencement of the Work. Special attention is directed to sections 1777.5, 1777.6, and 1777.7 of the Labor Code, and title 8, California Code of Regulations, section 200 et seq. Questions may be directed to the State Division of Apprenticeship Standards, 455 Golden Gate Avenue, San Francisco, California 94102.

25.5.10. Contractor shall ensure compliance with all certification requirements for all workers on the Project including, without limitation, the requirements for electrician certification in Labor Code sections 108, et seq.

25.6. Non-Discrimination

25.6.1. Contractor herein agrees not to discriminate in its recruiting, hiring, promotion, demotion, or termination practices on the basis of race, religious creed, national origin, ancestry, sex, age, or physical handicap in the performance of this Contract and to comply with the provisions of the California Fair Employment and Housing Act as set forth in part 2.8 of division 3 of the California Government Code, commencing at section 12900; the Federal Civil Rights Act of 1964, as set forth in Public Law 88-352, and all amendments thereto; Executive Order 11246, and all administrative rules and regulations found to be applicable to Contractor and Subcontractor.

25.6.2. Special requirements for Federally Assisted Construction Contracts: During the performance of this Contract, Contractor agrees to incorporate in all subcontracts the provisions set forth in Chapter 60-1.4(b) of Title 41 published in Volume 33 No. 104 of the Federal Register dated May 28, 1968.

25.7. Labor First Aid

Contractor shall maintain emergency first aid treatment for Contractor's workers on the Project which complies with the Federal Occupational Safety and Health Act of 1970 (29 U.S.C. § 651 et seq.) the California Occupational Safety and Health Act of 1973, and all related regulations, including without limitation section 330 et seq. of Title 8 of the California Code of Regulations.

26. MISCELLANEOUS

26.1. Assignment of Antitrust Actions

26.1.1. Section 7103.5(b) of the Public Contract Code states:

In entering into a public works contract or subcontract to supply goods, services, or materials pursuant to a public works contract, the Contractor or subcontractor offers and agrees to assign to the awarding body all rights, title, and interest in and to all causes of action it may have under Section 4 of the Clayton Act (15 U.S.C. Sec. 15) or under the Cartwright Act (Chapter 2 (commencing with Section 16700) of Part 2 of Division 7 of the Business and Professions Code), arising from purchases of goods, made and become effective at the time the awarding body tenders final payment to the Contractor, without further acknowledgment by the parties.

26.1.2. Section 4552 of the Government Code states:

In submitting a bid to a public purchasing body, the bidder offers and agrees that if the bid is accepted, it will assign to the purchasing body all rights, title, and interest in and to all causes of action it may have under Section 4 of the Clayton Act (15 U.S.C. Sec. 15) or under the Cartwright Act (Chapter 2 (commencing with Section 16700) of Part 2 of Division 7 of the Business and Professions Code), arising from purchases of goods, materials, or services by the bidder for sale to the purchasing body pursuant to the bid. Such assignment shall be made and become effective at the time the purchasing body tenders final payment to the bidder.

26.1.3. Section 4553 of the Government Code states:

If an awarding body or public purchasing body receives, either through judgment or settlement, a monetary recovery for a cause of action assigned under this chapter, the assignor shall be entitled to receive reimbursement for actual legal costs incurred and may, upon demand, recover from the public body any portion of the recovery, including treble damages, attributable to overcharges that were paid by the assignor but were not paid by the public body as part of the bid price, less the expenses incurred in obtaining that portion of the recovery.

26.1.4. Section 4554 of the Government Code states:

Upon demand in writing by the assignor, the assignee shall, within one year from such demand, reassign the cause of action assigned under this part if the assignor has been or may have been injured by the violation of law for which the cause of action arose and (a) the assignee has not been injured thereby, or (b) the assignee declines to file a court action for the cause of action.

26.1.5. Under this Article, “public purchasing body” is District and “bidder” is Contractor.

26.2. Excise Taxes

If, under Federal Excise Tax Law, any transaction hereunder constitutes a sale on which a Federal Excise Tax is imposed and the sale is exempt from such Federal Excise Tax because it is a sale to a State or Local Government for its exclusive use, District, upon request, will execute documents necessary to show (1) that District is a political subdivision of the State for the purposes of such exemption, and (2) that the sale is for the exclusive use of District. No Federal Excise Tax for such materials shall be included in any Contract Price.

26.3. Taxes

Contract Price is to include any and all applicable sales taxes or other taxes that may be due in accordance with section 7051 of the Revenue and Taxation Code; Regulation 1521 of the State Board of Equalization or any other tax code that may be applicable.

26.4. Shipments

All shipments must be F.O.B. destination to Site or sites, as indicated in the Contract Documents. There must be no charge for containers, packing, unpacking, drayage, or insurance. The total Contract Price shall be all inclusive (including sales tax) and no additional costs of any type will be considered.

26.5. Compliance with Government Reporting Requirements

If this Contract is subject to federal or other governmental reporting requirements because of federal or other governmental financing in whole or in part for the Project which it is part, or for any other reason, Contractor shall comply with those reporting requirements at the request of the District at no additional cost.

END OF DOCUMENT

SECTION 01 64 00

OWNER FURNISHED PRODUCTS

PART 1 GENERAL

1.01 SUMMARY

- A. DESCRIPTION: The Owner shall procure and provide certain products for installation as shown and specified per Contract Documents.
- B. RELATED WORK SPECIFIED ELSEWHERE
 - 1. **General.** Products furnished and paid for by the Owner are described in the following technical sections and /or in the Drawings.
 - 2. **District Supplies Material.**
Note that this project includes the installation of owner-supplied material; the District has acquired roofing material through the CMAS (California Multiple Award Schedules) program.

1.02 DEFINITIONS

- A. GENERAL: The following are used to identify products as noted on the Drawings.
- B. OWNER FURNISHED CONTRACTOR INSTALLED (O.F.C.I.): Products or equipment furnished by the Owner for installation under this contract.
- C. OWNER FURNISHED OWNER INSTALLED (O.F.O.I.): Products or equipment to be provided and installed by the Owner, but requiring surfacing, backing, utility connections or other preparation under this contract, for proper installation.
- D. NOT IN CONTRACT (N.I.C.): Products or equipment to be provided and installed by Owner, not requiring surfacing, backing, utility connections or other preparation under this contract.

PART 2 PRODUCTS

2.01 PRODUCTS

- A. ROOFING MATERIAL FURNISHED BY OWNER (O.F.C.I.): District supplied material through the CMAS (California Multiple Award Schedules) program. Related specification sections include Section 075360 Modified Bituminous Membrane Roofing
- B. MATERIAL LIST:

1.	StressPly Plus FR Mineral	210	Rolls
2.	StressBase 80 Plus	105	Rolls
3.	Pyramic Plus LO	85	Buckets
4.	Weatherking Plus WC	120	Buckets
5.	Weatherking Flashing Adhesive	60	Buckets
6.	Tuff-Stuff MS	4	Cases
7.	Garla-Prime VOC	10	Buckets
8.	VersiPly Mineral	30	Rolls

9.	VersiPly 40	15	Rolls
10.	LiquiTec	200	Buckets
11.	Green-Lock Plus Flashing Adhesive	115	Buckets
12.	Grip Polyester Soft (6-inch)	35	Rolls
13.	R-Mer Span 0.040 Aluminum	14,250	Square Feet
14.	R-Mer Seal	70	Rolls
15.	Freight to Jobsite	1	Each

PART 3 EXECUTION

3.01 OWNER'S RESPONSIBILITIES

- A. SUBMITTALS: Arrange for and deliver necessary shop drawings, product data and samples to Contractor
- B. DELIVERY:
 - 1. **General**: Arrange and pay for product delivery to site, in accordance with construction schedule
 - 2. **Bill of Materials**: Deliver supplier's documentation to Contractor.
 - 3. **Inspection**. Inspect jointly with Contractor.
 - 4. **Claims**. Submit for transportation damage and replacement of otherwise damaged, defective, or missing items.
- C. **GUARANTEES**: Arrange for manufacturer's warranties, bonds, service, inspections, as required.

3.02 CONTRACTOR'S RESPONSIBILITIES

- A. SUBMITTALS: Arrange for and deliver necessary shop drawings, product data and samples to Contractor
- B. DELIVERY:
 - 1. **General**: Designate delivery date for each product in Progress Schedule
 - 2. **Receiving**: Receive and unload products at site. Handle products at site, including uncrating and storage.
 - 3. **Inspection**: Promptly inspect products jointly with Owner; record shortages, damaged or defective items.
 - 4. **Storage**: Protect products from damage or exposure to elements.
- C. INSTALLATION:
 - 1. **General**: Assemble, install, connect, adjust, and finish products, as stipulated in the respective section of Specifications.
 - 2. **Repair and Replacement**: Items damaged during handling and installation are the responsibility of the contractor.

END OF SECTION

SECTION 07 2216**ROOF INSULATION****PART 1 GENERAL****1.01 SECTION INCLUDES**

- A. Roof insulation and installation.
 - 1. HCFC FREE "Green" Polyiso Rigid board type roof insulation(s) for thermal protection as part of roofing assemblies.

1.02 RELATED SECTIONS

- A. Section 07 55 50 - Modified Bitumen Roofing
- B. Section 07 62 00 - Sheet Metal Flashing and Trim

1.03 REFERENCES

- A. ASTM A-167-94a Specification for Stainless and Heat-Resisting Chromium Nickel Steel Plate, Sheet and Strip
- B. ASTM A- 653 Specification for Steel Sheet, Zinc-Coated (Galvanized) or Zinc - Iron Alloy-Coated (Galvanized) by the Hot-Dip Process
- C. ASTM B-29 Pig Lead
- D. ASTM B-32 Solder Metal
- E. ASTM C-165-95 Test Method for Measuring Compressive Properties of Thermal Insulation
- F. ASTM C-208-95 Specifications for Cellulosic Fiber Insulating Board
- G. ASTM C-209-92 Test Method for Cellulosic Fiber Insulating Board
- H. ASTM C-272-91 Test Method for Water Absorption of Core Materials for Structural Sandwich Constructions
- I. ASTM C 518 - Standard Test Method for Steady-State Heat Flux Measurements and Thermal Transmission Properties by Means of the Heat Flow Meter Apparatus.
- J. ASTM C-728-91 Specification for Perlite Thermal Insulation Board
- K. ASTM D-5 Test Method for Penetration of Bituminous Materials
- L. ASTM D-36 Test Method for Softening Point of Bitumen (Ring and Ball Apparatus)
- M. ASTM D-92 Test Method for Flash and Fire Pints by Cleveland Open Cup
- N. ASTM D-312 Specification for Asphalt Used in Roofing
- O. ASTM D-5147 Sampling and Testing Modified Bituminous Sheet Material
- P. ASTM E 84 - Standard Test Method for Surface Burning Characteristics of Building Materials.
- Q. ASTM E 96 - Standard Test Methods for Water Vapor Transmission of Materials.
- R. ASTM E 2114-01 - Standard Terminology for Sustainability Relative to the Performance of Buildings
- S. ASTM 2129 -01 - Standard Practice for Data Collection for Sustainability Assessment of Building Product
- T. FM Factory Mutual System, Norwood, Massachusetts
- U. NRCA National Roofing Contractors Association, Chicago, IL

- V. SMACNA Sheet Metal and Air Conditioning Contractors National Association
- W. UL Underwriter's Laboratories, Inc., Northbrook, Illinois
- X. FS HH-I-1972 Insulation Board, Polyisocyanurate
- Y. WH Warnock Hersey International, Inc. Middleton, WI

1.04 DEFINITIONS

- A. HCFC FREE "Green" Polyiso Roof Board Insulation is defined as environmentally friendly, with Zero Global Warming, Zero Ozone Depletion (ODP) as in compliance with the US EPA requirements of January 1, 2003 requirement to eliminate production of HCFC 141b.
- B. LTTR (Long Term Thermal Resistance) is defined as using techniques from ASTM C1303, CAN/ULC S770 predicting a foam's R-Value that has been shown to be equivalent to the average performance of a permeably faced foam insulation product over 15 years. In Canada this method is used as the Design R-Value. This applies to ALL foam insulation products with blowing agents other than air, such as Polyiso, "Green" Polyiso, extruded polystyrene and polyurethane. The new method is based on consensus standards in the US and Canada. PIMA has reported this method as providing a better understanding of the thermal performance of foam.

1.05 SUBMITTALS

- A. Submit under the provisions of the General Conditions Section 00 70 00.
- B. Product Data: Manufacturer's specifications and installation instructions for each product specified.
- C. Provide approval letters from insulation manufacturer for use of their insulation within this particular roofing system type.
- D. Provide a sample of each insulation type.
- E. Shop Drawings:
- F. Indicate complete installation details of tapered insulation system, including identification of each insulation block, sequence of installation, layout, drain locations, roof slopes, thicknesses, crickets and saddles.
- G. Include: Outline of roof, location of drains and scuppers, complete board layout of tapered insulation components, thickness and the average "R" value for the completed insulation system.
- H. Certifications: Submit all of the following.
 - 1. Roof manufacturer's certification that insulation fasteners furnished are acceptable to roof manufacturer.
 - 2. Roof manufacturer's certification that insulation furnished is acceptable to roofing manufacturer as a component of roofing system and is eligible for roof manufacturer's system warranty.
 - 3. Wind uplift calculation, per CBC, Chapter 15, 1504 utilizing ASCE 7. Wind uplift shall be provided by the roofing system manufacturer. Calculation shall be signed and sealed by a CA licensed Structural II engineer.
 - 4. System Manufacturer's or insulation manufacturer's certification that HCFC FREE "Green" Polyiso materials meet Zero ODP (Ozone Depletion Potential) and Zero GWP (Global Warming Potential) specification requirements.

1.06 DESIGN REQUIREMENTS

- A. No ponding of water on roof, all runoff flows to drain.
- B. All roof insulation overlaid with perlite board. No roofing installed over exposed insulation.

1.07 PERFORMANCE REQUIREMENTS

- A. General: Fire Classification, ASTM E-108; Section specifies a roof system with an external fire rating. The descriptions given below are general descriptions. The insulation, recovery board, and all other components shall be included as required by the membrane manufacturer to provide a Factory Mutual Class 1A fire resistance rating or Listed by Underwriter's Laboratories or Warnock Hersey for external fire tests of ASTM - E - 108 Class A.
- B. Provide continuity of thermal barrier at building enclosure elements.
- C. Flame spread less than 25 when tested in accordance with ASTM E84.
- D. Smoke density less than 50 when tested in accordance with ASTM E84.

1.08 DELIVERY, STORAGE, AND HANDLING

- A. Deliver materials in manufacturer's original, unopened packaging, with identifying tags or labels intact and legible.
- B. Coordinate scheduling for timely deliveries and prompt installation of materials.
- C. Store insulation and support system in a dry, protected area out of direct sunlight. If the storage area is outdoors, store material off the ground and protected by a suitable waterproof cover.
- D. Remove insulation which is warped, broken or exposed to moisture from the site.

1.09 ENVIRONMENTAL REQUIREMENTS

- A. Handle and install insulation system only under conditions and temperatures recommended by the manufacturer.
- B. Coordinate insulation placement to assure that material can be covered promptly with the roof. Do not leave insulation exposed overnight or to inclement weather.

1.10 WARRANTY

- A. Provide warranty coordinated with the requirements of other sections specifying roof products.

PART 2 PRODUCTS**2.01 MANUFACTURER**

- A. Acceptable Manufacturers:
 - 1. Viking Products Group, www.vikingpg.com
 - 2. Dow, www.dow.com
 - 3. GAF, www.gaf.com.
 - 4. U. S. Intec Inc., www.usintec.com.
- B. Substitutions: See Section 01 6000 - Product Requirements.

2.02 MATERIALS

- A. Polyisocyanurate Roof Insulation: Provide thicknesses of insulation as indicated. Provide combination of types and thicknesses to provide a complete system.
 - 1. Surface Burning Characteristics: Provide assembly with composite flame spread rating of 25 or less and smoke developed of 50 or less, as determined in accordance with ASTM E 84.
 - 2. Closed cell polyisocyanurate foam.
 - a. R-Value: Minimum 10.
 - 3. Insulation board shall meet the following requirements:
 - a. UL, WH or FM listed under Roofing Systems
 - b. Federal Specification HH-I-1972, Class 1
 - c. Dimensional Stability ASTM D2126 2% max.
 - d. Compressive Strength ASTM D1621 25 psi min.
 - e. Vapor Permeability ASTM E-96 1 perm max.

- f. Foam Core Density ASTM D1622 2.0 pcf min.
 - g. Water Absorption ASTM C209 <1 %
 - h. Flame Spread ASTM E 84, 25 max.
 - i. R-Factor HR per inch thickness ASTM C 518 (Design Value)
- B. Related Materials:
 - 1. Fiber Cant and Tapered Edge Strips: Performed rigid insulation units of sizes/shapes indicated or as required to achieve configurations shown, of perlite or organic fiberboard:
- C. Protection Board: preprimed gypsum board 1/2-inch thickness.
- D. Adhesive: Insul-Lock HR – The Garland Company.
- E. Sprayed in place backfill insulation: Dow Great Stuff or as approved by roofing system manufacturer.
- F. Fasteners:
 - 1. Corrosion resistant screw fastener as recommended by roof membrane manufacturer.
 - 2. Factory Mutual Tested and Approved with 3 in. coated disc for 1-90 rating, length required to penetrate deck one inch.

PART 3 EXECUTION**3.01 EXAMINATION**

- A. Verify that roof framing system is complete and ready to receive insulation system. Do not proceed with installation until unsatisfactory conditions have been corrected.
 - 1. Verify that work which penetrates roof deck has been completed.
 - 2. Verify that wood nailers are properly and securely installed.
 - 3. Examine surfaces for defects, rough spots, ridges, depressions, foreign material, moisture, and unevenness.
 - 4. Do not proceed until defects are corrected.
 - 5. Do not apply insulation until substrate is sufficiently dry, 12 percent moisture maximum, and ready to receive insulation and adhesive.
 - 6. Broom clean substrate immediately prior to application.
 - 7. Use additional insulation to fill depressions and low spots that would otherwise cause ponding water.

3.02 INSTALLATION

- A. General: Install roof insulation in strict accordance with manufacturer's instructions and approved shop drawings.
- B. Roofing insulation attachment with mechanical fasteners:
 - 1. Approved insulation board shall be fully attached to the deck with an approved mechanical fastening system. Attachment shall be per roofing system manufacturer's wind uplift calculation.
 - 2. Place boards in a method to maximize contact bedding. Notch out undersides of insulation where insulation directly covers structural fasteners which are attached to the roof deck. Make a notch equal to the length, width, and depth of steel strap.
 - 3. Filler pieces of insulation require at least two fasteners per piece if size of insulation is less than four square feet.
 - 4. Provide spacing pattern of fasteners manufacturer's recommendations to meet wind uplift requirements. Placement of any fastener from edge of insulation board shall be a minimum of three inches, and a maximum of six inches.
 - 5. Minimum penetration into deck shall be as recommended by the fastener manufacturer, and one inch (1") minimum for wood or metal decks where not specified by the manufacturer
 - 6. Backfill around all conduit, junction boxes, etc. in roof insulation with spray foam insulation. Shave solidified spray foam even with board insulation surface.
 - 7. Subsequent layers of insulation will be set in insulation adhesive. Stagger the joints of subsequent layers of polyisocyanurate and protection board over the initial layer.

8. Adhere cover board in foam insulation adhesive.

3.03 CLEANING AND PROTECTION

- A. Remove debris and cartons from roof deck. Protect finished work to ensure that insulation remains clean and dry, ready to receive roofing membrane.

END OF SECTION

SECTION 07 41 13**METAL ROOF PANELS****PART 1 – GENERAL****1.01 DESCRIPTION:**

- A. Work described in this section includes all labor, non owner supplied materials, tools, transportation, equipment, and services to install factory finished complete Class A preformed metal roofing system including clips, perimeter and penetration flashing, ridge cap, edge stiffeners, closures, ridge cap, drip stiffener, and gutters. (including gutter expansion joints).

1.02 RELATED SECTIONS:

- A. Section 07550 – Modified Bituminous Roofing
- B. Section 07220 – Roof and Deck Insulation
- C. Section 07620 - Sheet Metal Flashing and Trim.
- D.

1.03 SUBMITTALS:

- A. Submit under provisions of the General Conditions Section 00 70 00.
- B. Shop Drawings: Show roofing system with flashings and accessories in plan and elevation; sections and details. Include metal thicknesses and finishes, panel lengths, joining details, anchorage details, flashings and special fabrication provisions for termination and penetrations. Indicate relationships with adjacent and interfacing work. Shop drawings must be completed by the metal panel manufacturer's engineering department. Any and/or all changes recommended by the successful bidder must be approved by the manufacturer in writing prior to submittal.
- C. Product Data: Include manufacturer's detailed material and system description, sealant and closure installation instructions, engineering performance data and finish specifications.
- D. Design Test Reports:
 - 1. Indicate fastener types of spacings; and provide fastener pullout values.
 - 2. Submit copy of manufacturer's minimum design load calculations according to ASCE-7-10.
 - 3. Submit copy of certification from manufacturer stating that specified system has been tested in accordance with ASTM-1592 requirements by an independent Engineering Firm. All test results must be submitted including Air (ASTM E 283) Infiltration Tests. These test results must meet or exceed those listed in Section 1.8 (Design and Performance Criteria) and be stamped by an independent Engineering Firm.

1.04 INSTALLER QUALIFICATIONS:

- A. Installer:
 - 1. Engage an experienced metal roofing contractor (erector) to install standing seam system who has a minimum of five (5) years experience specializing in the installation of structural standing seam metal roof systems.

EXHIBIT A – PROJECT SPECIFICATIONS

ALAMEDA HIGH ROOF REPAIRS

2. Contractor must be certified by manufacturer specified a supplier of structural standing seam system and obtain written certification from manufacturer that installer is approved for installation of specified system. If requested, contractor must supply owner with a copy of this certification.
3. Successful contractor is required to maintain a full-time supervisor/foreman who is on the job-site at all times during installation of new roof system. Foreman must have a minimum of five (5) years' experience with the installation of system similar to that specified.

1.05 MANUFACTURER QUALIFICATIONS:

- A. The materials outlined in the Material and Method Specifications are based on the performance characteristics of the Rmer Span system by the Garland Company. Bidder will not be allowed to supply panels formed at the job-site on portable rollformers; metal panels must be pre-manufactured and engineered for this project. Bidder will not be allowed to change materials after the bid opening date. If the bidder wishes to propose an alternate manufacturer and/or material than that specified, the following manufacturer criteria must be submitted and approved in writing by the Architect and or Customer 10 days prior to bid due date. Failure to comply with this requirement is grounds for disqualification of Bid.
 1. Submit certified test reports from a testing laboratory that bear the stamp of a registered California P.E. to show compliance with specified performance criteria. Test reports must meet the specified negative uplift pressures as listed per this specification for the gauge, panel width and clip spacing specified as confirmed by manufacturers ASTM-E-1592 test results.
 2. Tests shall have been made identical systems within the ranges of specified performance criteria.
 3. Empirical calculations for roof performance shall only be acceptable for positive loads.
 4. Indicate fastener types and spacings and provide fastener pullout values.
 5. Submit copy of manufacturer's Factory Mutual Certification for specified system.
 6. Submit copy of certification from manufacturer stating that specified system has been tested in accordance with ASTM-1592 requirements by an independent Engineering Firm. All test results must be submitted including Air (ASTM E 283) Infiltration and meet or exceed those listed in Section 1.8 (Design and Performance Criteria).
 7. A list of a minimum of five (5) jobs where the proposed alternate material was used under similar conditions. The reference list shall include date of project, size of project, address and contact telephone number.
 8. A financial statement demonstrating a current ratio of 2:1 (current assets to current liabilities).
 9. A written statement from the manufacturer stating that they will provide the building owner with a daily site inspection for a minimum of one (1) hour by an experienced, full time employee of the company.
 10. A written statement from a corporate officer of the manufacturing company stating that he or she has reviewed the specifications and confirms that the proposed system meets or exceeds all performance requirements listed as well as meets the panel size, gauge, weight, clip design, sealant design, uplift pressures and height of the vertical seam.
 11. A copy of manufacturer's 30 year NDL standing seam/modified built up warranty.
- B. The following samples must be submitted by alternate manufacturers:
 1. Submit sample of panel section, at least 6" x 6" showing seam profile and also a sampler of color selected. Submit sample of panel clip.

1.06 DELIVERY, STORAGE, AND HANDLING

- A. Manufacturer's responsibility:
 - 1. Protect components during fabrication and packing from mechanical abuse, stains, discoloration, and corrosion.
 - 2. Provide protective interleaving between contact areas of exposed surfaces to prevent abrasion during shipment, storage, and handling.
- B. Installer's responsibility:
 - 1. Store materials off ground providing for drainage; under cover providing for air circulation; and protected from wind movement, foreign material contamination, mechanical damage, cement, lime or other corrosive substances.
 - 2. Handle materials to prevent damage to surfaces, edges and ends of roofing sheets and sheet metal items. Damaged material shall be rejected and removed from the site.

1.07 JOB CONDITIONS:

- A. Determine that work of other trades will not hamper or conflict with necessary fabrication and storage requirements for preformed metal roofing system.
- B. Protection:
 - 1. Provide protection or avoid traffic on completed roof surfaces.
 - 2. Support no roof-mounted equipment directly on roofing system.
- C. Ascertain that work of other trades which penetrates the roof or is to be made watertight by the roof is in place and approved prior to installation of roofing.

1.08 QUALITY CRITERIA:

- A. Applicable standards:
 - 1. American Society for Testing and Materials (ASTM):
 - B209-03 Specification for Aluminum and Aluminum-Alloy Sheet and Plate.
 - E283-93 Test Method for Rate of Air Leakage through Exterior Windows, Curtain Walls, and Doors Under Specified Pressure Differences Across the Specimen.
 - E1592-01 Standard Test Method for Structural Performance of Sheet Metal Roof and Siding Systems by Uniform Static Air Pressure Difference.
 - 2. Sheet Metal and Air Conditioning Contractors National Association (SMACNA): Architectural Sheet Metal Manual, Latest Edition.
 - 4. Underwriters' Laboratories (UL):
 - Standard UL – 580 Tests for Wind-Uplift Resistance of Roof Assemblies.
 - Standard UL – 790 Class A Fire Rated Materials.
- B. Applicable erection tolerances: Maximum variation from true planes or lines: ¼" in 20'-0"; 3/8" in 40'-0" or more.

1.09 DESIGN AND PERFORMANCE CRITERIA:

- A. Thermal Movement:
1. Completed metal roofing and flashing system shall be capable of withstanding expansion and contraction of components caused by changes in temperature without buckling, producing excess stress on structure, anchors or fasteners, or reducing performance ability.
 2. Interface between panel and clip shall provide for **unlimited** thermal movement in each direction along the longitudinal direction.
- B. Uniform wind load capacity:
1. Capacity shall be determined using pleated airbag method in accordance with ASTM E 1592, testing of sheet metal roof panels as follows:
 - (7.1) Roof test specimens shall be either full length or representative of the main body of the roof, free from edge restraint or perimeter attachments, continuous over one or more supports, and containing at least five panel modules for standing seam roof.
 - (7.1.2) No attachments shall be permitted at sides or end perimeter other than those that occur uniformly throughout roof. Side and end seals shall be flexible and in no way restrain crosswise distortion of panels.
 - (7.2.1) Panels and accessories shall be production materials of same type and thickness proposed for use on project.
 2. Installed roof system shall carry positive uniform design loads with a maximum system deflection of L/180 as measured at the rib (web) of the panel.
- C. Underwriters' Laboratories, Inc., (UL) fire resistance P ratings for roof assemblies. Underwriters' Laboratories, Inc., (UL) Class A fire rated materials per UL 790.
- D. ASTM E283: **Static pressure air infiltration:**
- | <u>Pressure</u> | <u>Leakage Rate</u> |
|-----------------|---------------------|
| 1.57 PSF | 0.0007 cfm/sq.ft. |
| 6.24 PSF | 0.0002 cfm/sq.ft. |
| 20.0 PSF | 0.0036 cfm/sq.ft. |
- E. Water penetration (dynamic pressure): No water penetration, other than condensation, when exposed to dynamic rain and 70 mph wind velocities for not less than five minutes duration, when tested in accord with principles of ASMA 501.1.
- F. Capacities for gauge, span or loading other than those tested may be determined by interpolation of test results within the range of test data. Extrapolation for conditions outside test range are not acceptable.
- G. Cool Roof Features:
- Aged Solar Reflectance = 0.20 or higher
 - Thermal Emittance = 0.75 or higher
- Verify that colors selected meet this minimum criteria.

1.09 WARRANTIES:

- A. Owner shall receive ONE (1) WARRANTY from manufacturer of roof panels covering ALL of the following criteria. Multiple warranties are NOT acceptable:

EXHIBIT A – PROJECT SPECIFICATIONS

ALAMEDA HIGH ROOF REPAIRS

1. Manufacturer's 30 year NDL watertight warranty. Manufacturer's warranty shall be a total systems warranty including all metal soffit, standing seam roofing, modified bitumen, soffits, and ANSI-SPRI ES-1 Edge metal. The same company shall manufacture the soffit, standing seam metal, modified bitumen, and ANSI-SPRI ES-1. This composite warranty shall provide the city with a single source of liability by guaranteeing both waterproofing systems against leaks for a period of 30 years.
2. Warranty must cover the calculated wind speed of 120 mph uplift pressures.
3. 20 year coverage on finish including checking, crazing, peeling, chalking, fading and or adhesion.
4. Installer shall provide manufacturer with 5 year warranty covering roofing system installation and watertightness.

1.10 PRE-INSTALLATION CONFERENCE:

- A. Conduct pre-installation meeting at project site before each construction activity that required coordination with installation of preformed metal roofing system.
- B. Other trades involved in or affected by installation of metal roof system shall attend.
- C. Advise Architect/Owner of scheduled meeting dates minimum of seven (7) days in advance.
- D. Review progress of other construction activities and preparations for particular activity under construction at each pre-installation conference.
- E. Record significant discussions and agreements/disagreements of each conference, along with approved schedule. Distribute record of meeting to everyone concerned, promptly, including Owner and Architect.
- F. Do not proceed if conference cannot be successfully concluded. Initiate whatever actions are necessary to resolve impediments to performance of work and reconvene conference at earliest feasible date.

PART 2 – PRODUCTS

2.01 MANUFACTURERS:

- A. Basis of Design: R-Mer Span by Garland Company, Inc. (The), which is located at: 3800 E 91st St., Cleveland, OH 44105;
Local Representative: Doug Clark (925) 784-6701 – Email: dclark@garlandind.com
 1. Materials to be furnished and provided by Alameda USD through CMAS.

2.02 MATERIALS:

- A. Metal Roofing System:
 1. Whenever a particular make of material, trade name and/or manufacturer's name is specified herein, it shall be regarded as being indicative of the minimum standard of quality required. A bidder who proposes to quote on the basis of an alternate material and/or system will only be considered if the proposed alternate is submitted on time and is documented as being equivalent or superior in quality to the specified system as described in these specifications. Additionally, all manufacturer and contractor/fabricator guidelines must be met as specified.
- B. Panel Material:

EXHIBIT A – PROJECT SPECIFICATIONS

ALAMEDA HIGH ROOF REPAIRS

1. Panel material: Aluminum, 3105-H14 alloy, smooth as per ASTM B209, .040 inch thickness.
 2. Flashing, gutters, and flat stock material: Fabricate in profiles indicated on drawings of same material, thickness, and finish as roof system, unless indicated otherwise.
- C. Finish on surfaces:
1. Exposed surfaces for coated panels: Metal roofing, gutters, ridge caps, drip stiffener, and flashing components shall receive two coat coil applied, baked-on full-strength (70% resin) fluorocarbon coating system (polyvinylidene fluoride, PVF2), applied by manufacturer's approved applicator. Color shall be as selected by Architect from Manufacturer's standard or designer colors available.
 2. Coating system shall provide nominal 1.0 mil dry film thickness, consisting of primer and color coat.
 3. Color shall be as selected by Architect or Owner from manufacturer's stock colors available and shall match preformed metal roofing color Section 07430.
- D. Characteristics:
1. Configuration: Standing seams incorporating mechanically interlocked, concealed anchor clips allowing unlimited thermal movement, and of configuration which will prevent entrance or passage of water.
 - a. Panel/Cap configuration must have a total of four (4) layers of steel surrounding anchor clip for prevention of water infiltration and increased system strength designed to limit potential for panel blow-off.
 - b. Profile of panel shall have mesa's every 1/2" o.c. continuous throughout panel which are a minimum of 1.5" wide. These will absorb thermal stresses, reduce oil canning in panel and increase load carrying capacity.
 - c. Exposed fasteners, screws and/or roof mastic is unacceptable and will be rejected. System configuration only allows for exposed fasteners at panel overlap (if required) and trim details (as per manufacturer's guidelines).
 - d. Panels must be furnished in continuous lengths from ridge to eave with no overlaps unless approved by manufacturer to length of run.
 2. Seam must be 2-3/8" minimum height for added upward pressures and aesthetic appeal. Seam shall have continuous anchor reveals to allow anchor clips to resist positive and negative loading and allow unlimited expansion and contraction of panels due to thermal changes. Integral (not mechanically sealed) seams are not acceptable.
 3. Concealed Anchor Clips: Clips must be 16 gauge stainless steel, alloy 316L ONE (1) piece clip with projecting legs for additional panel alignment and provision for unlimited thermal movement in each direction along the longitudinal dimension.
 - a. Two-piece (2) clips are NOT acceptable.
 - b. Clip design must isolate sealant in panel cap from clip to insure that no sealant damage occurs from the clip during expansion and contraction.
 - c. Clip must maintain a clearance of a minimum of 3/8" between panel and substrate for proper ventilation to help prevent condensation on underside of panel and eliminate the contact of panel fastener head to panel.
 4. Seam cap: Snap-on cap shall be a minimum of 1" wide "T" shaped of continuous length up to 45 feet accordingly to job condition and field seamed by means of manufacturer's standard seaming machine.
 - a. Cap shall be designed to receive continuous double bead of hot applied, foamed in place gasketing sealant which will not come in contact with the

EXHIBIT A – PROJECT SPECIFICATIONS

ALAMEDA HIGH ROOF REPAIRS

- anchor clip to allow unlimited thermal movement of panel without damage to cap sealant.
 - b. Sealant shall be non-fatigue, nitrogen injected water barrier.
 - 5. Standing Seam Panel Width: 18"
 - 6. Replaceability: Panels shall be of a symmetrical design with snap on cap configuration such that individual panels may be removable for replacement without removing adjacent panels.
 - 7. Panel ends shall be panned at ridge, headwall, and hip conditions where applicable.
- E. Accessories:
 - 1. Gable anchor clips: Standing Seam styles galvanized minimum thickness 16 gauge stainless steel.
 - 2. Fasteners:
 - a. Concealed fasteners: Corrosion resistant steel screws designed to meet structural loading requirements. The normal minimum screw size shall be #12.
 - 3. Closures: Factory pre-cut closed cell foam meeting ASTM D3575-93 a cross-linked closed cell polyolefin foam, enclosed in metal channel matching panels when used at hip and ridge.
 - 4. Panel joint (endlap) sealant: Non-curing modified isobutylene tri-polymer tape of thickness to fully adhere to both surfaces being joined with indicated service life of 30 years.
 - 5. Insulation: Polyisocyanurate providing a minimum R-Value of 10.

2.03 ACCESSORY PRODUCTS:

- A. Sealant:
 - 1. Acceptable product:
 - a. Concealed Application: PT1-707 or Bostik Chem-Calk butyl sealant.
 - b. Exposed Application: The Garland Company, Tuff Stuff or Equal
- B. Underlayment:
 - 1. The Garland Company, R-mer Seal or Equal
- C. Gutter Liner:
 - 1. Green-Weld PVB adhered with Green-Lock Structural Adhesive.

2.04 FABRICATION:

- A. Shop fabricate metal roofing, gutter, and flashing components to the maximum extent possible, forming metal work with clear, sharp, straight, and uniform bends and rises. Hem exposed edges of flashings.
- B. Form flashing components and gutters from full single width sheet in minimum 10'-0" sections. Provide mitered corners, joined using closed end pop rivets and joint sealant.
- C. Fabricate roofing and related sheet metal work in accord with approved shop drawings and applicable standards.

PART 3 – EXECUTION**3.01 PREPARATION:**

- A. Inspection: Examine the alignment and placement of the building structure and substrate. Correct any objectionable warp, waves or buckles in the substrate before proceeding with installation of the preformed metal roofing. The installed roof panels will follow the contour of the structure and may appear irregular if not corrected.
- B. Establish straight side and crosswise benchmarks.
- C. Use proper size and length fastener for strength requirements. Approximately 5/16" is allowable for maximum fastener head size beneath the panel.
- D. Pre-roofing conference: Prior to beginning metal roofing work, a pre-roofing conference shall be held to review work to be accomplished.
 - 1. Contractor, metal roofing subcontractor, metal roofing system manufacturer's representative and all other subcontractors who have equipment penetrating roof or whose work involves access to roof shall be present.

3.02 ROOFING AND FLASHING INSTALLATION:

- A. All details will be shown on manufacturer's shop drawings to successful bidder; install roofing and flashings in accordance with approved shop drawings and manufacturer's product data, within specified erection tolerances.
- B. Install a high temperature peel and stick underlayment over the entire deck surface.
- C. Install 3" x 5" (16 gauge) pre-punched bearing plates with the 16 gauge one piece panel clips as necessary to provide even panel seam height. Bearing plates shall possess two pre-slotted holes and be fastened into the deck. Clip spacing is at end of section.
- D. Installation of Roof Panels: Roof panels can be installed by starting from either end and working towards the opposite end. Due to the symmetrical design of the specified panel system, it is also acceptable to start from the middle of the roof and work toward each end.
 - 1. A stainless-steel pop rivet shall be secured through the anchor reveal of the panel leg and extend into the arms of the panel clip located at the ridge of the system. This is done at each arm of the clip along the ridge. The panel is then anchored at both sides of the clip.
 - a. Be sure to capture all drilling debris during this operation with a rag or cloth placed on the panels at the drilling operation.
 - 2. The seam caps are shipped with two rolls of factory applied hot melt sealant located inside the caps. To install the caps, hook one side of the cap over the panel edge and rotate over the opposite panel leg. For ease of installation, start at one end of the panel and work toward the opposite end.
 - 3. A hand crimping tool is used to crimp the cap around the top of two adjacent panels.
 - 4. Caps shall then be permanently seamed with manufacturers mechanical seamer.
- E. Isolate dissimilar metals and masonry or concrete from metals with bituminous coating. Use gasketed fasteners where required to prevent corrosive action between fastener, substrate, and panels.

- F. Limit exposed fasteners to extent indicated on shop drawings.
- G. Anchorage shall allow for temperature expansion/contraction movement without stress or elongation of panels, clips, or anchors. Attach clips to structural substrate using fasteners of size and spacing as determined by manufacturer's design analysis to resist specified uplift and thermal movement forces.
- H. Seal laps and joints in accordance with roofing system manufacturer's product data.
- I. Coordinate flashing and sheet metal work to provide weathertight conditions at roof terminations. Fabricate and install in accordance with standards of SMACNA Manual.
- J. Provide temperature expansion/contraction movement of panels at roof penetrations and roof mounted equipment in accordance with system manufacturer's product data and design calculations.
- K. Installed system shall be true to line and plane and free of dents, and physical defects with a minimum of oil canning.
- L. Form joints in linear sheet metal to allow for ¼" minimum expansion at 20'-0" o.c. maximum and 8'-0" from corners.
- M. At joints in linear sheet metal items, set sheet metal items in two ¼" beads of butyl sealant. Extend sealant over all metal surfaces. Mate components for positive seal. Allow no sealant to migrate onto exposed surfaces.
- N. Remove damaged work and replace with new, undamaged components.
- O. Touch up exposed fasteners using paint furnished by roofing panel manufacturer and matching exposed panel surface finish.
- P. Install expansion joints on all gutters exceeding 50'-0" long or a minimum of 1 per 12 units. SMACNA Figure 1-7- Butt Type gutter expansion joint.

3.03 CLEANING:

- A. Clean exposed surfaces of work promptly after completion of installation. To prevent rust staining on finished surfaces, immediately remove filings produced by drilling or cutting.
- C. Clean roofs in accordance with manufacturer's recommendations.
- D. Clean exposed surfaces of roofing and accessories after completion of installation. Leave in clean condition at Date of Substantial Completion for Project. Touch up minor abrasions and scratches in finish.
- E. Touch up exposed fasteners using paint furnished by roofing panel manufacturer and matching exposed panel surface finish.
- F. Remove all scrap and construction debris from the site.

3.04 FINAL INSPECTION:

- A. Final inspection will be performed by a firm appointed and paid for by the owner in accordance with general requirements.

3.05 OWNER SUPPLIED MATERIALS

EXHIBIT A – PROJECT SPECIFICATIONS**ALAMEDA HIGH ROOF REPAIRS**

- A. The Owner will only supply the quantity listed in the owner supplied materials section of this specification below. All additional materials and accessories will be the full responsibility of the contractor to provide and install per the specification and project requirements.
- B. Any material or accessories required for the installation of the roof system in excess of the Owner provided material must be supplied by the Contractor and added into the bid cost proposal. It is up to the Contractor to determine the precise amount of material required for the completion of this project; and to provide excess material, as required. The cost to handle and fabricate flashing metal from the Owner provided flat stock is contractor's responsibility and to be added into the bid cost proposal.
- C. All required flashings as required per each specification section for plumbing, electrical, gas, etc. will be the Contractors responsibility to provide and install as well as to be included in the bid cost.
- D. All materials not specifically included in the owner supplied materials section will be the responsibility of the contractor to provide and install in compliance with section 07550.
- E. Freight charges of owner supplied materials will be the responsibility of the Owner.
- F. Contractor must coordinate and take delivery of materials, count all materials and ensure it matches the list below, unload and properly locate materials at the job site, and properly protect, cover and store at jobsite.
- G. Contractor must be able to provide certification in writing from roof system manufacturer that the contractor is approved to install the specified roof system and provide all warranty requirements of section 07550.
 - a. Materials specifically provided by the Owner:
 - i. R-Mer Span – 0.040 Alum 14,250 Square Feet
 - ii. R-Mer Seal 70 Rolls
 - iii. Freight to jobsite: 1

END OF SECTION

SECTION 07 55 00

MODIFIED BITUMINOUS MEMBRANE ROOFING

PART 1 GENERAL

1.1 SCOPE OF WORK

- A. The work under this contract shall include all labor, non owner supplied materials, tools, transportation, equipment, services, and facilities necessary for, and reasonably incidental to, the completion of the work as shown on the drawings and/or described in the specifications, for the following scope of work:
 - 1. Remove and dispose of all roofing, gutters, coping, edge metal, and associated materials down to the structural deck.
 - a. Upper Theater: Remove and dispose of all base flashings and detail flashings and prepare roof for an overlay per manufacturers guidelines.
 - 2. Inspect deck and perform repairs as needed.
 - 3. Mechanically fasten or adhere R-10 polyiso and ½” densdeck prime per manufacturers ASCE-7 wind uplift calculations.
 - a. Upper Theater: Mechanically fasten ½” densdeck prime per manufacturers ASCE-7 wind uplift calculations.
 - 4. Install new .040 aluminum gutters, counter flashing, detail flashings, coping, and edge metal.
 - 5. Install 2 ply modified bitumen StressPly system in cold applied asphalt. Allow roof to cure for 30 days.
 - 6. Apply Title 24 approved Pyramic Plus LO in 2 coats of 1.5 gallons per square (3 gal total).
 - 7. Paint all conduit lines with Pyramic Plus LO. Install conduits on new Dura-Block supports.
 - 8. Install new R-Mer Edge Coping in .040 aluminum per districts color choice.

1.2 REFERENCES

- A. ASTM D 41 - Standard Specification for Asphalt Primer Used in Roofing, Dampproofing, and Waterproofing.
- B. ASTM D 312 - Standard Specification for Asphalt used in Roofing.
- C. ASTM D 451 - Standard Test Method for Sieve Analysis of Granular Mineral Surfacing for Asphalt Roofing Products.
- D. ASTM D 1079 Standard Terminology Relating to Roofing, Waterproofing and Bituminous Materials.
- E. ASTM D 1863 Standard Specification for Mineral Aggregate Used as a Protective Coating for Roofing.
- F. ASTM D 4601 Standard Specification for Asphalt Coated Glass Fiber Base Sheet Used in Roofing.
- G. ASTM D 5147 Standard Test Method for Sampling and Testing Modified Bituminous Sheet Materials.
- H. ASTM D 6162 Standard Specification for Styrene Butadiene Styrene (SBS) Modified Bituminous Sheet Materials Using a Combination of Polyester and Glass Fiber Reinforcements.

- I. ASTM E 108 - Standard Test Methods for Fire Test of Roof Coverings
- J. Factory Mutual Research (FM): Roof Assembly Classifications.
- K. National Roofing Contractors Association (NRCA): Roofing and Waterproofing Manual.
- L. Sheet Metal and Air Conditioning Contractors National Association, Inc. (SMACNA) - Architectural Sheet Metal Manual.
- M. Underwriters Laboratories, Inc. (UL): Fire Hazard Classifications.
- N. Warnock Hersey (WH): Fire Hazard Classifications.
- O. ANSI-SPRI ES-1 Wind Design Standard for Edge Systems used with Low Slope Roofing Systems.
- P. ASCE 7, Minimum Design Loads for Buildings and Other Structures
- Q. UL - Fire Resistance Directory.
- R. FM Approvals - Roof Coverings and/or RoofNav assembly database.
- S. California Title 24 Energy Efficient Standards.

1.3 DESIGN / PERFORMANCE REQUIREMENTS

- A. Perform work in accordance with all federal, state and local codes.
- B. Exterior Fire Test Exposure: Roof system shall achieve a UL, FM or WH Class rating for roof slopes indicated on the Drawings as follows:
 - 1. Factory Mutual Class A Rating.
 - 2. Underwriters Laboratory Class A Rating.
 - 3. Warnock Hersey Class A Rating.
- C. Design Requirements:
 - 1. Uniform Wind Uplift Load Capacity
 - a. Installed roof system shall withstand negative (uplift) design wind loading pressures complying with the following criteria.
 - 1) Design Code: ASCE 7, Method 2 for Components and Cladding.
 - 2) Importance Category:
 - a) IV
 - 3) Importance Factor of:
 - a) 2.0
 - 4) Wind Speed: 120 mph
 - 5) Exposure Category:
 - a) B.
 - 6) Roof Pitch: 1/4" :12.
 - 7) Roof Area Design Uplift Pressure:
 - a) Zone 1 - Field of roof 10.3 psf
 - b) Zone 2 - Eaves, ridges, hips and rakes 17.9 psf
 - c) Zone 3 – Corners 23.6 psf
 - 2. Live Load: 20 psf, or not to exceed original building design.
 - 3. Dead Load:
 - a. Installation of new roofing materials shall not exceed the dead load capacity of the existing roof structure.
- D. Energy Star: Roof System shall comply with the initial and aged reflectivity required by the U.S. Federal Government's Energy Star program.

- E. LEED: Roof system shall meet the reflectivity and emissivity criteria to qualify for one point under the LEED credit category, Credit 7.2, Landscape & Exterior Design to Reduce Heat Island - Roof.
- F. Roof System membranes containing recycled or bio-based materials shall be third party certified through UL Environment.
- G. Roof system shall have been tested in compliance with the following codes and test requirements:
 - 1. Cool Roof Rating Council:
 - 2. International Code Council Evaluation Service (ICC-ES):
 - 3. Underwriters Laboratories:
 - 4. Warnock Hersey
 - a. ITS Directory of Listed Products
 - 5. FM Approvals:
 - a. RoofNav Website

1.4 SUBMITTALS

- A. Submit under provisions of the General Conditions Section 00 70 00.
- B. Product Data: Manufacturer's data sheets on each product to be used, including:
 - 1. Preparation instructions and recommendations.
 - 2. Storage and handling requirements and recommendations.
 - 3. Installation instructions.
- C. Shop Drawings: Submit shop drawings including installation details of roofing, flashing, fastening, insulation and vapor barrier, including notation of roof slopes and fastening patterns of insulation and base modified bitumen membrane, prior to job start.
- D. Design Pressure Calculations: Submit design pressure calculations for the roof area in accordance with ASCE 7 and local Building Code requirements. Include a roof system attachment analysis report, certifying the system's compliance with applicable wind load requirements before Work begins.
- E. Wind uplift calculation per CBC using ASCE 7-10. Calculation shall diagrammatically show fastening pattern and be stamped by the roofing system manufacturer's CA licensed structural engineer.
- F. Recycled or Bio-Based Materials: Provide third party certification through UL Environment of roof System membranes containing recycled or bio based materials.
- G. Verification Samples: For each modified bituminous membrane ply product specified, two samples, minimum size 6 inches (150 mm) square, representing actual product, color, and patterns.
- H. Manufacturer's Certificates: Provide to certify products meet or exceed specified requirements.
- I. Test Reports: Submit test reports, prepared by an independent testing agency, for all modified bituminous sheet roofing, indicating compliance with ASTM D5147.
- J. Manufacturer's Fire Compliance Certificate: Certify that the roof system furnished is approved by Factory Mutual (FM), Underwriters Laboratories (UL), Warnock Hersey (WH) or approved third party testing facility in accordance with ASTM E108, Class A for external fire and meets local or nationally recognized building codes.
- K. Any material submitted as equal to or better than the specified material must be

accompanied by a report signed and sealed by a professional engineer licensed in the state in which the installation is to take place. This report shall show that the submitted equal meets the Design and Performance criteria in this specification. Material substitutions may only be submitted by prime bidding contractors. Substitution requests submitted without a licensed engineer stamp or by non-prime bidding contractors will be rejected for non-conformance.

- L. Closeout Submittals: Provide manufacturer's maintenance instructions that include recommendations for periodic inspection and maintenance of all completed roofing work. Provide product warranty executed by the manufacturer. Assist Owner in preparation and submittal of roof installation acceptance certification as may be necessary in connection with fire and extended coverage insurance on roofing and associated work.

1.5 QUALITY ASSURANCE

- A. Perform Work in accordance with NRCA Roofing and Waterproofing Manual.
- B. Manufacturer Qualifications: Company specializing in manufacturing products specified with documented ISO 9001 certification and minimum of twelve years of documented experience and must not have been in Chapter 11 bankruptcy during the last five years.
- C. Installer Qualifications: Company specializing in performing Work of this section with minimum five years documented experience and a certified Pre-Approved Garland Contractor.
- D. Installer's Field Supervision: Maintain a full-time Supervisor/Foreman on job site during all phases of roofing work while roofing work is in progress.
- E. Product Certification: Provide manufacturer's certification that materials are manufactured in the United States and conform to requirements specified herein, are chemically and physically compatible with each other, and are suitable for inclusion within the total roof system specified herein.
- F. Manufacturers Inspections: Provide on manufacturers letterhead, a certification that a full time employee of the manufacturer will inspect the project a minimum 3 times per week as indicated in section (3.7). Letter must be signed and notarized by a corporate officer of the manufacturing company.
- G. Source Limitations: Obtain all components of roof system from a single manufacturer. Secondary products that are required shall be recommended and approved in writing by the roofing system Manufacturer. Upon request of the Architect or Owner, submit Manufacturer's written approval of secondary components in list form, signed by an authorized agent of the Manufacturer.

1.6 PRE-INSTALLATION MEETINGS

- A. Convene minimum two weeks prior to commencing Work of this section.
- B. Review installation procedures and coordination required with related Work.
- C. Inspect and make notes of job conditions prior to installation:
 - 1. Record minutes of the conference and provide copies to all parties present.
 - 2. Identify all outstanding issues in writing designating the responsible party for follow-up action and the timetable for completion.
 - 3. Installation of roofing system shall not begin until all outstanding issues are resolved to the satisfaction of the Architect.

1.7 DELIVERY, STORAGE, AND HANDLING

- A. Deliver and store products in manufacturer's unopened packaging with labels intact until ready for installation.
- B. Store all roofing materials in a dry place, on pallets or raised platforms, out of direct exposure to the elements until time of application. Store materials at least 4 inches above ground level and covered with "breathable" tarpaulins.
- C. Stored in accordance with the instructions of the manufacturer prior to their application or installation. Store roll goods on end on a clean flat surface except store KEE-Stone FB 60 rolls flat on a clean flat surface. No wet or damaged materials will be used in the application.
- D. Store at room temperature wherever possible, until immediately prior to installing the roll. During winter, store materials in a heated location with a 50 degree F (10 degree C) minimum temperature, removed only as needed for immediate use. Keep materials away from open flame or welding sparks.
- E. Avoid stockpiling of materials on roofs without first obtaining acceptance from the Architect/Engineer.
- F. Adhesive storage shall be between the range of above 50 degree F (10 degree C) and below 80 degree F (27 degree C). Area of storage shall be constructed for flammable storage.

1.8 COORDINATION

- A. Coordinate Work with installing associated metal flashings as work of this section proceeds.

1.9 PROJECT CONDITIONS

- A. Maintain environmental conditions (temperature, humidity, and ventilation) within limits recommended by manufacturer for optimum results. Do not install products under environmental conditions outside manufacturer's absolute limits.

1.10 WARRANTY

- A. Upon completion of the work, provide the Manufacturer's written and signed NDL Warranty, warranting that, if a leak develops in the roof during the term of this warranty, due either to defective material or defective workmanship by the installing contractor, the manufacturer shall provide the Owner, at the Manufacturer's expense, with the labor and material necessary to return the defective area to a watertight condition.
 - 1. Warranty Period:
 - a. 30 years from date of acceptance.
 - b. Warranty shall cover the calculated windspeed of 120 mph.
 - c. Warranty must be provided solely by the manufacturer. No 3rd party insurance riders or 3rd party warranty holders will be accepted.

PART 2 PRODUCTS

2.1 MANUFACTURERS

- A. Acceptable Manufacturer: Garland Company, Inc. (The); 3800 E. 91st St., Cleveland, OH 44105. Local Representative: Doug Clark (925) 784-6701 Email: dclark@garlandind.com Web Site: www.garlandco.com.
 - 1. Materials to be furnished and provided by Alameda USD through CMAS.
- B. The Products specified are intended and the Standard of Quality for the products required for this project. If other products are proposed the bidder must disclose in the bid the manufacturer and the products that they intend to use on the Project. If no manufacturer

and products are listed, the bid may be accepted only with the use of products specified.

1. Bidder will not be allowed to change materials after the bid opening date.
2. If alternate products are included in the bid, the products and specified overall performance requirements must be equal to or exceed the products and requirements specified. Supporting technical data shall be submitted to the Architect/ Owner for approval prior to acceptance.
3. In making a request for substitution, the Bidder/Roofing Contractor represents that it has:
 - a. Personally investigated the proposed product or method, and determined that it is equal or superior in all respects to that specified.
 - b. Will provide the same guarantee for substitution as for the product and method specified.
 - c. Will coordinate installation of accepted substitution in work, making such changes as may be required for work to be completed in all respects.
 - d. Will waive all claims for additional cost related to substitution, which consequently become apparent.
 - e. Cost data is complete and includes all related cost under his/her contract or other contracts, which may be affected by the substitution.
 - f. Will reimburse the Owner for all redesign cost by the Architect for accommodation of the substitution.
4. Architect/ Owner reserves the right to be the final authority on the acceptance or rejection of any or all bids, proposed alternate roofing systems or materials that has met ALL specified requirement criteria.
5. Failure to submit substitution package, or any portion thereof requested, will result in immediate disqualification and consideration for that particular contractors request for manufacturer substitution.
6. Any substitution requests must be provided to the architect 10 days before the original bid date. Substitutions outside of this timeline will not be considered.

2.2 COLD APPLIED 2-PLY SOLVENT FREE ASPHALT ROOFING -

- A. Base (Ply) Sheet: One ply bonded to the prepared substrate with Interply Adhesive:
 1. StressBase 80 Plus:
- B. Modified Cap (Ply) Sheet: One ply bonded to the prepared substrate with interplay adhesive.
 1. StressPly Plus FR Mineral:
- C. Interply Adhesive: (Layer 1 and 2)
 1. Weatherking Plus WC: 2.5 gallons per square.
- D. Flashing Base Ply: One ply bonded to the prepared substrate with Interply Adhesive:
 1. StressBase 80 Plus:
- E. Flashing Cap (Ply) Sheet: One ply bonded to the prepared substrate with Interply Adhesive:
 1. StressPly Plus FR Mineral
- F. Flashing Ply Adhesive:
 1. Weatherking Flashing Adhesive: 6 gallons per square.
- G. Surfacing: Requires 5 days wait before applying.
 1. Surface Coatings
 - a. Pyramic Plus LO: 2 coats of 1.5 gallons per square. (3 gal/square total)

2.3 ACCESSORIES:

- A. Walkway Pads – TrafGuard by Wise Products Group.

- B. Urethane Sealant Hybrid - Tuff-Stuff MS: One part, non-sag sealant as approved and furnished by the membrane manufacturer for moving joints.
 - 1. Tensile Strength, ASTM D 412: 250 psi
 - 2. Elongation, ASTM D 412: 450%
 - 3. Hardness, Shore A ASTM C 920: 35
 - 4. Adhesion-in-Peel, ASTM C 92: 30 pli
- C. Sealant - Green-Lock Structural Adhesive: Single component, 100% solids structural adhesive as furnished and recommended by the membrane manufacturer.
 - 1. Elongation, ASTM D 412: 300%
 - 2. Hardness, Shore A, ASTM C 920: 50
 - 3. Shear Strength, ASTM D 1002: 300 psi
- D. Coverboard – ½" Densdeck Prime or approved equal.
- E. Coping; R-Mer Edge coping by The Garland Company.
 - 1. 0.040 Aluminum

PART 3 EXECUTION

3.1 EXAMINATION

- A. Do not begin installation until substrates have been properly prepared.
- B. Inspect and approve the deck condition, slopes and fastener backing if applicable, parapet walls, expansion joints, roof drains, stack vents, vent outlets, nailers and surfaces and elements.
- C. Verify that work penetrating the roof deck, or which may otherwise affect the roofing, has been properly completed.
- D. If substrate preparation and other conditions are the responsibility of another installer, notify Architect of unsatisfactory preparation before proceeding.

3.2 PREPARATION

- A. General: Clean surfaces thoroughly prior to installation.
 - 1. Prepare surfaces using the methods recommended by the manufacturer for achieving the best result for the substrate under the project conditions.
 - 2. Fill substrate surface voids that are greater than 1/4 inch wide with an acceptable fill material.
 - 3. Roof surface to receive roofing system shall be smooth, clean, free from loose gravel, dirt and debris, dry and structurally sound.
 - 4. Wherever necessary, all surfaces to receive roofing materials shall be power broom and vacuumed to remove debris and loose matter prior to starting work.
 - 5. Do not apply roofing during inclement weather. Do not apply roofing membrane to damp, frozen, dirty, or dusty surfaces.
 - 6. Fasteners and plates for fastening components mechanically to the substrate shall provide a minimum pull-out capacity of 300 lbs. (136 k) per fastener. Base or ply sheets attached with cap nails require a minimum pullout capacity of 40 lb. per nail.
 - 7. Prime decks where required, in accordance with requirements and recommendations of the primer and deck manufacturer.
- B. Wood Deck:
 - 1. Dimensional wood deck shall be minimum 1 inch (25 mm) thick, knotholes and cracks larger than 1/4 inch shall be covered with sheet metal. All boards shall be appropriately nailed and have adequate end bearing to the centers of beams/rafters.

- Lumber shall be kiln dried.
2. Plywood shall be a minimum 15/32 inch (11.9 mm) thick and conform to the standards and installation requirements of the American Plywood Association (APA).
 3. If no roof insulation is specified, provide a suitable dry sheathing paper, followed by an approved base sheet nailed appropriately for the specified roof system, with 1 inch (25 mm) diameter caps and annular nails unless otherwise required by the applicable Code or Approval agency.
 4. Insulation is to be mechanically attached in accordance with the insulation manufacturer's recommendations unless otherwise required by the applicable Code.
 5. In all retrofit roof applications, it is required that deck be inspected for defects. Any defects are to be corrected per the deck manufacturer's recommendations and standards of the APA/Engineered Wood Association prior to new roof application.
 6. Light metal wall ties or other structural metal exposed on top of the wood deck shall be covered with one ply of a heavy roofing sheet, such as HPR Glasbase Base Sheet, extending 2 inches to 6 inches (51 mm to 152 mm) beyond the metal in all directions. Nail in place before applying the base ply.

3.3 INSTALLATION - GENERAL

- A. Install modified bitumen membranes and flashings in accordance with manufacturer's instructions and with the recommendations provided by the National Roofing Contractors Association's Roofing & Waterproofing Manual, the Asphalt Roofing Manufacturers Association, and applicable codes.
- B. General: Avoid installation of modified bitumen membranes at temperatures lower than 40-45 degrees F. When work at such temperatures unavoidable use the following precautions:
 1. Take extra care during cold weather installation and when ambient temperatures are affected by wind or humidity, to ensure adequate bonding is achieved between the surfaces to be joined. Use extra care at material seam welds and where adhesion of the applied product to the appropriately prepared substrate as the substrate can be affected by such temperature constraints as well.
 2. Unrolling of cold materials, under low ambient conditions must be avoided to prevent the likelihood of unnecessary stress cracking. Rolls must be at least 40 degrees F at the time of application. If the membrane roll becomes stiff or difficult to install, it must be replaced with roll from a heated storage area.
- C. Commence installation of the roofing system at the lowest point of the roof (or roof area), working up the slope toward the highest point. Lap sheets shingle fashion so as to constantly shed water
- D. All slopes greater than 2:12 require back-nailing to prevent slippage of the ply sheets. Use ring or spiral-shank 1 inch cap nails, or screws and plates at a rate of 1 fastener per ply (including the membrane) at each insulation stop. Place insulation stops at 16 ft o.c. for slopes less than 3:12 and 4 feet o.c. for slopes greater than 3:12. On non-insulated systems, nail each ply directly into the deck at the rate specified above. When slope exceeds 2:12, install all plies parallel to the slope (strapping) to facilitate backnailing. Install 4 additional fasteners at the upper edge of the membrane when strapping the plies.

3.4 INSTALLATION COLD APPLIED ROOF SYSTEM

- A. Base Ply: Cut base ply sheets into 18 foot lengths and allow plies to relax before installing. Install base sheet in Interply Adhesive: applied at the rate required by the manufacturer. Shingle base sheets uniformly to achieve one ply throughout over the prepared substrate. Shingle in proper direction to shed water on each large area of roofing.
 1. Lap ply sheet ends 8 inches. Stagger end laps 12 inches minimum.
 2. Solidly bond to the substrate and adjacent ply with specified cold adhesive at the rate of 2.5 gallons per 100 square feet.

3. Roll must push a puddle of adhesive in front of it with adhesive slightly visible at all side laps. Use care to eliminate air entrapment under the membrane.
 4. Install subsequent rolls of modified across the roof as above with a minimum of 4 inch side laps and 8 inch staggered end laps. Lay modified membrane in the same direction as the underlayers but the laps shall not coincide with the laps of the base layers.
 5. Extend plies 2 inches beyond top edges of cants at wall and projection bases.
 6. Install base flashing ply to all perimeter and projection details.
 7. Allow the one ply of base sheet to cure at least 30 minutes before installing the modified membrane. However, the modified membrane must be installed the same day as the base plies.
- B. Modified Cap Ply(s): Cut cap ply sheets into 18 foot lengths and allow plies to relax before installing. Install in interplay adhesive applied at the rate required by the manufacturer. Shingle sheets uniformly over the prepared substrate to achieve the number of plies specified. Shingle in proper direction to shed water on each large area of roofing.
1. Lap ply sheet ends 8 inches. Stagger end laps 12 inches minimum.
 2. Solidly bond to the base layers with specified cold adhesive at the rate of 2.5 gallons per 100 square feet.
 3. Roll must push a puddle of adhesive in front of it with adhesive slightly visible at all side laps. Care should be taken to eliminate air entrapment under the membrane.
 4. Install subsequent rolls of modified across the roof as above with a minimum of 4 inch side laps and 8 inch staggered end laps. Lay modified membrane in the same direction as the underlayers but the laps shall not coincide with the laps of the base layers.
 5. Allow cold adhesive to set for 5 to 10 minutes before installing the top layer of modified membrane.
 6. Extend membrane 2 inches beyond top edge of all cants in full moppings of the cold adhesive as shown on the Drawings.
- C. Fibrous Cant Strips: Provide non-combustible perlite or glass fiber cant strips at all wall/curb detail treatments where angle changes are greater than 45 degrees. Cant may be set in approved cold adhesives, hot asphalt or mechanically attached with approved plates and fasteners.
- D. Wood Blocking, Nailers and Cant Strips: Provide wood blocking, nailers and cant strips as specified in Section 06114.
1. Provide nailers at all roof perimeters and penetrations for fastening membrane flashings and sheet metal components.
 2. Wood nailers should match the height of any insulation, providing a smooth and even transition between flashing and insulation areas.
 3. Nailer lengths should be spaced with a minimum 1/8 inch gap for expansion and contraction between each length or change of direction.
 4. Nailers and flashings should be fastened in accordance with Factory Mutual "Loss Prevention Data Sheet 1- 49, Perimeter Flashing" and be designed to be capable of resisting a minimum force of 200 lbs/lineal foot in any direction.
- E. Metal Work: Provide metal flashings, counter flashings, parapet coping caps and thru-wall flashings as specified in Section 07620 or Section 07710. Install in accordance with the SMACNA "Architectural Sheet Metal Manual" or the NRCA Roofing Waterproofing manual.
- F. Termination Bar: Provide a metal termination bar or approved top edge securement at the terminus of all flashing sheets at walls and curbs. Fasten the bar a minimum of 8 inches (203 mm) o/c to achieve constant compression. Provide suitable, sealant at the top edge if required.
- G. Flashing Base Ply: Install flashing sheets by the same application method used for the base

ply.

1. Seal curb, wall and parapet flashings with an application of mastic and mesh on a daily basis. Do not permit conditions to exist that will allow moisture to enter behind, around or under the roof or flashing membrane.
2. Prepare all walls, penetrations, expansion joints and where shown on the Drawings to be flashed with required primer at the rate of 100 square feet per gallon. Allow primer to dry tack free.
3. Adhere to the underlying base ply with specified flashing ply adhesive unless otherwise specified. Nail off at a minimum of 8 inches (203 mm) o.c. from the finished roof at all vertical surfaces.
4. Solidly adhere the entire flashing ply to the substrate. Run first ply of membrane 4' up wall and secure with a termination bar fastened at 6 inches (152 mm) O.C. and sealed at top. Apply second ply with a minimum 8" overlap of lower ply and upper ply. Fasten and secure with termination bar fastened at 6 inches O.C. and sealed.
5. Coordinate counter flashing, cap flashings, expansion joints and similar work with modified bitumen roofing work as specified.
6. Coordinate roof accessories, miscellaneous sheet metal accessory items, including piping vents and other devices with the roofing system work.
7. Secure the top edge of the flashing sheet using a termination bar only when the wall surface above is waterproofed, or nailed 4 inches on center and covered with an acceptable counter flashing.

H. Flashing Cap Ply:

1. Seal curb, wall and parapet flashings with an application of mastic and mesh on a daily basis. Do not permit conditions to exist that will allow moisture to enter behind, around or under the roof or flashing membrane.
2. Prepare all walls, penetrations, expansion joints and where shown on the Drawings to be flashed with required primer at the rate of 100 square feet per gallon. Allow primer to dry tack free.
3. Adhere to the underlying base flashing ply with specified flashing ply adhesive unless otherwise specified. Run flashing cap ply 4 feet up wall and fasten with termination bar fastened ever 6 inches O.C. Adhere additional cap ply on remaining wall section in specified adhesive with a minimum 8 inch overlap of lower flashing cap ply. Heat weld seam. Nail off at a minimum of 8 inches (203 mm) o.c. from the finished roof at all vertical surfaces.
4. Coordinate counter flashing, cap flashings, expansion joints and similar work with modified bitumen roofing work as specified.
5. Coordinate roof accessories, miscellaneous sheet metal accessory items with the roofing system work.
6. All stripping shall be installed prior to flashing cap sheet installation.
7. Heat and scrape granules when welding or adhering at cut areas and seams to granular surfaces at all flashings.
8. Secure the top edge of the flashing sheet using a termination bar only when the wall surface above is waterproofed, or nailed 4 inches on center and covered with an acceptable counter flashing.

I. Surface Coatings: Apply roof coatings in strict conformance with the manufacturer's recommended procedures.

J. Roof Walkways: Provide walkways in areas indicated on the Drawings.

3.5 INSTALLATION EDGE TREATMENT AND ROOF PENETRATION FLASHING

A. Equipment Support:

1. Minimum curb height is 8 inches (203 mm) above finished roof height. Prime vertical at a rate of 100 square feet per gallon and allow to dry.
2. Set cant in bitumen. Run all field plies over cant a minimum of 2 inches (50 mm).

3. Install base flashing ply covering curb set in bitumen with 6 inches (152 mm) on to field of the roof.
 4. Install a second ply of modified flashing ply in bitumen over the base flashing ply, 9 inches (228 mm) on to the field of the roof. Attach top of membrane to top of curb and nail at 8 inches (203 mm) o.c. Apply a three-course application of mastic and mesh at all vertical seams and allow to cure and aluminize.
 5. Use Tuff-Flash and polyester where necessary to fully seal detail areas.
 6. Install pre-manufactured cover. Fasten sides at 24 inches (609 mm) o.c. with fasteners and neoprene washers. Furnish all joint cover laps with butyl tape between metal covers.
 7. Set equipment on neoprene pad and fasten as required by equipment manufacturer.
- B. Curb Detail/Air Handling Station:
1. Minimum curb height is 8 inches (203 mm) above finished roof height. Prime vertical at a rate of 100 square feet per gallon and allow to dry.
 2. Set cant in bitumen. Run all field plies over cant a minimum of 2 inches (50 mm).
 3. Install base flashing ply covering curb set in bitumen with 6 inches (152 mm) on to field of the roof.
 4. Install a second ply of modified flashing ply in bitumen over the base flashing ply, 9 inches (228 mm) on to the field of the roof. Apply a three-course application of mastic and mesh at all vertical seams and allow to cure and aluminize.
 5. Use Tuff-Flash and polyester where necessary to fully seal detail areas.
 6. Install pre-manufactured counterflashing with fasteners and neoprene washers or per manufacturer's recommendations.
 7. Set equipment on neoprene pad and fasten as required by equipment manufacturer.
- C. Exhaust Fan:
1. Minimum curb height is 8 inches (203 mm) above finished roof height. Prime vertical at a rate of 100 square feet per gallon and allow to dry.
 2. Set cant in bitumen. Run all plies over cant a minimum of 2 inches (50 mm).
 3. Install base flashing ply covering curb with 6 inches (152 mm) on to field of the roof.
 4. Install a second ply of modified flashing ply installed over the base flashing ply, 9 inches (228 mm) on to field of the roof. Attach top of membrane to top of wood curb and nail at 8 inches (203 mm) o.c. Apply a three-course application of mastic and mesh at all vertical seams and allow to cure and aluminize.
 5. Install metal exhaust fan over the wood nailers and flashing to act as counterflashing. Fasten per manufacturer's recommendation.
- D. Passive Vent/Air Intake:
1. Minimum curb height is 8 inches (203 mm) above finished roof height. Prime vertical at a rate of 100 square feet per gallon and allow to dry.
 2. Set cant in bitumen. Run all plies over cant a minimum of 2 inches (50 mm).
 3. Install base flashing ply covering curb with 6 inches (152mm) on to the field of the roof.
 4. Install a second ply of modified flashing ply installed over the base flashing ply, 9 inches (228 mm) on to field of the roof. Attach top of membrane to top of wood curb and nail at 8 inches (203 mm) o.c. Apply a three-course application of mastic and mesh at all vertical seams and allow to cure and aluminize.
 5. Install passive vent/air intake over the wood nailers and flashing to act as counterflashing. Fasten per manufacturer's recommendations.
- E. Roof Drain:
1. Plug drain to prevent debris from entering plumbing.
 2. Taper insulation and or coverboard to drain minimum of 24 inches (609 mm) from center of drain.
 3. Run roof system plies over drain. Cut out plies inside drain bowl.

4. Set lead/copper flashing (30 inch square minimum) in 1/4 inch bed of mastic. Run lead/copper into drain a minimum of 2 inches (50 mm). Prime lead/copper at a rate of 100 square feet per gallon and allow to dry.
 5. Install base flashing ply (40 inch square minimum) in bitumen.
 6. Install modified membrane (48 inch square minimum) in bitumen.
 7. Install clamping ring and assure that all plies are under the clamping ring.
 8. Remove drain plug and install strainer.
- F. Plumbing Stack:
1. Minimum stack height is 12 inches (609 mm).
 2. Run roof system over the entire surface of the roof. Seal the base of the stack with elastomeric sealant.
 3. Prime flange of new sleeve. Install properly sized sleeves set in 1/4 inch (6 mm) bed of roof cement.
 4. Install base flashing ply in bitumen.
 5. Install membrane in bitumen.
 6. Caulk the intersection of the membrane with elastomeric sealant.
 7. Turn sleeve a minimum of 1 inch (25 mm) down inside of stack.
- G. Heat Stack:
1. Minimum stack height is 12 inches (609 mm).
 2. Run roof system over the entire surface of the roof. Seal the base of the stack with elastomeric sealant.
 3. Prime flange of new sleeve. Install properly sized sleeves set in 1/4 inch (6 mm) bed of roof cement.
 4. Install base flashing ply in bitumen.
 5. Install modified membrane in bitumen.
 6. Caulk the intersection of the membrane with elastomeric sealant.
 7. Install new collar over cape. Weld collar or install stainless steel draw brand.

3.6 CLEANING

- A. Clean-up and remove daily from the site all wrappings, empty containers, paper, loose particles and other debris resulting from these operations.
- B. Remove asphalt markings from finished surfaces.
- C. Repair or replace defaced or disfigured finishes caused by Work of this section.

3.7 PROTECTION

- A. Provide traffic ways, erect barriers, fences, guards, rails, enclosures, chutes and the like to protect personnel, roofs and structures, vehicles and utilities.
- B. Protect exposed surfaces of finished walls with tarps to prevent damage.
- C. Plywood for traffic ways required for material movement over existing roofs shall be not less than 5/8 inch (16 mm) thick.
- D. In addition to the plywood listed above, an underlayment of minimum 1/2 inch (13 mm) recover board is required on new roofing.
- E. Special permission shall be obtained from the Manufacturer before any traffic shall be permitted over new roofing.

3.8 FIELD QUALITY CONTROL

- A. Manufacturer Inspections:

1. An inspection shall be made by a representative of the material manufacturer a minimum of three (3) times per week during performance of work to ensure that said project is installed in accordance with the manufacture's specifications and illustrated details. Written reports including pictures and comments shall be turned over to the Architect and Owner, on each Monday following the prior week.
 - a. The authorized material manufacturers field representative shall be responsible for:
 - 1) Keeping the Architect's representative informed after periodic inspections as to the progress and quality of the work observed.
 - 2) Calling to the attention of the contractor those matters observed which are considered to be in violation of the contract requirements.
 - 3) Reporting to the Architect's representative, in writing, any failure or refusal of the contractor to correct unacceptable practices called to his attention.
 - 4) Confirming, after completion of the work and based on his observation and test, that he has observed no application procedures in conflict with these specifications.

3.9 OWNER SUPPLIED MATERIALS

- A. The Owner will only supply the quantity listed in the owner supplied materials section of this specification below. All additional materials and accessories will be the full responsibility of the contractor to provide and install per the specification and project requirements.
- B. Any material or accessories required for the installation of the roof system in excess of the Owner provided material must be supplied by the Contractor and added into the bid cost proposal. It is up to the Contractor to determine the precise amount of material required for the completion of this project; and to provide excess material, as required. The cost to handle and fabricate flashing metal from the Owner provided flat stock is contractor's responsibility and to be added into the bid cost proposal.
- C. All required flashings as required per each specification section for plumbing, electrical, gas, etc. will be the Contractors responsibility to provide and install as well as to be included in the bid cost.
- D. All materials not specifically included in the owner supplied materials section will be the responsibility of the contractor to provide and install in compliance with section 07550.
- E. Freight charges of owner supplied materials will be the responsibility of the Owner.
- F. Contractor must coordinate and take delivery of materials, count all materials and ensure it matches the list below, unload and properly locate materials at the job site, and properly protect, cover and store at jobsite.

- G. Contractor must be able to provide certification in writing from roof system manufacturer that the contractor is approved to install the specified roof system and provide all warranty requirements of section 07550.
1. Materials specifically provided by the Owner:
- | | | |
|----|----------------------------|-------------|
| a. | StressPly Plus FR Mineral: | 210 Rolls |
| b. | StressBase 80 Plus: | 105 Rolls |
| c. | Pyramic Plus LO: | 85 Buckets |
| d. | Weatherking Plus WC: | 120 Buckets |
| e. | Weatherking Flashing Adh: | 60 Buckets |
| f. | Tuff-Stuff MS: | 4 Cases |
| g. | Garla-Prime VOC: | 10 Buckets |
| h. | Freight to jobsite: | 1 |

END OF SECTION

SECTION 07 56 30**FLUID APPLIED ROOFING RESTORATION****PART 1 GENERAL****1.1 SCOPE OF WORK**

- A. The work under this contract shall include all labor, non owner supplied materials, tools, transportation, equipment, services, and facilities necessary for, and reasonably incidental to, the completion of the work as shown on the drawings and/or described in the specifications, for the following scope of work:
1. Mineral Modified Bitumen Surface Roof Restoration: Renovation work includes but is not limited to the following:
 - a. Remove and dispose of all base flashings and coping metal
 - 1) Surface mounted counterflashing to be cut back and new skirt flashing to be installed. Reglet mounted counterflashing to be removed and reused.
 - b. Install new gas line supports every 20'. Roof in supports and install metal cap cover.
 - c. Install new base flashings with Versiply 40 and Versiply Mineral membranes using Green-Lock Flashing Adhesive.
 - d. Patch and repair all blisters, mole runs, unadhered seams, and damaged membrane areas.
 - e. Patch in removed areas using Versiply 40 and Versiply Mineral in Green-Lock Flashing Adhesive.
 - f. Cut out caulking along counterflashing's and penetration details. Install new Green-Lock Sealant XL.
 - g. Powerwash entire roof system with simplegreen or tsp and water solution.
 - h. Apply Liquitec at 3 gallons per square to all details and membrane seams. Immediately roll grip polyester soft into the coating. Allow to cure.
 - i. Apply base coat of Liquitec at 2 gallons per square over entire roof surface.
 - j. Apply top coat of Liquitec at 2 gallons per square over entire roof surface.
 - k. Install new R-Mer Edge Coping.
 - l. Clean off all mastic/asphalt and paint all conduit pipes, vents, and hoods with Pyramic to ensure a clean final project. All conduit to be sealed and reattached with proper couplings. Lines should be straight and as tidy as possible. Any couplings that cannot be properly sealed should be brought to district attention.
 - m. Test all drains and downspout prior to construction and once again after completion.

1.2 RELATED SECTIONS

- A. Section 06100 - Rough Carpentry: Roof blocking installation and requirements.
- B. Section 07620 - Sheet Metal Flashing and Trim: Metal cap flashing and expansion joints.
- C. Section 07620 - Sheet Metal Flashing and Trim: Weather protection for base flashings.
- D. Section 07710 - Manufactured Roof Specialties: Counter flashing gravel stops, and fascia, scuppers, gutters and downspouts.

1.3 REFERENCES

- A. ASTM C 92 - Standard Test Methods for Sieve Analysis and Water Content of Refractory Materials.

- B. ASTM C 920 - Standard Specification for Elastomeric Joint Sealants.
- C. ASTM D 93 - Standard Test Methods for Flash Point by Pensky-Martens Closed Cup Tester.
- D. ASTM D 562 - Standard Test Method for Consistency of Paints Measuring Krebs Unit (KU) Viscosity Using a Stormer-Type Viscometer.
- E. ASTM D 624 - Standard Test Method for Tear Strength of Conventional Vulcanized Rubber and Thermoplastic Elastomers
- F. ASTM D 2240 - Standard Test Method for Rubber Property-Durometer Hardness.
- G. ASTM D 4212 - Standard Test Method for Viscosity by Dip-Type Viscosity Cups.
- H. ASTM D 4402 - Standard Test Method for Viscosity Determination of Asphalt at Elevated Temperatures Using a Rotational Viscometer.
- I. ASTM E 1980 - Standard Practice for Calculating Solar Reflectance Index of Horizontal and Low-Sloped Opaque Surfaces
- J. SRI - Solar Reflectance Index calculated according to ASTM E 1980.
- K. SMACNA Architectural Sheet Metal Manual.
- L. National Roofing Contractors Association (NRCA) - Roofing and Waterproofing Manual.

1.4 SUBMITTALS

- A. Submit under provisions of Section 01300.
- B. Product Data: Manufacturer's data sheets on each product to be used, including:
 - 1. Preparation instructions and recommendations.
 - 2. Storage and handling requirements and recommendations.
 - 3. Installation methods.
- C. Shop Drawings: Submit shop drawings including installation details of fluid applied roofing and flashing prior to job start.
- D. LEED Submittals: Provide documentation of how the requirements of Credit will be met:
 - 1. List of proposed materials with recycled content. Indicate post-consumer recycled content and pre-consumer recycled content for each product having recycled content.
 - 2. Product data and certification letter indicating percentages by weight of post-consumer and pre-consumer recycled content for products having recycled content.
 - 3. Product reflectivity and emissivity criteria to qualify for one point under the LEED credit category, Credit 7.2, Landscape & Exterior Design to Reduce Heat Island - Roof.
- E. Verification Samples: For each product specified, two samples, minimum size 6 inches (150 mm) square, representing actual product, and color.
- F. Manufacturer's Certificates: Certify products meet or exceed specified requirements.
- G. Closeout Submittals: Provide manufacturer's maintenance instructions that include recommendations for periodic inspection and maintenance of all completed roofing work. Provide product warranty executed by the manufacturer. Assist Owner in preparation and submittal of roof installation acceptance certification as may be necessary in connection with fire and extended coverage insurance on roofing and associated work.

1.5 QUALITY ASSURANCE

- A. Perform Work in accordance with manufacturer's current Application and Installation Guidelines and the NRCA Roofing and Waterproofing Manual.
- B. Manufacturer Qualifications: Manufacturer: Company specializing in manufacturing products specified in this section with documented ISO 9001 certification and minimum twelve years and experience.
- C. Installer Qualifications: Company specializing in performing Work of this section with minimum five years documented experience and a certified Pre-Approved Garland Contractor.
- D. Installer's Field Supervision: Maintain a full-time Supervisor/Foreman on job site during all phases of roofing work while roofing work is in progress.
- E. Product Certification: Provide manufacturer's certification that materials are manufactured in the United States and conform to requirements specified herein, are chemically and physically compatible with each other, and are suitable for inclusion within the total roof system specified herein.
- F. Source Limitations: Obtain all components of roof system from a single manufacturer. Secondary products that are required shall be recommended and approved in writing by the roofing system Manufacturer. Upon request of the Architect or Owner, submit Manufacturer's written approval of secondary components in list form, signed by an authorized agent of the Manufacturer.

1.6 PRE-INSTALLATION CONFERENCE

- A. Convene a pre-roofing conference approximately two weeks before scheduled commencement of roofing system installation and associated work.
- B. Require attendance of installers of deck or substrate construction to receive roofing, installers of rooftop units and other work in and around roofing which must precede or follow roofing work including mechanical work, Architect, Owner, roofing system manufacturer's representative.
- C. Objectives include:
 - 1. Review foreseeable methods and procedures related to roofing work, including set up and mobilization areas for stored material and work area.
 - 2. Tour representative areas of roofing substrates, inspect and discuss condition of substrate, roof drains, curbs, penetrations and other preparatory work.
 - 3. Review structural loading limitations of deck and inspect deck for loss of flatness and for required attachment.
 - 4. Review roofing system requirements, Drawings, Specifications and other Contract Documents.
 - 5. Review and finalize schedule related to roofing work and verify availability of materials, installer's personnel, equipment and facilities needed to make progress and avoid delays.
 - 6. Review required inspection, testing, certifying procedures.
 - 7. Review weather and forecasted weather conditions and procedures for coping with unfavorable conditions, including possibility of temporary roofing.
 - 8. Record conference including decisions and agreements reached. Furnish a copy of records to each party attending.

1.7 DELIVERY, STORAGE, AND HANDLING

- A. Deliver and store products in manufacturer's unopened packaging with labels intact until ready for installation.
- B. Store all roofing materials in a dry place, on pallets or raised platforms, out of direct exposure to the elements until time of application. Store materials at least 4 inches above ground level and covered with "breathable" tarpaulins.
- C. Stored in accordance with the instructions of the manufacturer prior to their application or installation. Store roll goods on end on a clean flat surface. No wet or damaged materials will be used in the application.
- D. Storage temperatures should be between 60 degrees F to 80 degrees F (15.6 degrees to 26.7 degrees C). Indoor ventilated storage is recommended. Ensure jobsite storage is in a shaded and ventilated area. Do not store in direct sunlight. Keep materials away from open flame or welding sparks.
- E. Avoid stockpiling of materials on roofs without first obtaining acceptance from the Architect/Engineer.

1.8 PROJECT CONDITIONS

- A. Maintain environmental conditions (temperature, humidity, and ventilation) within limits recommended by manufacturer for optimum results. Do not install products under environmental conditions outside manufacturer's absolute limits.
- B. Weather Condition Limitations: Product application must not be done when rain or other conditions such as fog or heavy dew are possible within a 24 hour period. Roof surface must be at least 6 Fahrenheit degrees or 3 Celsius degrees above the dew point and rising.
- C. Proceed with roofing work only when existing and forecasted weather conditions will permit unit of work to be installed in accordance with manufacturer's recommendations and warranty requirements.
- D. Do not expose materials vulnerable to water or sun damage in quantities greater than can be weatherproofed during same day.
- E. When applying materials with spray equipment, take precautions to prevent over spray and/or solvents from damaging or defacing surrounding walls, building surfaces, vehicles or other property. Care should be taken to do the following:
 - 1. Close air intakes into the building.
 - 2. Have a dry chemical fire extinguisher available at the jobsite.
 - 3. Post and enforce "No Smoking" signs.
- F. Avoid inhaling spray mist; take precautions to ensure adequate ventilation.
- G. Protect completed roof sections from foot traffic for a period of at least 48 hours at 75 degrees F (24 degrees C) and 50 percent relative humidity or until fully cured.
- H. Take precautions to ensure that materials do not freeze.
- I. Minimum temperature for application of White-Knight Plus/ White-Stallion Plus, White-Knight Plus WC and LiquiTec coatings is 50 degrees F (10 degrees C) and rising.

1.9 WARRANTY

- A. Warranty Period: 15 years.
 - 1. Upon completion of the work, provide the Manufacturer's written and signed limited labor and materials Warranty, warranting that, if a leak develops in the roof during the term of this warranty, due either to defective material or defective workmanship by the installing contractor, the manufacturer shall provide the Owner, at the Manufacturer's expense, with the labor and material necessary to return the defective area to a watertight condition.
- B. Warranty Period: Installer is to guarantee all work against defects in materials and workmanship for a period indicated following final acceptance of the Work.
 - 1. Warranty Period:
 - a. 5 years from date of acceptance.

PART 2 PRODUCTS**2.1 MANUFACTURERS**

- A. Acceptable Manufacturer: Garland Company, Inc. (The); 3800 E. 91st St., Cleveland, OH 44105. Local Representative: Doug Clark – (925) 784-6701; email: dclark@garlandind.com
 - 1. Materials to be furnished and provided by Alameda USD through CMAS.

2.2 MINERAL MODIFIED BITUMEN SURFACE ROOF RESTORATION

- A. LiquiTec:
 - 1. Base: LiquiTec
 - 2. Coating: LiquiTec.
 - 3. Flashing: LiquiTec.
 - 4. Reinforcement:
 - a. Partial Reinforcement: Apply in base coat on all membrane seams and details.
 - 1) Reinforcement Materials:
 - a) Grip Polyester Soft.
- B. Base Flashings and Roof Repairs:
 - 1. Base Sheet: Versiply 40
 - 2. Cap Sheet: Versiply Mineral
 - 3. Adhesive: Green-Lock Flashing Adhesive

2.3 ACCESSORIES:

- A. Nails and Fasteners: Non-ferrous metal or galvanized steel, except that hard copper nails shall be used with copper; aluminum or stainless steel nails shall be used with aluminum; and stainless steel nails shall be used with stainless steel, Fasteners shall be self-clinching type of penetrating type as recommended by the deck manufacturer. Fasten nails and fasteners flush-driven through flat metal discs not less than 1 inch (25 mm) diameter. Omit metal discs when one-piece composite nails or fasteners with heads not less than 1 inch (25 mm) diameter are used.
- B. Urethane Sealant - Tuff-Stuff MS: One part, non-sag sealant as approved and furnished by the membrane manufacturer for moving joints.
 - 1. Tensile Strength, ASTM D 412: 250 psi
 - 2. Elongation, ASTM D 412: 950%
 - 3. Hardness, Shore A ASTM C 920: 35
 - 4. Adhesion-in-Peel, ASTM C 92: 30 pli
- C. Butyl Tape: 100% solids, asbestos free and compressive tape designed to seal as

recommended and furnished by the membrane manufacturer.

- D. Glass Fiber Cant - Glass Cant: Continuous triangular cross Section made of inorganic fibrous glass used as a cant strip as recommended and furnished by the membrane manufacturer.
- E. Coping:
 - 1. IMETCO: Snap on Perma-Edge Coping
 - a. 0.040 Aluminum

2.4 EDGE TREATMENT AND ROOF PENETRATION FLASHINGS

- A. Vents and Breathers: Heavy gauge aluminum and fully insulated vent that allows moisture and air to escape but not enter the roof system as recommended and furnished by the membrane manufacturer.
- B. Pitch pans, Rain Collar 24 gauge stainless or 20oz (567gram) copper. All joints should be welded/soldered watertight. See details for design.
- C. Drain Flashing should be 4lb (1.8kg) sheet lead formed and rolled.
- D. Plumbing stacks should be 4lb (1.8kg) sheet lead formed and rolled.
- E. Fabricated Flashing: Fabricated flashings and trim are specified in Section 07620.
 - 1. Fabricated flashings and trim shall conform to the detail requirements of SMACNA "Architectural Sheet Metal Manual" and/or the CDA Copper Development Association "Copper in Architecture - Handbook" as applicable.
- F. Manufactured Roof Specialties: Manufactured copings, fascia, gravel stops, control joints, expansion joints, joint covers and related flashings and trim are specified in Section 07710.
 - 1. Manufactured roof specialties shall conform to the detail requirements of SMACNA "Architectural Sheet Metal Manual" and/or the NRCA "Roofing and Waterproofing Manual" as applicable.

PART 3 EXECUTION

3.1 EXAMINATION

- A. Do not begin installation until substrates have been properly prepared.
- B. Verify that work penetrating the roof deck, or which may otherwise affect the roofing, has been properly completed.
- C. If substrate preparation is the responsibility of another installer, notify Architect of unsatisfactory preparation before proceeding.

3.2 ROOF PREPARATION AND REPAIR

- A. General: All necessary field and flashing repairs must be done according to good construction practices, including the removal of all wet insulation and defective materials as identified through a moisture detection survey such as an infrared scan and replacement with like-materials.
 - 1. Remove all vertical roof flashings from curbs and parapet walls down to the surface of the roof. Remove damaged existing flashings at roof drains and roof penetrations.
 - 2. Remove all wet, deteriorated, blistered or delaminated roofing membrane or insulation and fill in any low spots with like materials occurring as a result of removal work to create a smooth, even surface for application of new roof membranes.
 - 3. Install new wood nailers as necessary to accommodate insulation/recovery board or

- new nailing patterns.
- 4. When mechanically attached, the fastening pattern for the insulation/recovery board shall be as recommended by the specific product manufacturer.
- 5. Existing roof surfaces shall be primed as necessary and allowed to dry prior to installing the roofing system.
- B. Prepare surfaces using the methods recommended by the manufacturer for achieving the best result for the substrate under the project conditions.
- C. Repair all defects such as deteriorated roof decks, saturated materials, loose or brittle membrane or membrane flashings, etc. Verify that existing conditions meet the following requirements :
 - 1. Existing membrane is either fully adhered or that the membranes mechanical fasteners are secured and functional.
 - 2. Application of roofing materials over a brittle, damaged or poor condition roof membrane is not permitted.
- D. Remove all loose dirt and foreign debris from the roof surface. Do not damage roof membrane in cleaning process.
- E. Clean and seal all parapet walls, gutters and coping caps, and repair any damaged metal where necessary. Seal watertight all fasteners, pipes, drains, vents, joints and penetrations where water could enter the building envelope.
- F. Confirm local water run-off ordinances and restrictions prior to cleaning roof. Clean the entire roof surface by removing all dirt, algae, mold, moss, paint, oil, talc, rust or other foreign substance. Use a bio-degradable cleaner like Simple Green Oxy Solve when necessary and warm water. Scrub heavily soiled areas with a brush. Power wash roof thoroughly with an industrial surface cleaner equipped with one piece balanced spray rotating jets for streak free close contact cleaning. Rinse with fresh water to completely remove all residuals. Allow roof to dry thoroughly before continuing.
- G. Repair existing roof membrane as necessary to provide a sound substrate for the liquid membrane. All surface defects must be repaired/renovated and be made watertight. Any repairs must be with be only with materials compatible with the fluid-applied roofing restoration system.

3.3 INSTALLATION

- A. General Installation Requirements:
 - 1. Install in accordance with manufacturer's current Application and Installation Guidelines and the NRCA Roofing and Waterproofing Manual.
 - 2. Adequate coating thickness is essential to performance. If the applicator is unfamiliar in gauging application rates, we suggest that a controllable area be measured and the specified material be applied. In all cases, all minimum specified material must be applied and proper minimum dry film thicknesses must be achieved. Care must be taken to ensure that all areas completed including all flashings, roof penetrations, etc. are coated sufficiently to ensure a watertight seal.
 - 3. Cooperate with manufacturer, inspection and test agencies engaged or required to perform services in connection with installing the roof system.
 - 4. Insurance/Code Compliance: Where required by code, install and test the roofing system to comply with governing regulation and specified insurance requirements.
 - 5. Protect work from spillage of roofing materials and prevent materials from entering or clogging drains and conductors. Replace or restore adjacent work damaged by installation of the roofing system.
 - 6. Keep roofing materials dry during application.
 - 7. Coordinate counter flashing, cap flashings, expansion joints and similar work with

- work specified in other Sections under Related Work.
8. Coordinate roof accessories and miscellaneous sheet metal accessory items, including piping vents and other devices with work specified in other Sections under Related Work.
- B. Mineral Modified Bitumen Surface Roof Restoration: Renovation work includes:
1. Surface preparation: Remove dirt, and debris.
 - a. Previously coated roofs with well-adhered polyurethane or polyurea coating surfacing must be solvent-wiped with acetone after cleaning to reactivate surface for overcoating.
 2. Liquid Flashings:
 - a. Fascia Edges: Cut back edges. Prime with Rust-Go Primer, apply Coating, embed fabric reinforcement apply Top Coating.
 - b. Parapets and Vertical Surfaces: Prime, apply Coating, embed fabric reinforcement apply Top Coating
 - c. Metal Flashings: Prime, apply Coating.
 3. Partially Reinforced System:
 - a. Reinforced Coating (Grip Polyester Soft)
 - 1) Always begin with flashing laps and details
 - 2) Apply coating at 3.0 gallons per 100 SF, extending 4" on each side of lap.
 - 3) Immediately roll 6 inch wide fabric reinforcement into the coating and completely saturate surface ensuring full encapsulation of fabric without pinholes, voids or openings.
 - 4) Allow to cure thoroughly before applying field coating layers
 4. Base Coat: Apply base coat at 2 gal./sq and let cure.
 5. Coating: Apply coating to entire roof surface. Use special attention to coating flashings and other critical areas to build adequate membrane thickness
 - a. LiquiTec:
 - 1) Apply Coating at 2.0 gallons per 100 SF over the entire roof surface.

3.4 REPAIR OF EDGE TREATMENT AND ROOF PENETRATION FLASHING

- A. General
1. Repair flashing in accordance with the requirements/recommendations of the Membrane manufacturer and as indicated on the manufacturer's standard drawings. Provide system with base flashing, edge flashing, penetration flashing, counter flashing, and all other flashings required for a complete watertight system.
 2. Install and repair flashings concurrently with the roofing as the job progresses.
 3. Terminate flashings as required by the membrane manufacturer.
- B. Manufactured Roof Specialties: Manufactured copings, fascia, gravel stops, control joints, expansion joints, joint covers and related flashings and trim are provided as specified in Section 07710.
1. Manufactured roof specialties shall conform to the detail requirements of SMACNA "Architectural Sheet Metal Manual" and/or the National Roofing Contractor's Association "Roofing and Waterproofing Manual" as applicable.
- C. Repairs of Existing Roof Penetrations and Flashings
1. Metal Edge:
 - a. Inspect the nailers to assure proper attachment and configuration.
 - b. Run one ply over the edge. Assure coverage of all wood nailers. Fasten plies with ring shank nails at 8 inches (203 mm) o.c.
 - c. Install continuous cleat and fasten at 6 inches (152 mm) o.c.
 - d. Install new metal edge hooked to continuous cleat and set in bed of roof cement. Fasten flange to wood nailers every 3 inches (76 mm) o.c. staggered.
 - e. Prime metal edge at a rate of 100 square feet per gallon and allow to dry.

- f. Strip in flange with base flashing ply covering entire flange in bitumen with 6 inches (152 mm) on to the field of roof. Assure ply laps do not coincide with metal laps.
 - g. Install a second ply of modified flashing ply in bitumen over the base flashing ply, 9 inches (228 mm) on to the field of the roof. Seal outside edge with rubberized cement.
- 2. Scupper Through Roof Edge:
 - a. Inspect the nailer to assure proper attachment and configuration.
 - b. Run one ply over the edge. Assure coverage of all wood nailers. Fasten plies with ring shank nails at 8 inches (203 mm) o.c.
 - c. Install a scupper box in a 1/4 inch (6 mm) bed of mastic. Assure all box seams are soldered and have a minimum 4 inch (101 mm) flange. Make sure all corners are closed and soldered. Prime scupper at a rate of 100 square feet per gallon and allow to dry.
 - d. Fasten flange of scupper box to nailer every 3 inches (76mm) o.c. staggered.
 - e. Strip in edge with base flashing ply covering entire area in bitumen with 6 inches (152 mm) on to the field of the roof.
 - f. Install a second ply of modified flashing ply in bitumen over the base flashing ply, 9 inches (228 mm) on to the field of the roof. Apply a three-course application of mastic and mesh at all seams.
- 3. Scupper Through Wall:
 - a. Inspect the nailer to assure proper attachment and configuration.
 - b. Run one ply over nailer, into scupper hole and up flashing as in typical wall flashing detail. Assure coverage of all wood nailers.
 - c. Install a scupper box in a 1/4 inch (6 mm) bed of mastic. Assure all box seams are soldered and have a minimum 4 inch (101 mm) flange. Make sure all corners are closed and soldered. Prime scupper at a rate of 100 square feet per gallon and allow to dry.
 - d. Fasten flange of scupper box every 3 inches (76 mm) o.c. staggered.
 - e. Strip in flange of scupper box with base flashing ply covering entire area with 6 inch (152 mm) overlap on to the field of the roof and wall flashing.
 - f. Install a second ply of modified flashing ply in bitumen over the base flashing ply, 9 inches (228 mm) on to the field of the roof. Apply a three-course application of mastic and mesh at all seams.
- 4. Coping Cap:
 - a. Minimum flashing height is 8 inches (203 mm) above finished roof height. Maximum flashing height is 24 inches (609 mm). Prime vertical wall at a rate of 100 square feet per gallon and allow to dry.
 - b. Set cant in bitumen. Run all field plies over cant a minimum of 2 inches (50 mm).
 - c. Install base flashing ply covering entire wall and wrapped over top of wall and down face with 6 inches (152 mm) on to field of the roof and set in cold asphalt. Nail membrane at 8 inches (203 mm) o.c.
 - d. Install a second ply of modified flashing ply in bitumen over the base flashing ply, 9 inches (228 mm) on to the field of the roof. Apply a three-course application of mastic and mesh at all seams and allow to cure and aluminize.
 - e. Install coping cap per manufacturer's recommendations.
- 5. Surface Mounted Counterflashing/Coping Cap:
 - a. Minimum flashing height is 8 inches (203 mm) above finished roof height. Prime vertical wall at a rate of 100 square feet per gallon and allow to dry.
 - b. Set cant in bitumen. Run all field plies over cant a minimum of 2 inches (50 mm).
 - c. Install base flashing ply covering wall set in bitumen with 6 inches (152 mm) on to field of roof.
 - d. Install a second ply of modified flashing ply in bitumen over the base flashing ply, 9 inches (228 mm) on to the field of the roof. Apply a three-course

- e. application of mastic and mesh at all seams and allow to cure and aluminize.
 - e. Apply butyl tape to wall behind flashing. Secure termination bar through flashing, butyl tape and into wall. Alternatively use caulk to replace the butyl tape.
 - f. Secure counterflashing set on butyl tape above flashing. Fasten 8 inches (203 mm) o.c. and caulk top of counterflashing.
 - g. Attach tapered board to top of wall (minimum slope 1/4 -12). Do not use organic fiberboard or perlite.
 - h. Cover tapered board and all exposed wood with base flashing ply. Fasten inside and out at 8 inches (203 mm) o.c.
 - i. Install continuous cleat and fasten at 6 inches (152 mm) o.c. to outside wall.
 - j. Install new metal coping cap hooked to continuous cleat.
 - k. Fasten inside of cap 24 inch (609 mm) o.c. with approved fasteners and neoprene washers.
6. Surface Mounted Counterflashing:
- a. Minimum flashing height is 8 inches (203 mm) above finished roof height. Maximum flashing height is 24 inches (609 mm). Prime vertical wall at a rate of 100 square feet per gallon and allow to dry.
 - b. Set cant in bitumen. Run all field plies over cant a minimum of 2 inches (50 mm).
 - c. Install base flashing ply covering wall set in bitumen with 6 inches (152 mm) on to field of the roof.
 - d. Install a second ply of modified flashing ply in bitumen over the base flashing ply, 9 inches (228 mm) on to the field of the roof. Apply a three-course application of mastic and mesh at all vertical seams and allow to cure and aluminize.
 - e. Apply butyl tape to wall behind flashing. Secure termination bar through flashing, butyl tape and into wall. Alternatively use caulk to replace the butyl tape.
 - f. Secure counterflashing set on butyl tape above flashing at 8 inches (203 mm) o.c. and caulk top of counterflashing.
7. Equipment Support:
- a. Minimum curb height is 8 inches (203 mm) above finished roof height. Prime vertical at a rate of 100 square feet per gallon and allow to dry.
 - b. Set cant in bitumen. Run all field plies over cant a minimum of 2 inches (50 mm).
 - c. Install base flashing ply covering curb set in bitumen with 6 inches (152 mm) on to field of the roof.
 - d. Install a second ply of modified flashing ply in bitumen over the base flashing ply, 9 inches (228 mm) on to the field of the roof. Attach top of membrane to top of curb and nail at 8 inches (203 mm) o.c. Apply a three-course application of mastic and mesh at all vertical seams and allow to cure and aluminize.
 - e. Install pre-manufactured cover. Fasten sides at 24 inches (609 mm) o.c. with fasteners and neoprene washers. Furnish all joint cover laps with butyl tape between metal covers.
 - f. Set equipment on neoprene pad and fasten as required by equipment manufacturer.
- D. Liquid Flashing:
- 1. Mask target area on roof membrane with tape.
 - 2. Clean all non-porous areas with isopropyl alcohol.
 - 3. Apply 32 wet mil base coat of liquid flashing over masked area.
 - 4. Embed polyester reinforcement fabric into the base coat of the liquid flashing.
 - 5. Apply 32 wet mil top coat of the liquid flashing material over the fabric extending 2 inches (51 mm) past the scrim in all directions.

3.5 CLEANING

- A. Clean-up and remove daily from the site all wrappings, empty containers, paper, loose particles and other debris resulting from these operations.
- B. Remove coating markings from finished surfaces.
- C. Repair or replace defaced or disfigured finishes caused by Work of this section.

3.6 PROTECTION

- A. Provide traffic ways, erect barriers, fences, guards, rails, enclosures, chutes and the like to protect personnel, roofs and structures, vehicles and utilities.
- B. Protect exposed surfaces of finished walls with tarps to prevent damage.
- C. Plywood for traffic ways required for material movement over existing roofs shall be not less than 5/8 inch (16 mm) thick.
- D. In addition to the plywood listed above, an underlayment of minimum 1/2 inch (13 mm) recover board is required on new roofing.
- E. Special permission shall be obtained from the Manufacturer before any traffic shall be permitted over new roofing.

3.7 FIELD QUALITY CONTROL

- A. Require attendance of roofing materials manufacturers' representatives at site during installation of the roofing system.
- B. Perform field inspection and [and testing] as required under provisions of Section 01410.
- C. Correct defects or irregularities discovered during field inspection.

3.8 FINAL INSPECTION

- A. At completion of roofing installation and associated work, meet with Contractor, Architect, installer, installer of associated work, roofing system manufacturer's representative and others directly concerned with performance of roofing system.
- B. Walk roof surface areas, inspect perimeter building edges as well as flashing of roof penetrations, walls, curbs and other equipment. Identify all items requiring correction or completion and furnish copy of list to each party in attendance.
- C. If core cuts verify the presence of damp or wet materials, the installer shall be required to replace the damaged areas at his own expense.
- D. Repair or replace deteriorated or defective work found at time above inspection as required to produce an installation that is free of damage and deterioration at time of Substantial Completion and according to warranty requirements.
- E. Notify Architect upon completion of corrections.
- F. Following the final inspection, provide written notice of acceptance of the installation from the roofing system manufacturer.

3.9 OWNER SUPPLIED MATERIALS

- A. The Owner will only supply the quantity listed in the owner supplied materials section of this

specification below. All additional materials and accessories will be the full responsibility of the contractor to provide and install per the specification and project requirements.

- B. Any material or accessories required for the installation of the roof system in excess of the Owner provided material must be supplied by the Contractor and added into the bid cost proposal. It is up to the Contractor to determine the precise amount of material required for the completion of this project; and to provide excess material, as required. The cost to handle and fabricate flashing metal from the Owner provided flat stock is contractor's responsibility and to be added into the bid cost proposal.
- C. All required flashings as required per each specification section for plumbing, electrical, gas, etc. will be the Contractors responsibility to provide and install as well as to be included in the bid cost.
- D. All materials not specifically included in the owner supplied materials section will be the responsibility of the contractor to provide and install in compliance with section 07550.
- E. Freight charges of owner supplied materials will be the responsibility of the Owner.
- F. Contractor must coordinate and take delivery of materials, count all materials and ensure it matches the list below, unload and properly locate materials at the job site, and properly protect, cover and store at jobsite.
- G. Contractor must be able to provide certification in writing from roof system manufacturer that the contractor is approved to install the specified roof system and provide all warranty requirements of section 07550.

1. Materials specifically provided by the Owner:

a.	Versiply Mineral:	30	Rolls
b.	Versiply 40:	15	Rolls
c.	Liquitec:	200	Buckets
d.	Green-Lock Plus Flashing Adh	115	Buckets
e.	Grip Polyester Soft 6"	35	Rolls
f.	Freight to jobsite:	1	

END OF SECTION

SECTION 07 61 00**SHEET METAL FLASHING AND TRIM****PART 1 GENERAL****1.01 SECTION INCLUDES**

- A. Fabricated sheet metal items, including flashings, counter flashings, and other items indicated on drawings and as follows:
 - 1. Metal edge system with continuous cleats.
 - 2. Surface mounted counterflashing.
 - 3. Skirt flashing at curbs.
 - 4. "L" flashing and step flashing.
 - 5. Ladders.
 - 6. Hatches.
 - 7. Coping.

1.02 RELATED REQUIREMENTS

- A. Section 07 55 50 – Modified Bitumen

1.03 REFERENCE STANDARDS

- A. ASTM A 653/A 653M - Standard Specification for Steel Sheet, Zinc-Coated (Galvanized) or Zinc-Iron Alloy-Coated (Galvannealed) by the Hot-Dip Process.
- B. ASTM A 666 - Standard Specification for Annealed or Cold-Worked Austenitic Stainless Steel Sheet, Strip, Plate, and Flat Bar.
- C. ASTM A792 Steel Sheet, Aluminum-Zinc Alloy-Coated, by the Hot-Dip Process
- D. ASTM B 32 - Standard Specification for Solder Metal.
- E. ASTM B486 Paste Solder
- F. ASTM B 749 - Standard Specification for Lead and Lead Alloy Strip, Sheet, and Plate Products.
- G. ASTM D 226 - Standard Specification for Asphalt-Saturated Organic Felt Used in Roofing and Waterproofing.
- H. ASTM D 2178 - Standard Specification for Asphalt Glass Felt Used in Roofing and Waterproofing.
- I. ASTM D 4586 - Standard Specification for Asphalt Roof Cement, Asbestos-Free.
- J. FS QQ-L-201 Specification for Lead Sheet
- K. SMACNA (ASMM) - Architectural Sheet Metal Manual; Sheet Metal and Air Conditioning Contractors' National Association.

1.04 SUBMITTALS

- A. Submit under provisions of the General Conditions Section 00 70 00
- B. Shop Drawings: Indicate material profile, jointing pattern, jointing details, fastening methods, flashings, terminations, and installation details.
 - 1. For manufactured and shop fabricated gravel stops, fascia, scuppers, and all other sheet metal fabrications.
 - 2. Indicate type, gauge and finish of metal.
- C. Product data: Provide manufacturer's specification data sheets for each product :
 - 1. Metal material characteristics and installation recommendations.

2. Submit color chart prior to material ordering and/or fabrication so that equivalent colors to those specific can be approved.
- D. Manufacturer's installation instructions for reglets.
- E. Samples: Submit two samples 8x10 inch in size illustrating metal finish color.
 1. Submit two samples, 12 x 12 inch in size illustrating typical external corner, internal corner, and valley, junction to vertical dissimilar surface, material and finish.
- F. Certification:
 1. Submit roof manufacturer's certifications that metal fasteners furnished are acceptable to roof manufacturer.
 2. Submit roof manufacturer's certification that metal furnished is acceptable to roofing manufacturer as a component of roofing system and is eligible for roof manufacturer's system warranty.
 3. Submit certification that metal and fastening system furnished is Tested and Approved by Factory Mutual for 1-90 Wind Up-Lift Requirements.
- G. Provide approval letters from metal manufacturer for use of their metal within this particular roofing system type.
- H. Proof of fabricator and installer qualifications.
- I. ANSI-SPRI ES-1 test results for all coping and edge metal.

1.05 QUALITY ASSURANCE

- A. Perform work in accordance with SMACNA Architectural Sheet Metal Manual requirements, except as otherwise indicated.
 1. Factory Mutual Loss Prevention Data Sheet 1-49 windstorm resistance: 1-90.
- B. Manufacturer's Warranty: Pre-finished metal material shall require a written 20-year non-prorated warranty covering fade, chalking and film integrity. The material shall not show a color change greater than 5 NBS color units per ASTM D-2244 or chalking excess of 8 units per ASTM D-659. If either occurs material shall be replaced per warranty, at no cost to the Owner.
- C. Contractor's Warranty: The Contractor shall provide the Owner with a notarized written warranty assuring that all sheet metal work including caulking and fasteners to be water-tight and secure for a period of five years from the date of final acceptance of the building. Warranty shall include all materials and workmanship required to repair any leaks that develop, and make good any damage to other work or equipment caused by such leaks or the repairs thereof.

1.06 DELIVERY, STORAGE, AND HANDLING

- A. Deliver materials in manufacturer's original, unopened containers or packages with labels intact and legible.
- B. Stack material to prevent twisting, bending, and abrasion, and to provide ventilation. Slope metal sheets to ensure drainage.
- C. Prevent contact with materials that could cause discoloration or staining.

PART 2 PRODUCTS

2.01 SHEET MATERIALS

- A. Aluminum, ASTM B209, alloy 3105-H14, in thickness.040" nom.

2.02 ACCESSORIES

- A. Fasteners:
 - 1. Corrosion resistant screw fastener as recommended by metal manufacturer. Finish exposed fasteners same as flashing metal.
 - 2. Fastening shall conform to Factory Mutual 1-90 requirements or as stated on section details, whichever is more stringent.
- B. Plastic Cement: ASTM D 4586, Type I.

2.03 FABRICATION - GENERAL

- A. Fabricate in accordance with referenced standards. Form sections true to shape, accurate in size, square, and free from distortion or defects. Form pieces as recommended by SMACNA standard for conditions required.
 - 1. Provide reinforcements and supports as required for secure anchorage.
 - 2. Make joints rigid. Seams mechanically strong and soldered or sealed to make watertight
 - 3. Fabricate corners in one piece with legs extending 30-inches each way to field joint. Lap, rivet, and solder or seal corner seams watertight.
 - 4. Turn up "end dam" flanges at ends of opening sill flashing pieces, lap with wall flashing and membranes to shed water.
 - 5. Fabricate cleats of same material as sheet, minimum 3/4 inches wide, interlockable with sheet.
 - 6. Hem exposed edges on underside 1/2 inch; miter and seam corners.
 - 7. Solvent clean all sheet metal. Coat surfaces to be in contact with roofing or otherwise concealed with specified asphaltic paint; 0.015-inch minimum uniform thickness.
- B. Form pieces in longest possible lengths.
- C. Hem exposed edges on underside 1/2 inch; miter and seam corners.
- D. Form material with flat lock seams, except where otherwise indicated. At moving joints, use sealed lapped, bayonet-type or interlocking hooked seams.
- E. Fabricate corners from one piece with minimum 18 inch long legs; seam for rigidity, seal with sealant.
- F. Fabricate vertical faces with bottom edge formed outward 1/4 inch (6 mm) and hemmed to form drip.

2.04 EDGE METAL SYSTEM AND METAL COPING SYSTEM

- A. R-mer Edge and R-mer Coping system by The Garland Company or approved equal.
 - 1. ANSI SPRI ES-1 tested and certified.

2.05 ROOF-RELATED SHEET METAL AND FLASHINGS

- A. Roof-Related Sheet Metal and Flashings: As indicated, as specified in related sections, as required by roofing material manufacturers and referenced standards. Coordinate work of this section with related sections. Provide complete systems without conflict or omission.

2.06 LADDERS, DRAINS AND HATCHES

- A. Hatch: Bilco or approved equal.
 - 1. Type S, all aluminum construction.
- B. Roof Drains: zurn Z-100 or equal.

- C. Ladder: Alaco Ladder
 - 1. Fixed ladders of all aluminum construction.

PART 3 EXECUTION**3.01 EXAMINATION**

- A. Verify roof openings, curbs, pipes, sleeves, ducts, and vents through roof are solidly set, reglets in place, and nailing strips located.
- B. Verify roofing termination and base flashings are in place, sealed, and secure.
- C. Beginning of installation means acceptance of existing conditions.
- D. Field measure site conditions prior to fabricating work.

3.02 PREPARATION

- A. Install starter and edge strips, and cleats before starting installation.
- B. Back paint concealed metal surfaces with protective backing paint to a minimum dry film thickness of 15 mil.

3.03 INSTALLATION

- A. Install work watertight, without waves, warps, buckles, fastening stress, or distortion, allowing for expansion and contraction. Conform to referenced standards. Make metal joints watertight.
- B. Fastening of metal to walls and wood blocking shall comply with SMACNA Architectural Sheet Metal Manual, Factory Mutual 1-90 wind uplift specifications and/or manufacturer's recommendations whichever is of the highest standard.
- C. All accessories or other items essential to the completeness of sheet metal installation and water tight envelope of the building, whether specifically indicated or not, shall be provided.
- D. Reglets: Install in accordance with manufacturer's installation instructions.
- E. Metal fascia and copings shall be secured to wood nailers at the bottom edge with a continuous cleat. Cleats shall be at least one gauge heavier than the metal it secures.
- F. Install Sheet Membrane Waterproofing at closure flanges, under metal copings, caps and platforms; fully adhered, free of voids, blisters and buckling; roll as soon as practical following layout. Minimize exposure time to that period recommended by the manufacturer.
- G. Flashing: Joints at 10-foot maximum spacing and at 2-1/2-feet from corners. Butt joints with 3/16-inch space centered over matching 8-inch long backing plate with sealer tape in laps.
- H. Flanged flashings and roof accessories: Set on continuous sealer tape. Nail flanges through sealer tape and at 3-inch maximum spacing.
- I. Isolate metal from dissimilar metal with 2 coats of specified asphaltic paint, sealer tape or other approved coating, specifically made to stop electrolytic action.. Use only stainless steel fasteners to connect isolated dissimilar metals.
- J. Joints, fastenings, reinforcements and supports: Sized and located as required to preclude distortion or displacement due to thermal expansion and contraction. Conceal fastenings wherever possible.
- K. Secure flashings in place using concealed fasteners. Use exposed fasteners only where

permitted.

- L. Flexible Flashing Installation:
 - 1. Prime substrates as recommended by flexible flashing manufacturer, allow to dry.
 - 2. Install flexible flashings in maximum feasible lengths to minimize lap joints.
 - 3. Peel release paper from roll to expose rubberized asphalt and position flashing to center over joint location before applying. Move along opening or joint, being careful to put flashing as evenly as possible over the opening. Avoid fishmouths.
 - 4. Press flashing firmly into place with heavy hand pressure. Ensure continuous and intimate contact with substrate.
 - 5. If wrinkles develop, carefully cut out affected area and replace as outlined above.
- M. Apply plastic cement compound between metal flashings and felt flashings.
- N. Fit flashings tight in place. Make corners square, surfaces true and straight in planes, and lines accurate to profiles.
- O. Seal prefinished metal joints watertight.
- P. Solder other metal joints for full metal surface contact. After soldering, wash metal clean with neutralizing solution and rinse with water.
- Q. Connect downspouts and rain water leaders to storm sewer system. Seal connection watertight.
- R. Install hatches and ladders per manufacturer's recommendations.
- X. Install roof drains per manufacturer's recommendations.

3.04 FIELD QUALITY CONTROL

- A. Inspection will involve surveillance of work during installation to ascertain compliance with specified requirements.
- B. Tolerances
 - 1. Exposed surfaces: Free of dents, scratches, abrasions, or other visible defects; clean, ready for painting.
 - 2. Set flashings and sheet metal to straight, true lines with exposed faces aligned in plane as indicated.

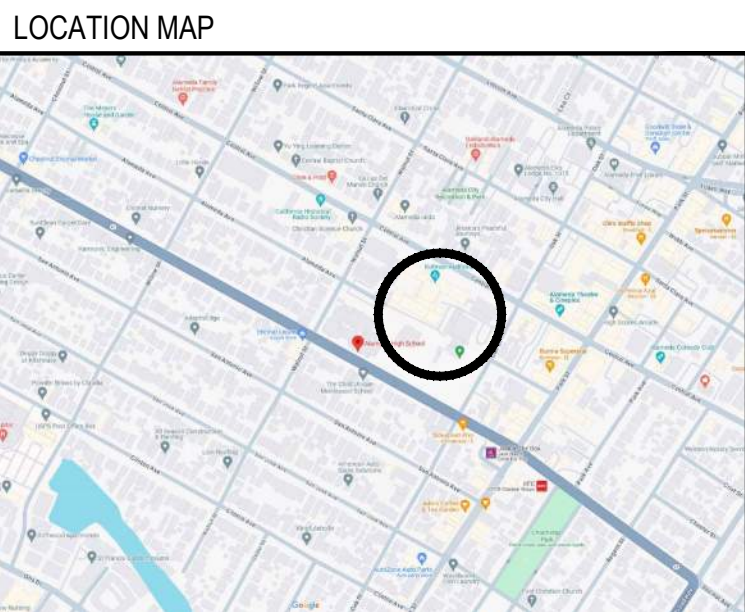
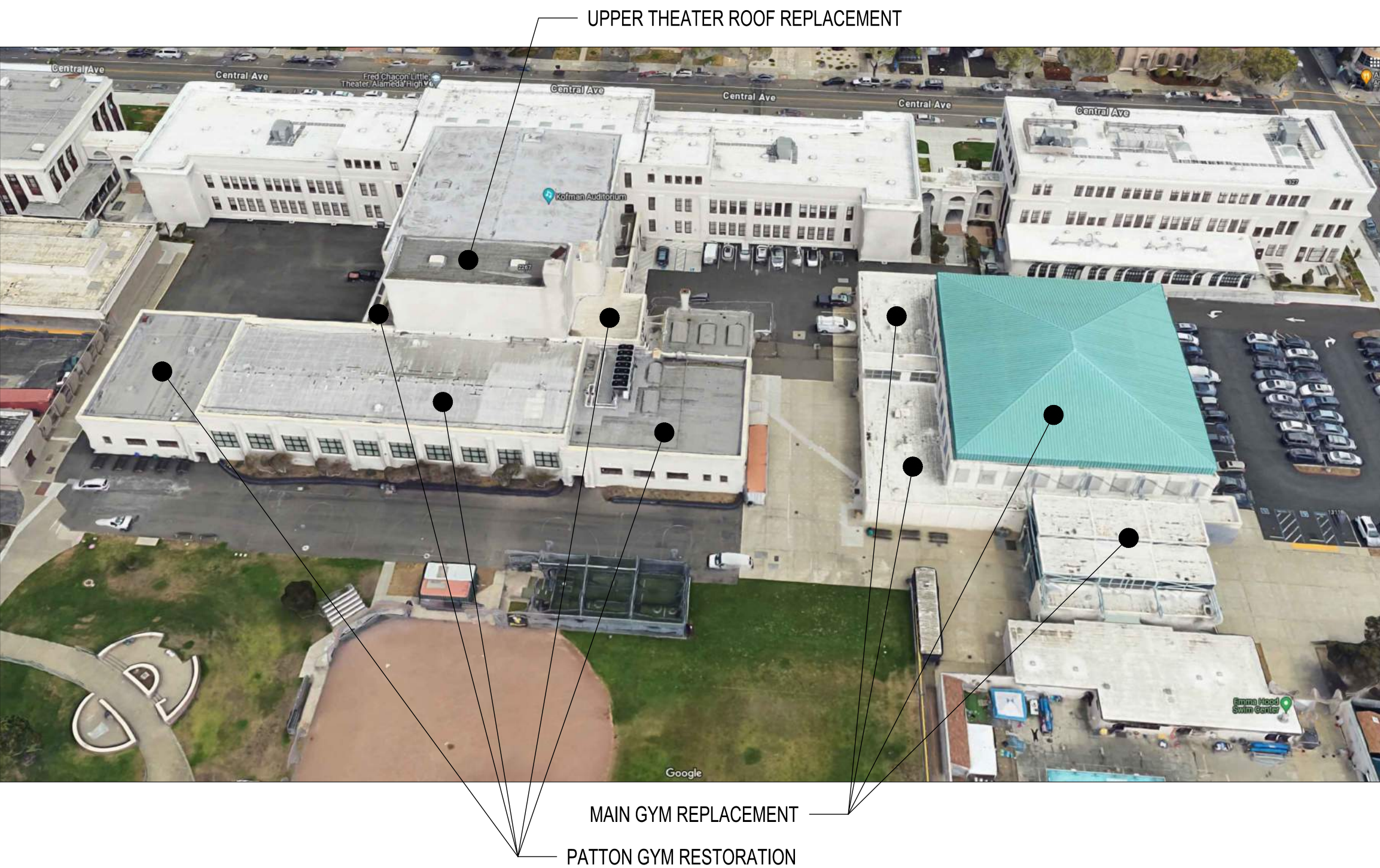
3.05 SHOP FABRICATED SHEET METAL

- A. Installing Contractor shall be responsible for determining if the sheet metal systems are in general conformance with roof manufacturer's recommendations.
- B. Metal work shall be shop fabricated to configurations and forms in accordance with recognized sheet metal practices.
- C. Hem exposed edges.
- D. Angle bottom edges of exposed vertical surfaces to form drip.
- E. All corners for sheet metal shall be lapped with adjoining pieces fastened and set in sealant.
- F. Joints for gravel stop fascia system, cap flashing, and surface-mount counterflashing shall be formed with a 1/4" opening between sections. The opening shall be covered by a cover plate or backed by an internal drainage plate formed to the profile of fascia piece. The cover plate shall be embedded in mastic, fastened through the opening between the sections and loose locked to the drip edges.
- G. Install sheet metal to comply with Architectural Sheet Metal manual, Sheet Metal and Air

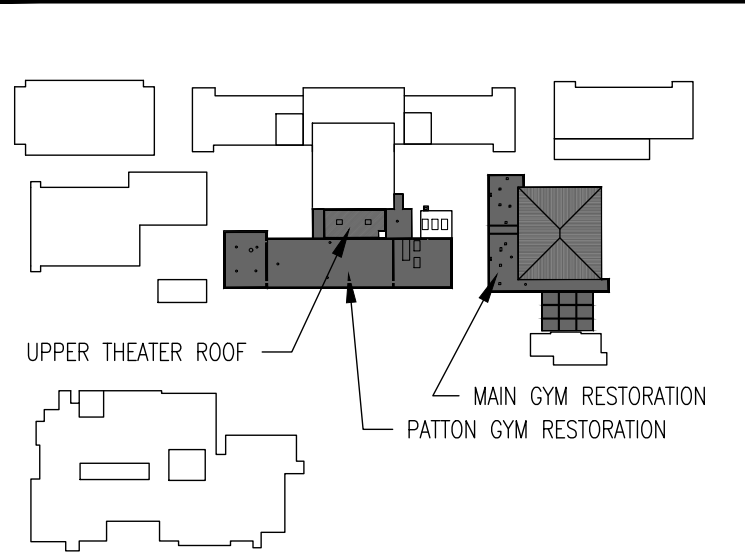
Conditioning Contractor's National Associations, Inc.

END OF SECTION

Alameda USD
ALAMEDA HIGH SCHOOL
2200 CENTRAL AVE, ALAMEDA, CA 94501



KEY PLAN



DRAWING INDEX

- SHT 1 - COVER SHEET
- SHT 2 - ROOF PLAN - UPPER THEATER ROOF
- SHT 3 - ROOF PLAN - PATTON GYM
- SHT 4 - ROOF PLAN - MAIN GYM
- SHT 5 - DETAILS
- SHT 6 - DETAILS
- SHT 7 - DETAILS
- SHT 8 - DETAILS
- SHT 9 - DETAILS
- SHT 10 - DETAILS
- SHT 11 - DETAILS
- SHT 12 - DETAILS
- SHT 13 - DETAILS
- SHT 14 - DETAILS

THE GARLAND COMPANY INC.
3800 EAST 91ST STREET - CLEVELAND, OHIO 44105-2197
PHONE (800) 321-9336 / FAX (216) 641-0633



ALAMEDA HIGH SCHOOL 2200 CENTRAL AVE, ALAMEDA, CA 94501	AGENT:	DWG BY: GCK	CHK BY: JAP
	ARCHITECT:	JOB NUMBER:	
	CUSTOMER:		
REVISION:	DATE: 01-03-24		
SHEET: 1	OF 14		



ALAMEDA
UNIFIED
SCHOOL
DISTRICT

ALAMEDA HIGH
ROOF REPAIRS

SHEET TITLE

COVER SHEET

SHEET NUMBER

Sheet: 1

Page: 1 of 14

SCOPE OF WORK

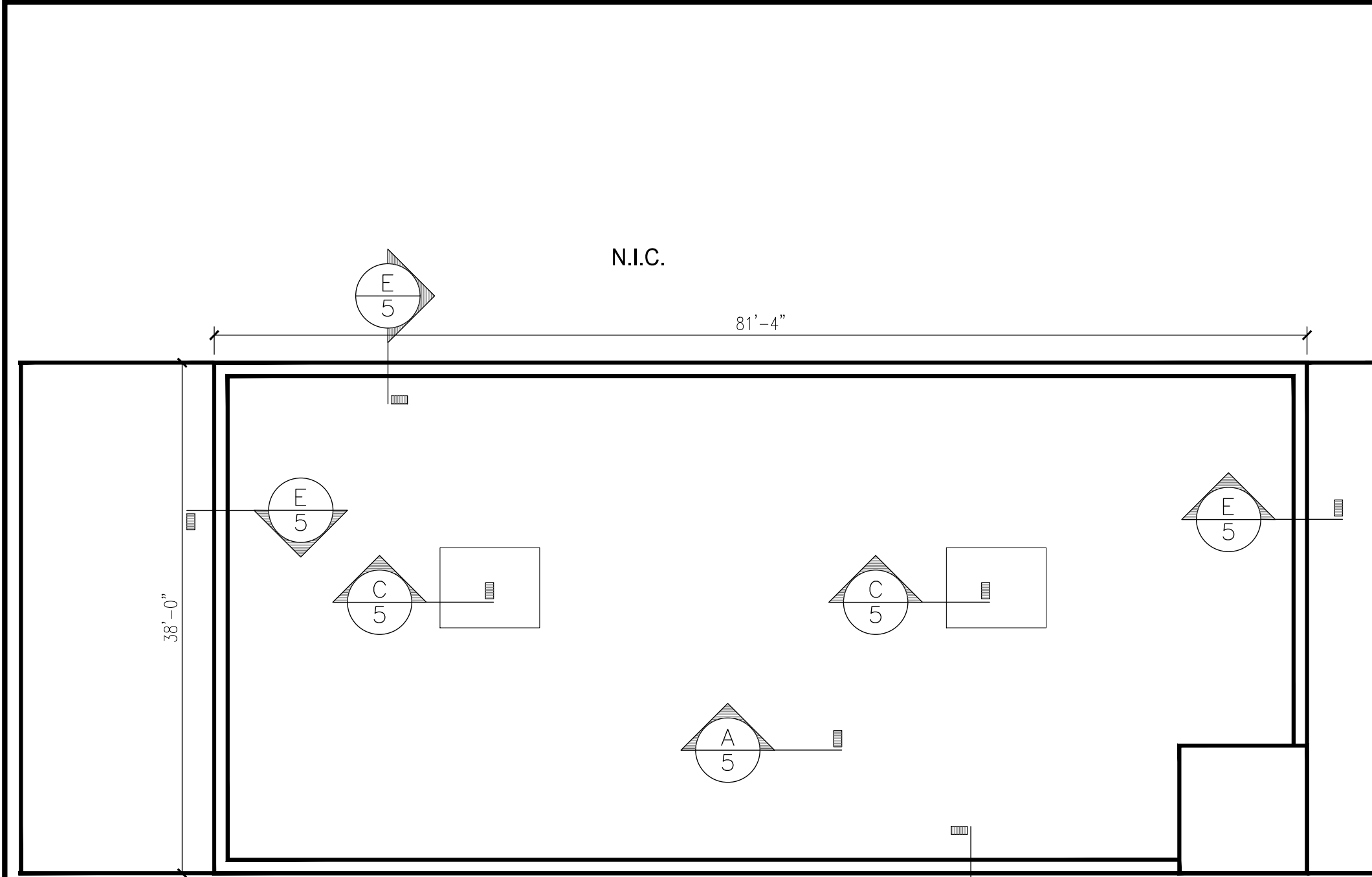
THIS PROJECT INCLUDES DEMOLITION AND INSTALLATION OF VARIOUS ROOFING SYSTEMS AND ALL RELATED WORK REQUIRED PER THE SPECIFICATIONS AND DRAWINGS.

OWNER

ALAMEDA UNIFIED SCHOOL DISTRICT
2060 CHALLENGER DRIVE
ALAMEDA CA 94501
PHONE: 510-337-7000
CONTACT: BRIAN ADDICOTT
EMAIL: baddicott@alamedaunified.org

OWNER FURNISHED MATERIAL SUPPLIER:

THE GARLAND COMPANY
PHONE: 925-784-6701
CONTACT: DOUG CLARK
EMAIL: dclark@garlandind.com



UPPER THEATER ROOF PLAN
SCALE: 1" = 10'



NOTE:
DETAIL CALLOUTS ARE PROVIDED FOR GENERAL INDICATIONS. THERE MAY BE ADDITIONAL CONDITIONS NOT COVERED BY THE DETAILS ON SHEETS 2-4.
CONTRACTOR IS RESPONSIBLE TO IDENTIFY ALL DETAIL CONDITIONS AND WATERPROOF DETAILS PER GARLAND RECOMMENDATIONS.

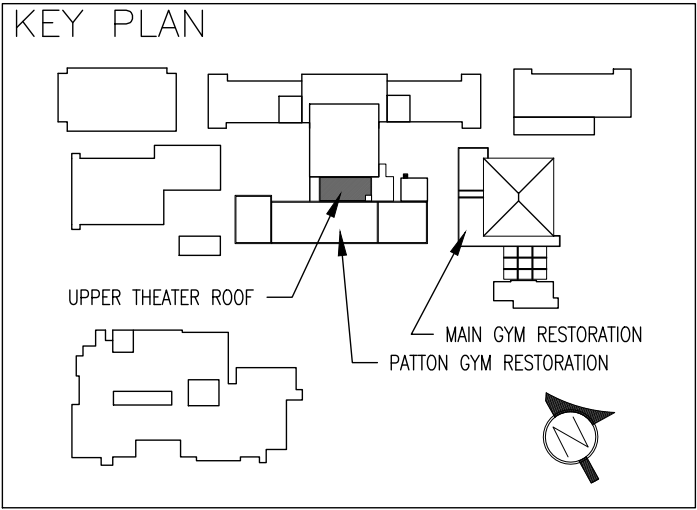
SCOPE OF WORK:

REPLACEMENT OF LOW SLOPE ROOFING

1. PREPARE ROOF AREAS FOR AN OVERLAY REPLACEMENT. REMOVE ALL BASE FLASHINGS, DETAIL FLASHINGS, AND ASSOCIATED MATERIALS PER MANUFACTURERS OVERLAY REQUIREMENTS.
2. ADHERE 1/2" WOOD FIBER BOARD PER MANUFACTURERS WIND UPLIFT CALCULATIONS.
3. INSTALL 2 PLY MODIFIED BITUMEN SYSTEM IN COLD APPLIED ASPHALT.
4. INSTALL NEW KYNAR COATED EDGE METAL AND COUNTERFLASHING USING 0.040 ALUMINUM FLATSTOCK.
5. APPLY TITL 24 REFLECTIVE COATING IN 2 COATS. (1.5+1.5 GAL PER SQUARE).
6. CLEAN OFF ALL MASTIC/ASPHALT AND PAINT ALL CONDUIT PIPES, VENTS, AND HOODS WITH PYRAMIC TO ENSURE A CLEAN FINAL PROJECT. ALL CONDUIT TO BE SEALED AND REATTACHED WITH PROPER COUPLINGS. LINES SHOULD BE STRAIGHT AND AS TIDY AS POSSIBLE. ANY COUPLINGS THAT CANNOT BE PROPERLY SEALED SHOULD BE BROUGHT TO DISTRICT ATTENTION.
7. ALL DRAINS TO RECEIVE NEW STRAINERS.
8. AT END OF EVERY WORK DAY ENSURE THE WORK SITE AND SURROUNDING AREA IS FREE OF ANY DIRT AND DEBRIS.
9. TEST ALL DRAINS AND DOWNSPOUT PRIOR TO CONSTRUCTION AND ONCE AGAIN AFTER COMPLETION.


SYMBOL LEGEND

- VENT OR SOIL STACK
- MECHANICAL/CURB



THE GARLAND COMPANY INC.

3800 EAST 91st STREET - CLEVELAND, OHIO 44105-2197
PHONE (800) 321-9336 / FAX (216) 641-0633



Since 1993

ALAMEDA HIGH SCHOOL
2200 CENTRAL AVE. ALAMEDA, CA 94601

AGENT: _____ ARCHITECT: _____ CUSTOMER: _____

DWG BY: GOK CHK BY: JLP

JOB NUMBER: _____ DATE: 01-03-24

REVISION: _____ SHEET: 2 OF 14



ALAMEDA
UNIFIED
SCHOOL
DISTRICT

ALAMEDA HIGH
ROOF REPAIRS

SHEET TITLE

ROOF PLAN

UPPER
THEATER ROOF

AUSD - PATTON GYM ROOF RESTORATION - SCOPE OF WORK:

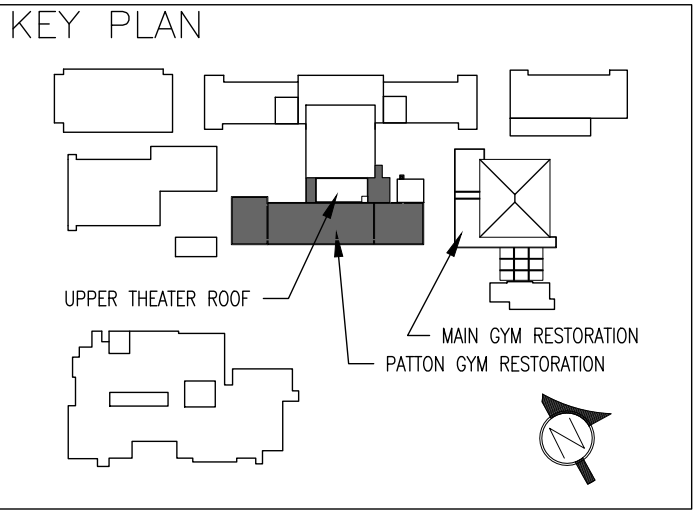
1. REMOVE AND DISPOSE OF ALL BASE FLASHINGS AND COPING METAL.
1.a. SURFACE MOUNTED COUNTERFLASHING TO BE CUT BACK AND NEW SKIRT FLASHING TO BE INSTALLED. REGLET MOUNTED COUNTERFLASHING TO BE REMOVED AND REUSED.
2. INSTALL FIXED GAS LINE SUPPORT EVERY 20'. ROOF IN SUPPORT AND INSTALL METAL CAP.
3. INSTALL NEW BASE FLASHINGS WITH VERSIPLY 40 AND VERSIPLY MINERAL MEMBRANES USING GREEN-LOCK FLASHING ADHESIVE.
4. PATCH AND REPAIR ALL BLISTERS, MOLE RUNS, UNADHERED SEAMS, AND DAMAGED MEMBRANE AREAS.
5. PATCH IN REMOVED AREAS USING VERSIPLY 40 AND VERSIPLY MINERAL IN GREEN-LOCK FLASHING ADHESIVE.
6. CUT OUT CAULKING ALONG COUNTERFLASHING'S AND PENETRATION DETAILS. INSTALL NEW GREEN-LOCK SEALANT XL.
7. POWERWASH ENTIRE ROOF SYSTEM WITH SIMPLEGREEN OR TSP AND WATER SOLUTION.
8. APPLY LIQUITEC AT 3 GALLONS PER SQUARE TO ALL DETAILS AND MEMBRANE SEAMS. IMMEDIATELY ROLL GRIP POLYESTER SOFT INTO THE COATING. ALLOW TO CURE.
9. APPLY BASE COAT OF LIQUITEC AT 2 GALLONS PER SQUARE OVER ENTIRE ROOF SURFACE.
10. APPLY TOP COAT OF LIQUITEC AT 2 GALLONS PER SQUARE OVER ENTIRE ROOF SURFACE.
11. INSTALL NEW RMER-EDGE COPING.
12. CLEAN OFF ALL MASTIC/ASPHALT AND PAINT ALL CONDUIT PIPES, VENTS, AND HOODS WITH PYRAMIC TO ENSURE A CLEAN FINAL PROJECT. ALL CONDUIT TO BE SEALED AND REATTACHED WITH PROPER COUPLINGS. LINES SHOULD BE STRAIGHT AND AS TIDY AS POSSIBLE. ANY COUPLINGS THAT CANNOT BE PROPERLY SEALED SHOULD BE BROUGHT TO DISTRICT ATTENTION.
13. TEST ALL DRAINS AND DOWNSPOUT PRIOR TO CONSTRUCTION AND ONCE AGAIN AFTER COMPLETION.

N.I.C.

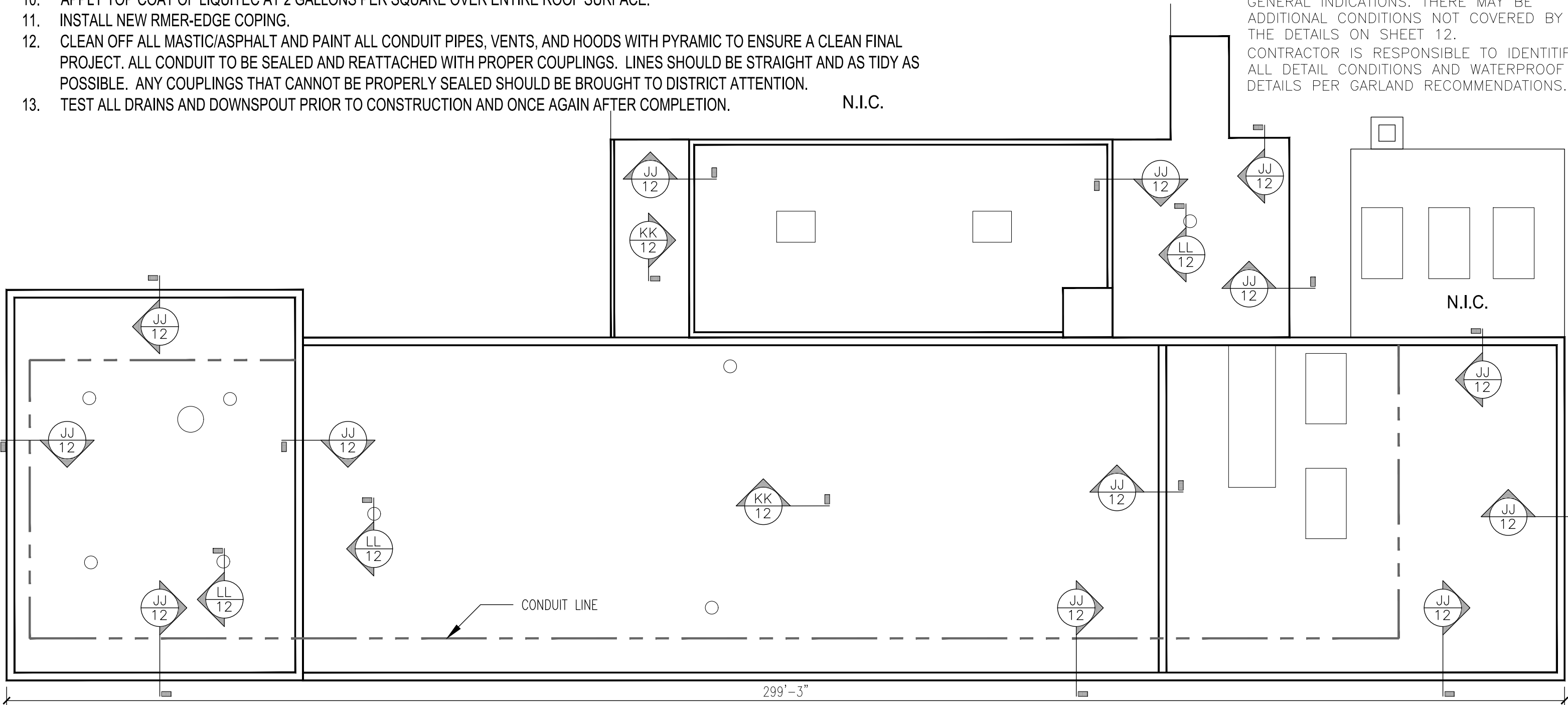
SYMBOL LEGEND

○ VENT OR SOIL STACK

□ MECHANICAL/CURB



NOTE:
DETAIL CALLOUTS ARE PROVIDED FOR GENERAL INDICATIONS. THERE MAY BE ADDITIONAL CONDITIONS NOT COVERED BY THE DETAILS ON SHEET 12.
CONTRACTOR IS RESPONSIBLE TO IDENTIFY ALL DETAIL CONDITIONS AND WATERPROOF DETAILS PER GARLAND RECOMMENDATIONS.



PATTON GYM ROOF PLAN

SCALE: 1" = 20'

THE GARLAND COMPANY INC.
3800 EAST 91st STREET - CLEVELAND, OHIO 44105-2197
PHONE (800) 321-9336 / FAX (216) 641-0633

ALAMEDA HIGH SCHOOL
2200 CENTRAL AVE. ALAMEDA, CA 94601

REVISION: _____

SHEET: 3 OF 14

DATE: 01-03-24

ARCHITECT: _____

CUSTOMER: _____

DWG BY: GSK

CHK BY: JLP



ALAMEDA
UNIFIED
SCHOOL
DISTRICT

ALAMEDA HIGH
ROOF REPAIRS

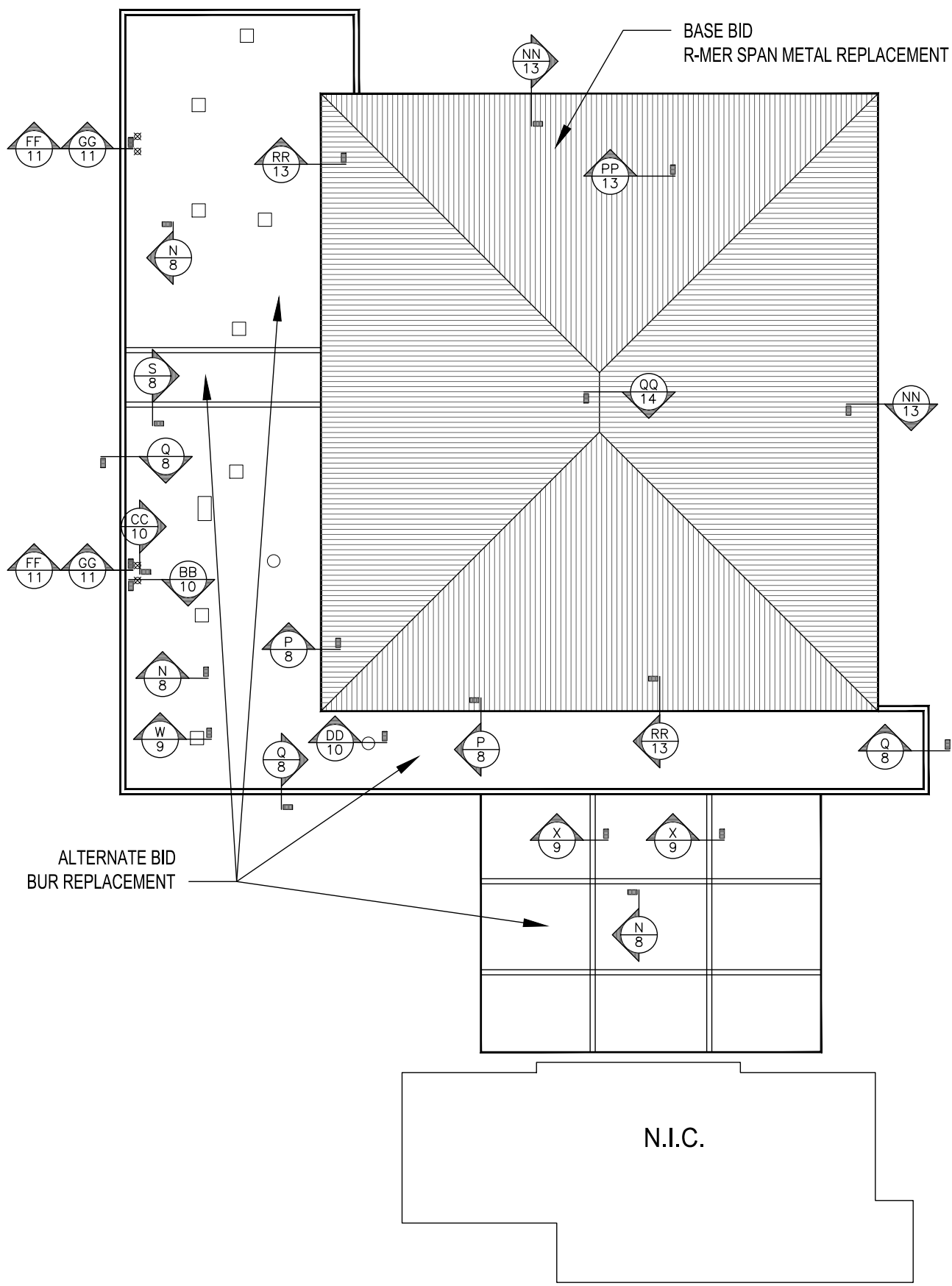
SHEET TITLE

ROOF PLAN
PATTON GYM

SHEET NUMBER

Sheet: 3

Page: 3 of 14



MAIN GYM ROOF PLAN
SCALE: 1" = 30'

ALAMEDA HS - MAIN GYM - SCOPE OF WORK:

REPLACEMENT OF STANDING SEAM METAL

1. REMOVE AND DISPOSE OF EXISTING METAL ROOFING, DETAIL FLASHINGS, INTERNAL GUTTER SYSTEM, AND ASSOCIATED MATERIALS.
2. INSTALL R-10 POLYISO INSULATION AND 5/8" DENSDECK PRIME PER MANUFACTURERS WIND UPLIFT CALCULATIONS.
3. INSTALL CLIPS AND PANELS PER MANUFACTURERS WIND UPLIFT CALCS AND JOB SPECIFIC SHOP DRAWINGS.
4. EXISTING PLANE TRANSITION TO RECIEVE NEW PLAN DETAIL.
5. EXISTING INTERNAL GUTTER SYSTEM TO REMAIN, INSTALL NEW GREENWELD LINER.
6. INSTALL SYSTEM TRIM AND DETAILS TO COMPLETE SYSTEM.
7. PANELS TO BE ENGINEERED TO STRUCTURALLY SUPPORT POTENTIAL FOR FUTURE SOLAR ARRAY.

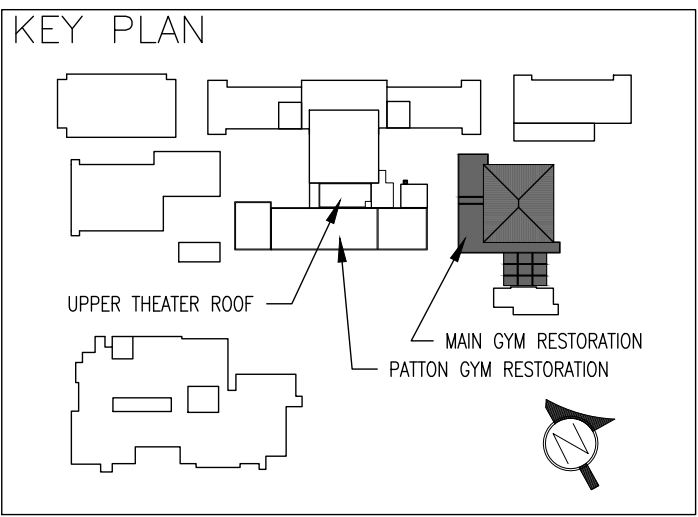
REPLACEMENT OF LOW SLOPE ROOFING

1. REMOVE AND DISPOSE OF ALL ROOFING, COUNTER FLASHING, COPING, EDGE METAL AND ASSOCIATED MATERAILS.
2. INSTALL R10 POLYISO AND 1/2" DENSDECK PRIME OR SECUROCK PER MANUFACTURERS WIND UPLIFT CALCULATIONS.
3. INSTALL 2 PLY MODIFIED BITUMEN SYSTEM IN COLD APPLIED ASPHALT.
4. APPLY TITL 24 REFLECTIVE COATING IN 2 COATS. (1.5+1.5 GAL PER SQUARE).
5. INSTALL R-MER EDGE COPING METAL IN 0.040 ALUMINUM.
6. CLEAN OFF ALL MASTIC/ASPHALT AND PAINT ALL CONDUIT PIPES, VENTS, AND HOODS WITH PYRAMIC TO ENSURE A CLEAN FINAL PROJECT. ALL CONDUIT TO BE SEALED AND REATTACHED WITH PROPER COUPLINGS. LINES SHOULD BE STRAIGHT AND AS TIDY AS POSSIBLE. ANY COUPLINGS THAT CANNOT BE PROPERLY SEALED SHOULD BE BROUGHT TO DISTRICT ATTENTION.
7. ALL DRAINS TO RECEIVE NEW STRAINERS.
8. AT END OF EVERY WORK DAY ENSURE THE WORK SITE AND SURROUNDING AREA IS FREE OF ANY DIRT AND DEBRIS.
9. TEST ALL DRAINS AND DOWNSPOUT PRIOR TO CONSTRUCTION AND ONCE AGAIN AFTER COMPLETION.

SYMBOL LEGEND


- VENT OR SOIL STACK
- MECHANICAL/CURB

NOTE:
DETAIL CALLOUTS ARE PROVIDED FOR GENERAL INDICATIONS. THERE MAY BE ADDITIONAL CONDITIONS NOT COVERED BY THE DETAILS ON SHEETS 8-11 & 13-14.
CONTRACTOR IS RESPONSIBLE TO IDENTIFY ALL DETAIL CONDITIONS AND WATERPROOF DETAILS PER GARLAND RECOMMENDATIONS.



THE GARLAND COMPANY INC.

3800 EAST 91st STREET - CLEVELAND, OHIO 44105-2197
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Since 1995

ALAMEDA HIGH SCHOOL
2200 CENTRAL AVE. ALAMEDA, CA 94601

ARCHITECT: AGENT: JOB NUMBER: CHK BY: AP

REVISION: DATE: 01-30-24 OF 14 SHEET: 4



**ALAMEDA
UNIFIED
SCHOOL
DISTRICT**

**ALAMEDA HIGH
ROOF REPAIRS**

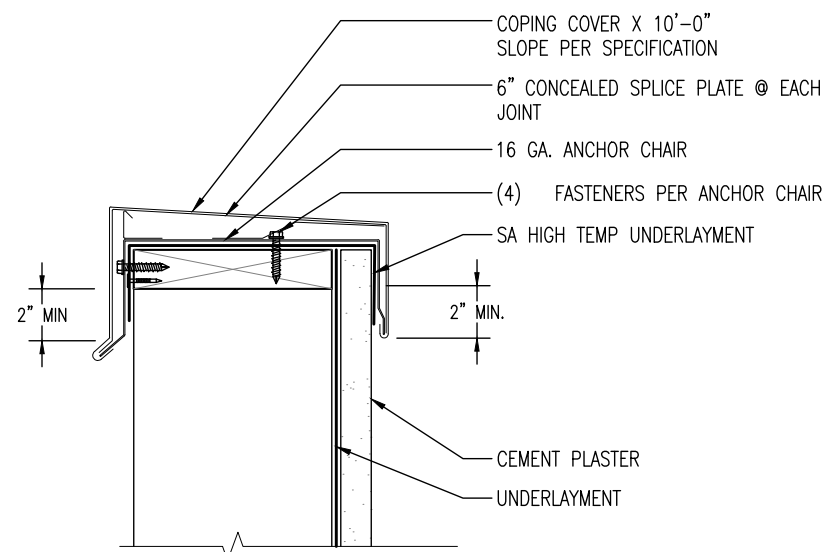
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**ROOF PLAN
MAIN GYM**

SHEET NUMBER

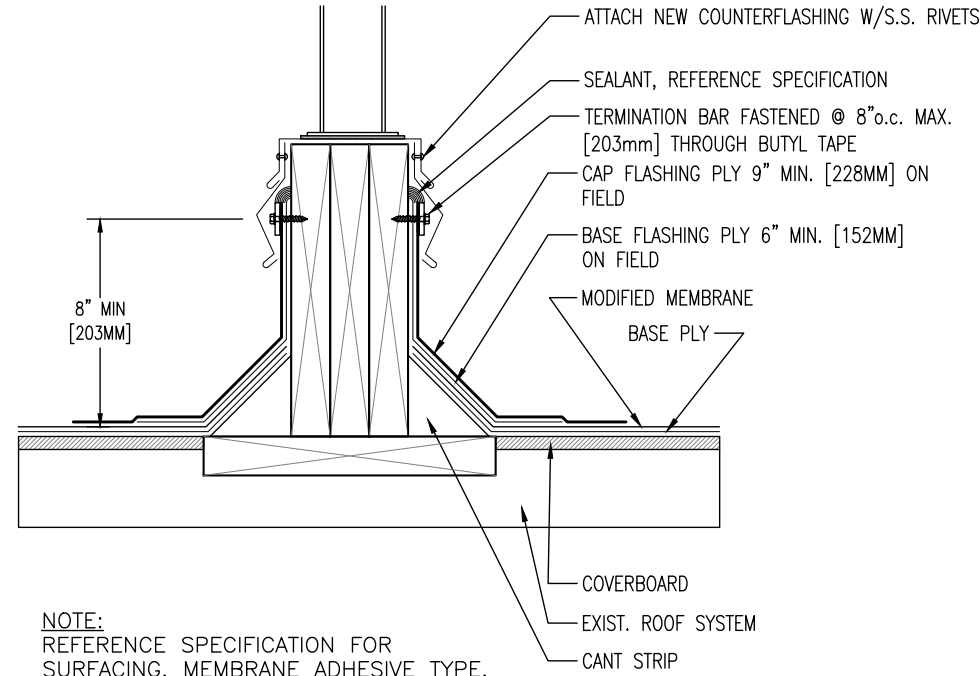
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Page: 4 of 14



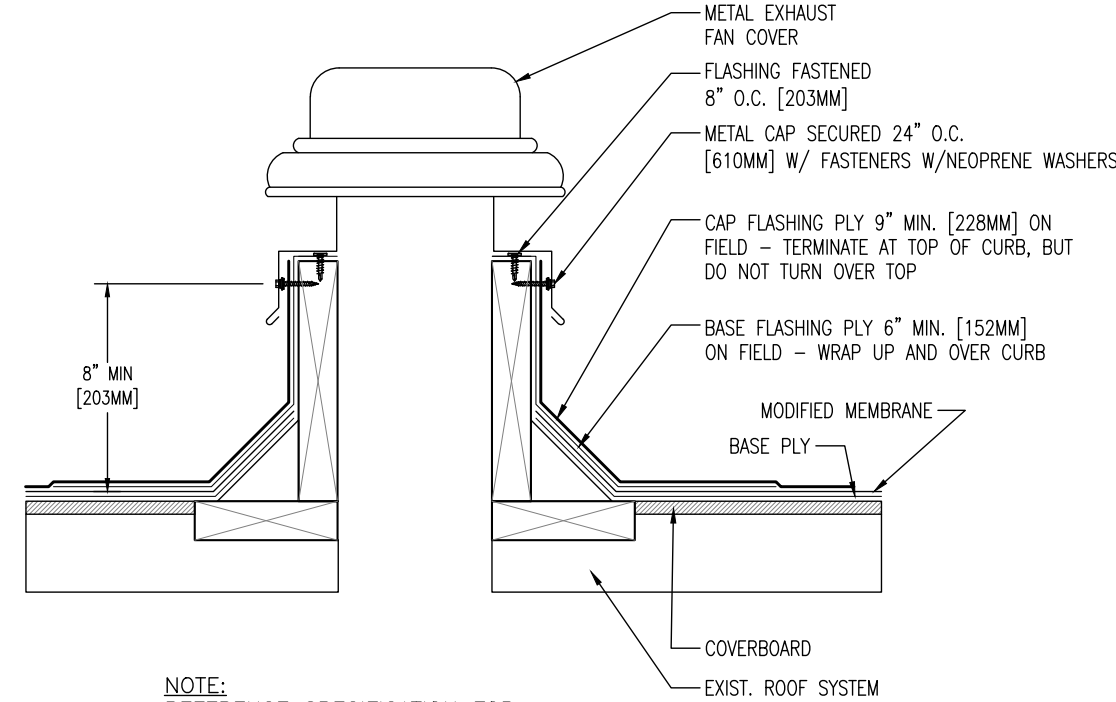
NOTE:
REFERENCE SPECIFICATION FOR
SURFACING, MEMBRANE ADHESIVE TYPE,
AND EXIST. ROOF SYSTEM/COVER
BOARD TYPE AND ATTACHMENT METHOD.

E
5 **COPING CAP AT CEMENT PLASTER WALL**
SCALE: 1½" = 1'-0"



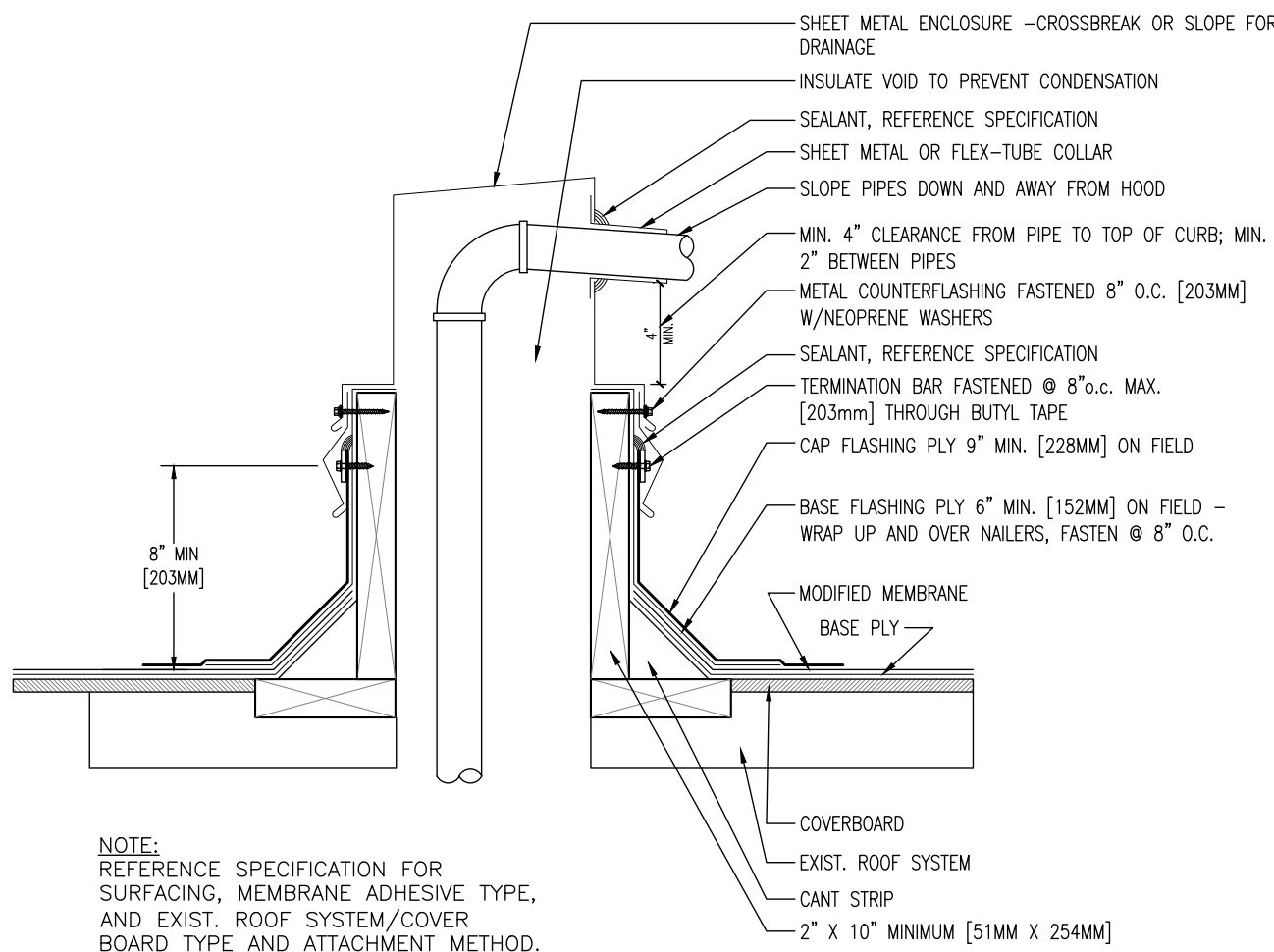
NOTE:
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SURFACING, MEMBRANE ADHESIVE TYPE,
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BOARD TYPE AND ATTACHMENT METHOD.

D
5 **EQUIPMENT SUPPORT - EXISTING**
SCALE: 1½" = 1'-0"



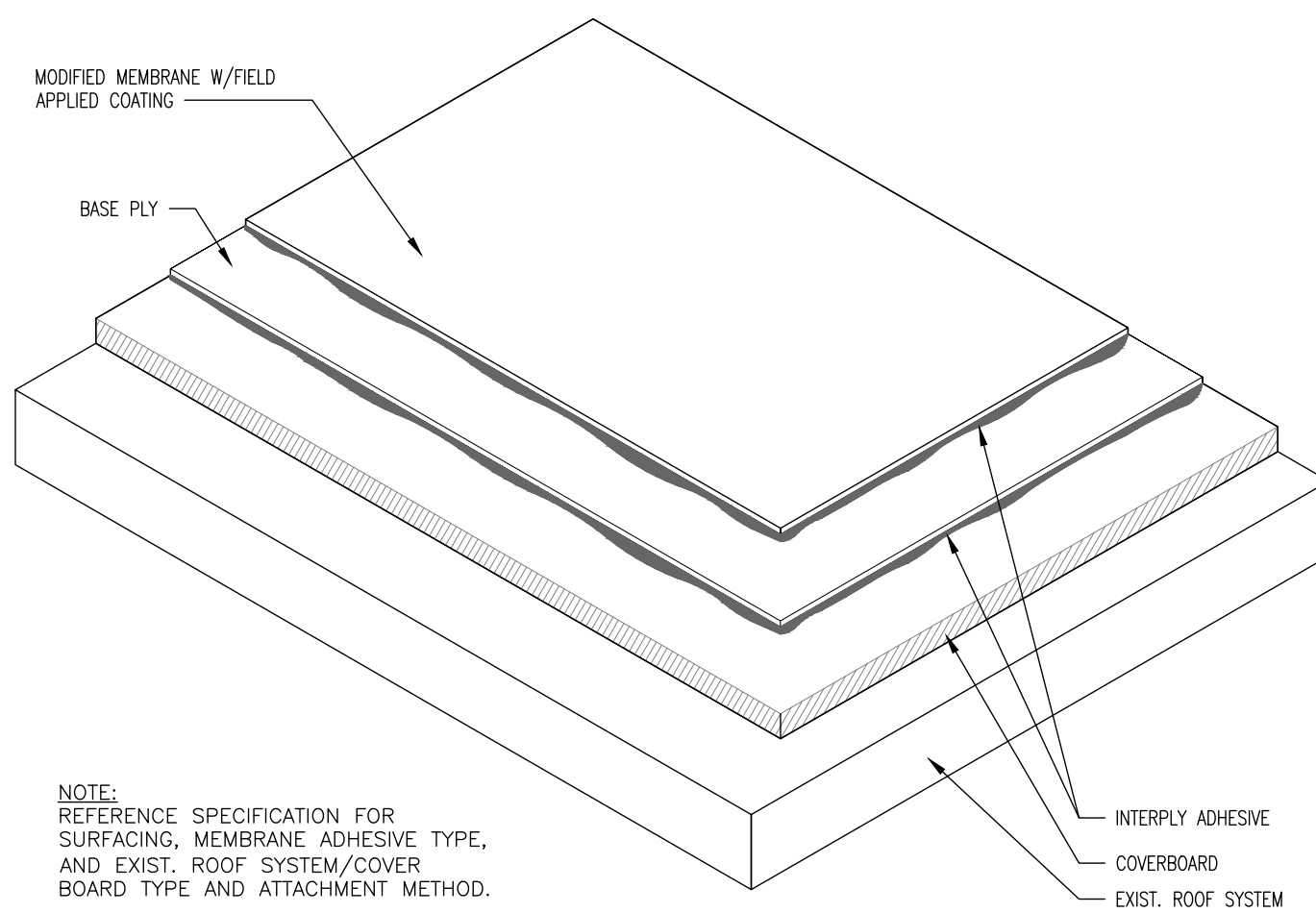
NOTE:
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SURFACING, MEMBRANE ADHESIVE TYPE,
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BOARD TYPE AND ATTACHMENT METHOD.

C
5 **EXHAUST FAN**
SCALE: 1½" = 1'-0"



NOTE:
REFERENCE SPECIFICATION FOR
SURFACING, MEMBRANE ADHESIVE TYPE,
AND EXIST. ROOF SYSTEM/COVER
BOARD TYPE AND ATTACHMENT METHOD.

B
5 **PIPE HOUSING**
SCALE: 1½" = 1'-0"



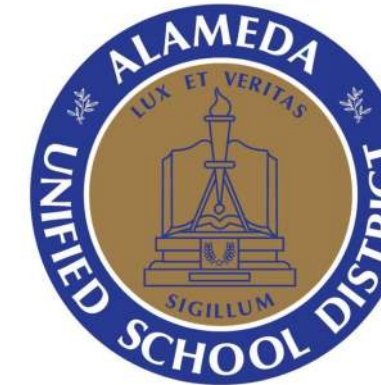
NOTE:
REFERENCE SPECIFICATION FOR
SURFACING, MEMBRANE ADHESIVE TYPE,
AND EXIST. ROOF SYSTEM/COVER
BOARD TYPE AND ATTACHMENT METHOD.

A
5 **TYPICAL ROOF SYSTEM
COATED SURFACE**
SCALE: 3" = 1'-0"

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REVISION:	ALAMEDA HIGH SCHOOL 2200 CENTRAL AVE. ALAMEDA, CA 94601		DWG BY: GOK	CHK BY: JLP
	ARCHITECT:	AGENT:	JOB NUMBER:	CUSTOMER:
SHEET:	2	OF 4	DATE: 01-03-24	



ALAMEDA UNIFIED SCHOOL DISTRICT

ALAMEDA HIGH ROOF REPAIRS

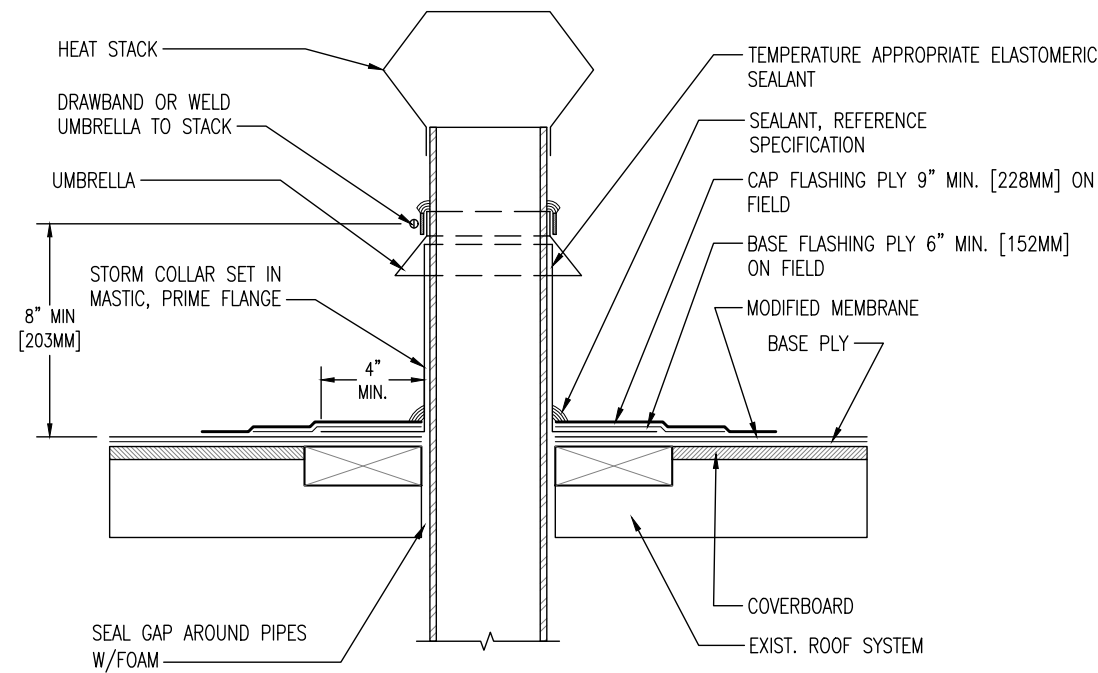
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DETAILS

SHEET NUMBER

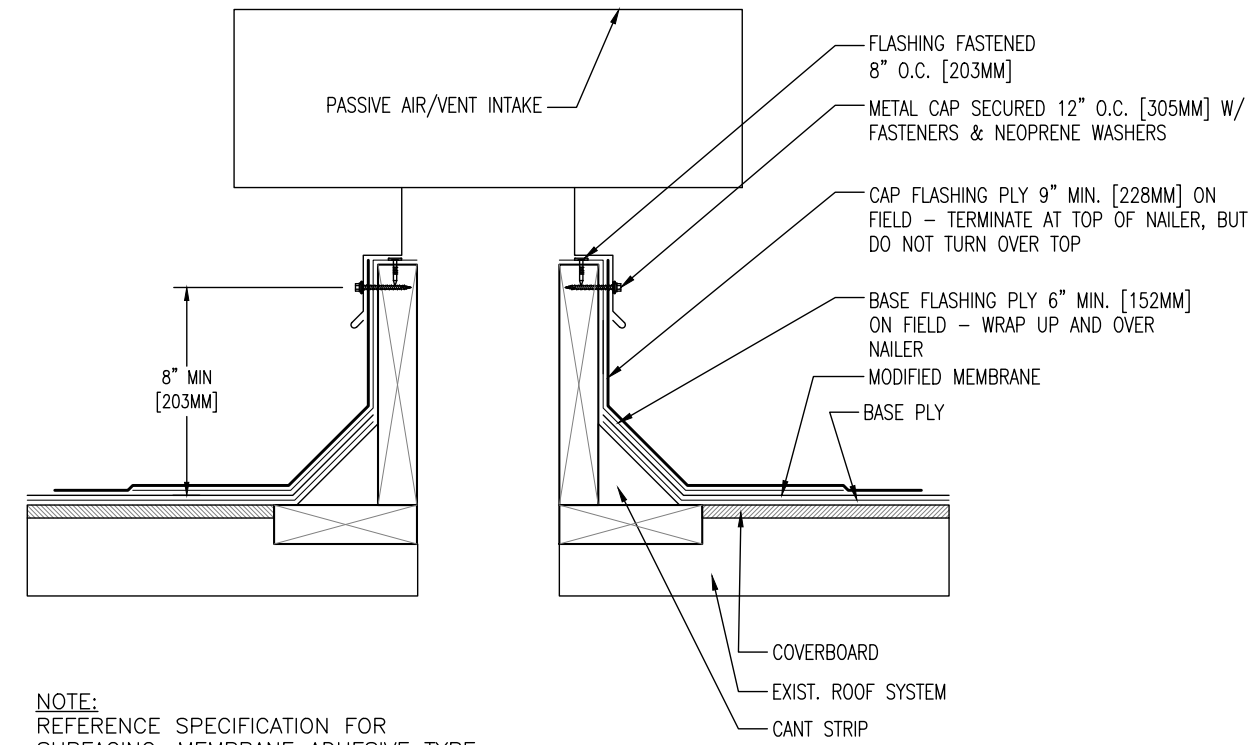
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Page: 5 of 14



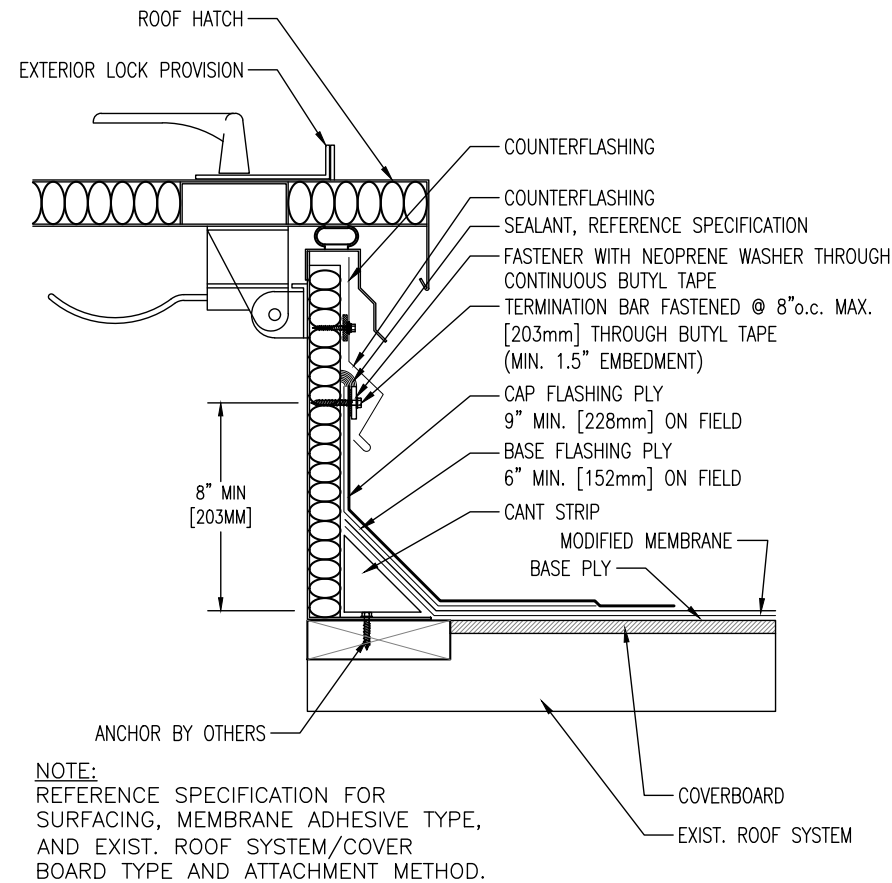
NOTE:
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SURFACING, MEMBRANE ADHESIVE TYPE,
AND EXIST. ROOF SYSTEM/COVER
BOARD TYPE AND ATTACHMENT METHOD.

K
6 **HEAT STACK**
SCALE: 1½" = 1'-0"



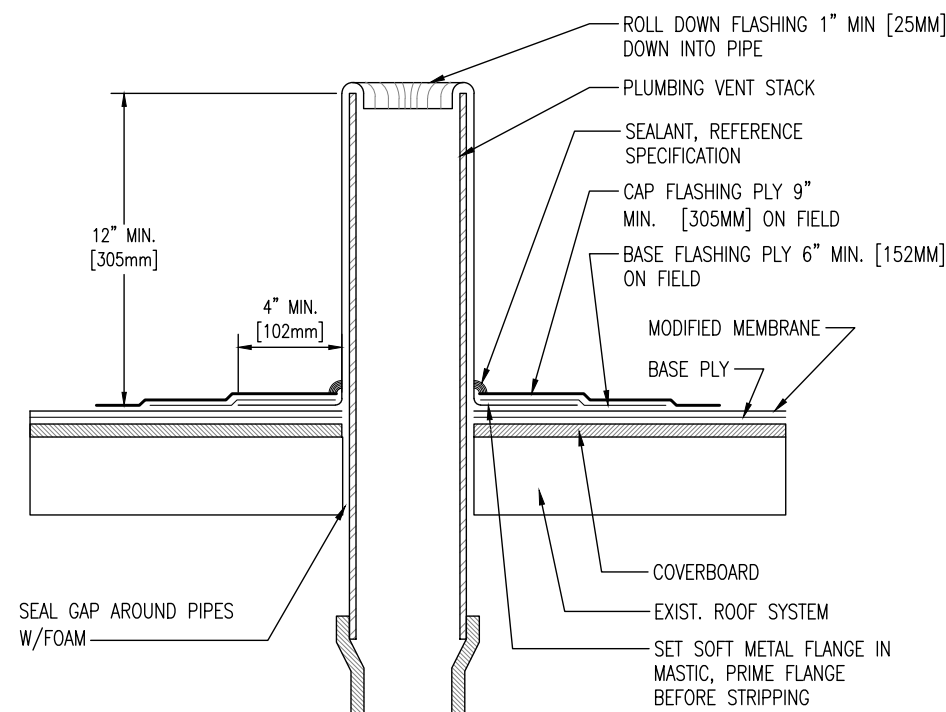
NOTE:
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BOARD TYPE AND ATTACHMENT METHOD.

J
6 **PASSIVE AIR / VENT INTAKE**
SCALE: 1½" = 1'-0"



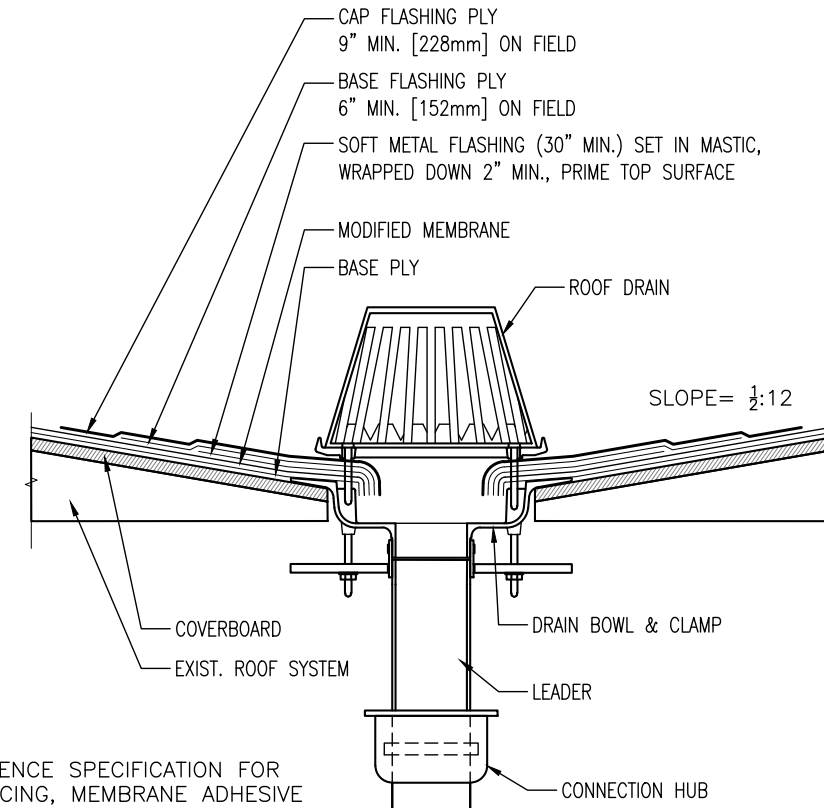
NOTE:
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AND EXIST. ROOF SYSTEM/COVER
BOARD TYPE AND ATTACHMENT METHOD.

H
6 **HATCH DETAIL**
SCALE: 1½" = 1'-0"



NOTE:
REFERENCE SPECIFICATION FOR
SURFACING, MEMBRANE ADHESIVE TYPE,
AND EXIST. ROOF SYSTEM/COVER
BOARD TYPE AND ATTACHMENT METHOD.

G
6 **PLUMBING STACK**
SCALE: 1½" = 1'-0"



NOTE:
REFERENCE SPECIFICATION FOR
SURFACING, MEMBRANE ADHESIVE
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SYSTEM/COVER BOARD TYPE AND
ATTACHMENT METHOD.

F
6 **ROOF DRAIN**
SCALE: 1½" = 1'-0"

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REVISION:	ALAMEDA HIGH SCHOOL 2200 CENTRAL AVE. ALAMEDA, CA 94601	AGENT:	JOB NUMBER:	DWG BY: GCK	CHK BY: AP
		ARCHITECT:	CUSTOMER:		
		DATE: 01-03-24			
		SHEET: 3	OF 4		



ALAMEDA UNIFIED SCHOOL DISTRICT

ALAMEDA HIGH ROOF REPAIRS

SHEET TITLE

DETAILS

SHEET NUMBER

Sheet: 6

Page: 6 of 14



ALAMEDA
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DISTRICT

ALAMEDA HIGH
ROOF REPAIRS

SHEET TITLE

DETAILS

SHEET NUMBER

Sheet: 7

Page: 7 of 14

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SINCE 1993

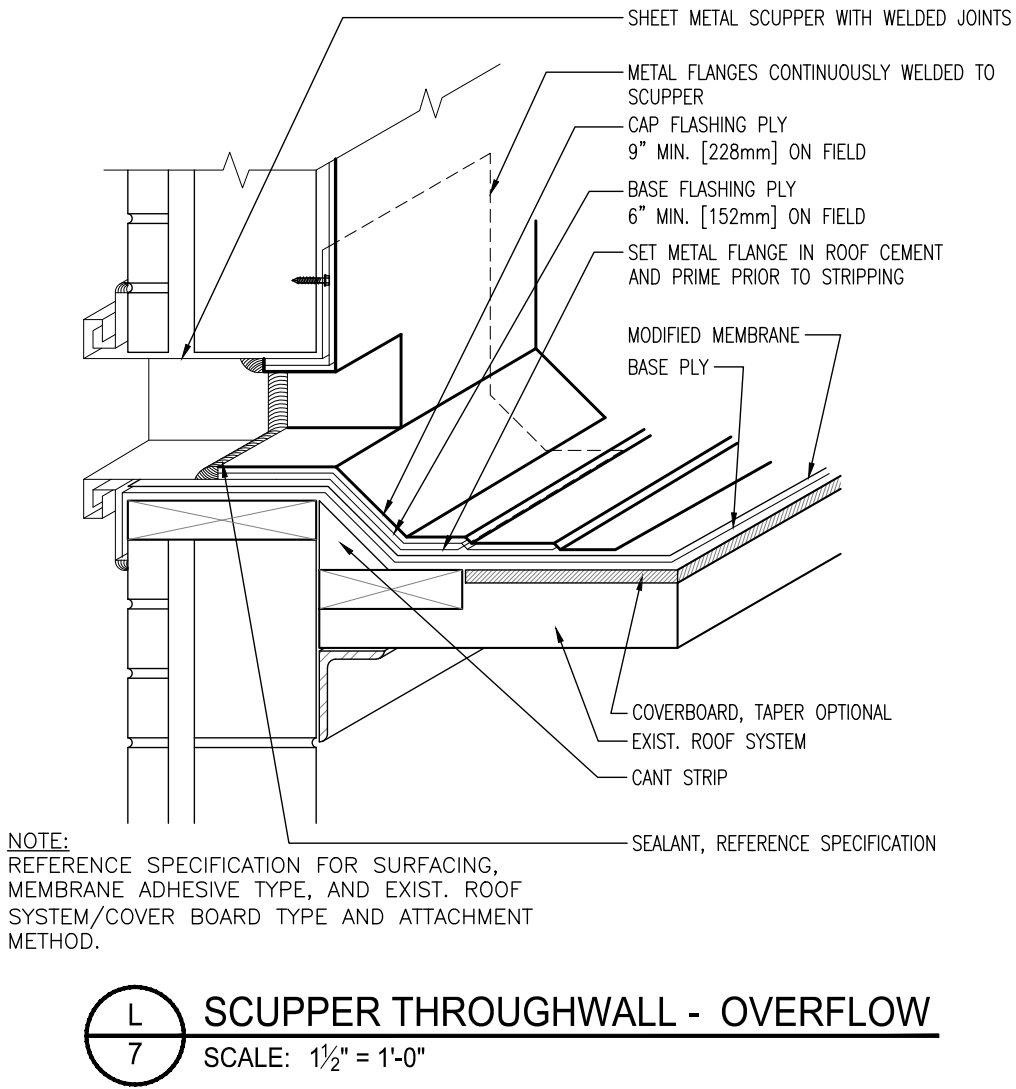
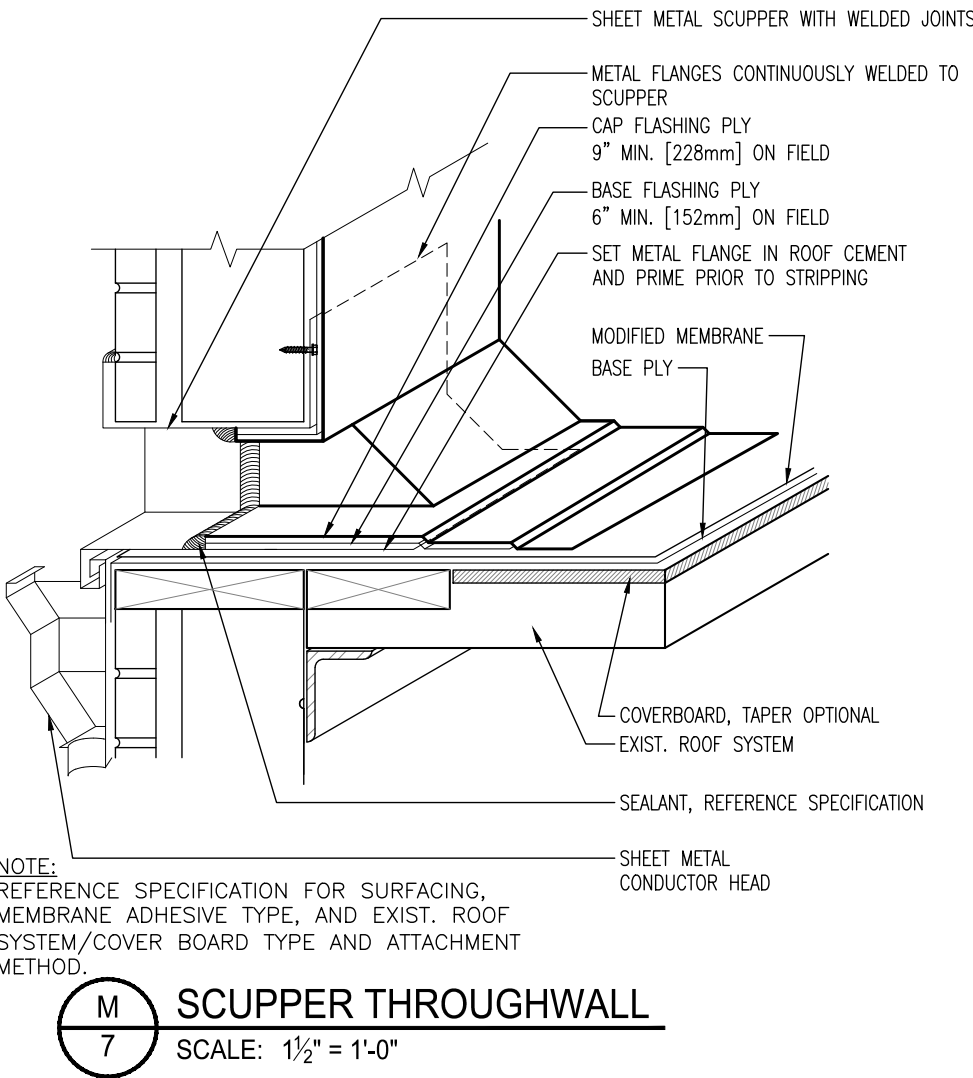
ALAMEDA HIGH SCHOOL
2200 CENTRAL AVE. ALAMEDA, CA 94601

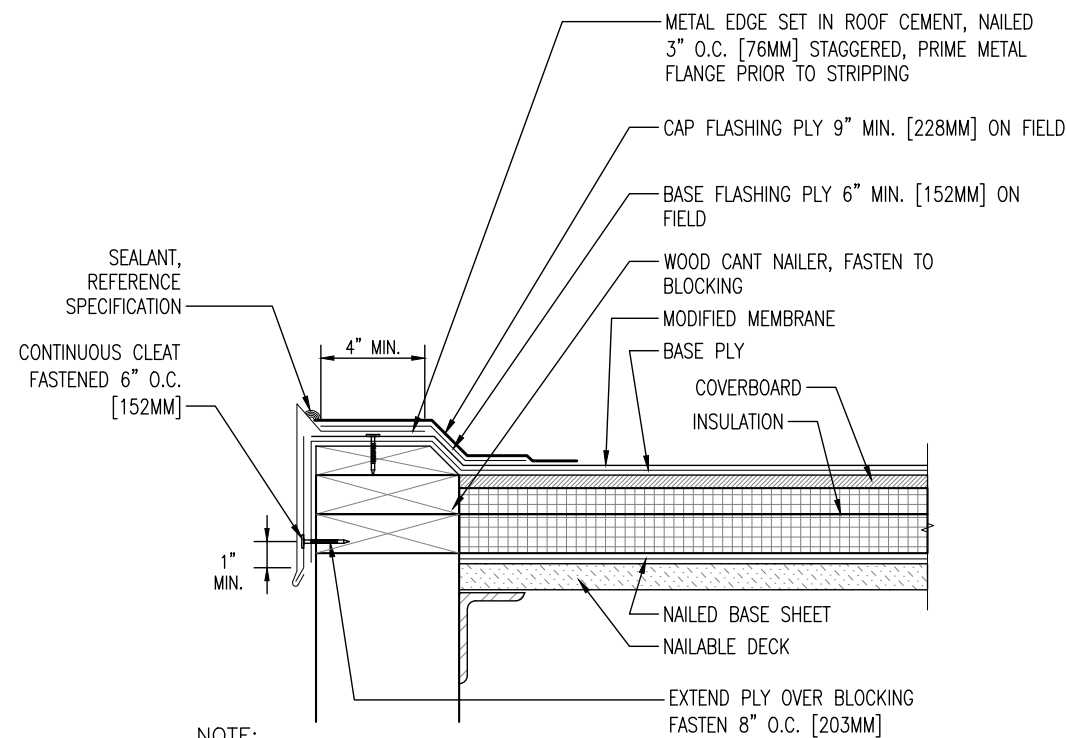
ARCHITECT: AGENT: JOB NUMBER: DATE: 01-03-24

REVISION: SHEET: 4 OF 4

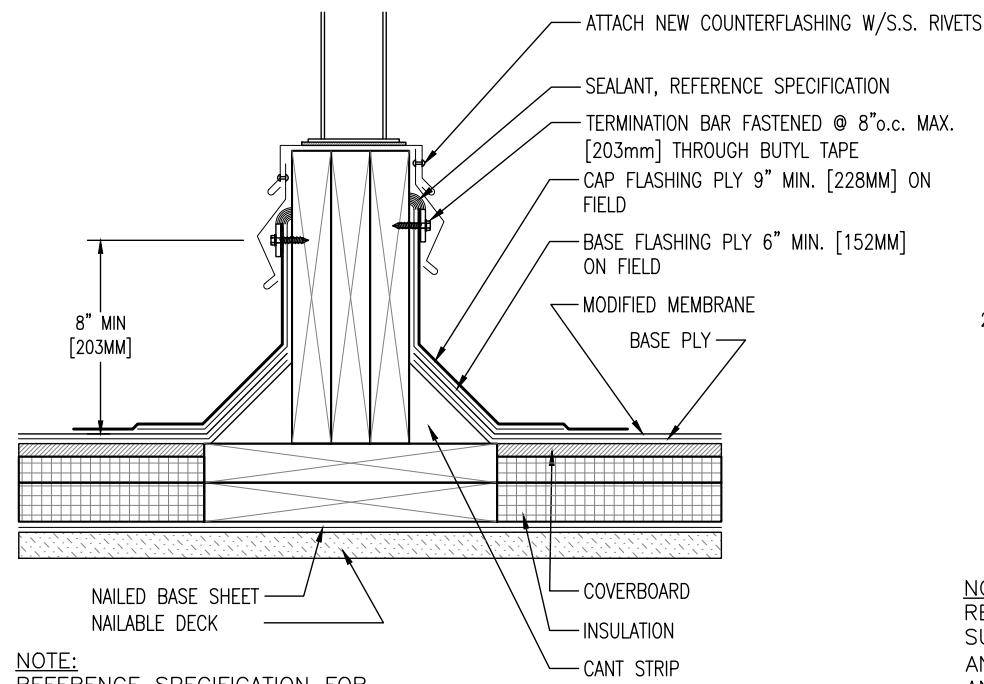
DWG BY: GOK CHK BY: JAP

CUSTOMER:

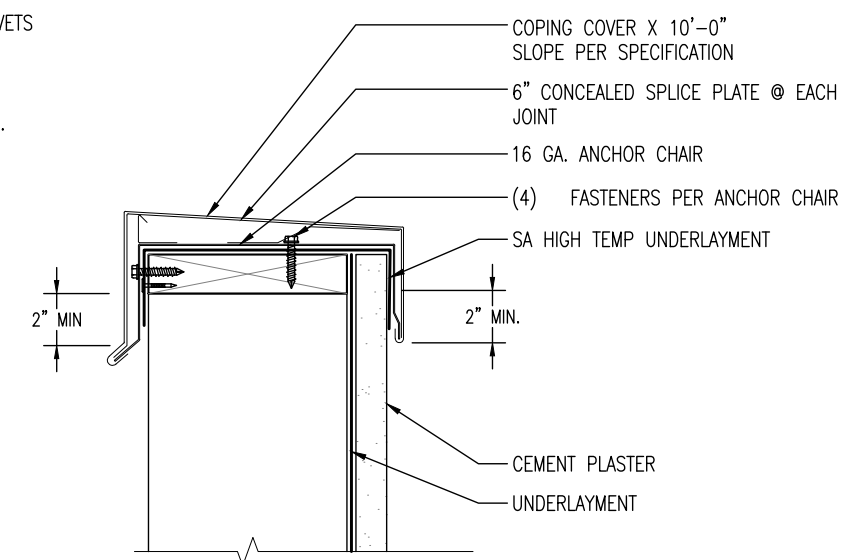




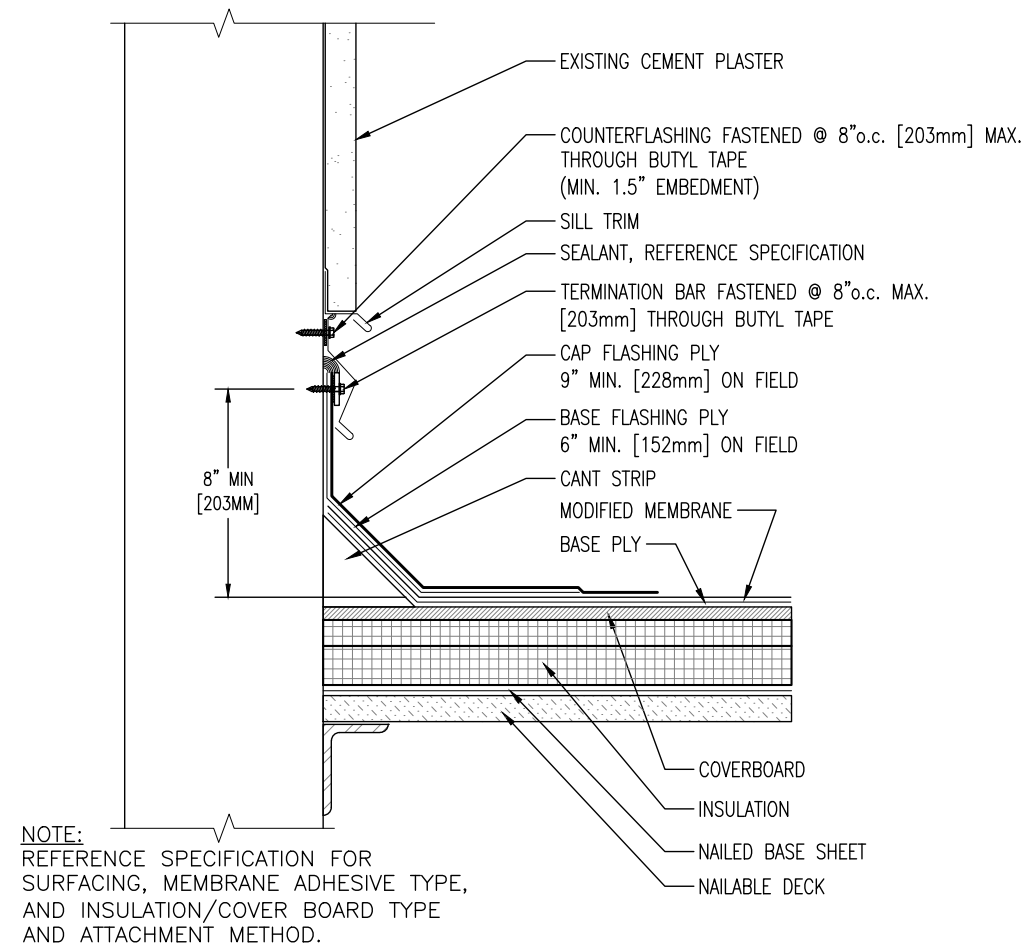
S METAL EDGE - RAISED
8 SCALE: 1½" = 1'-0"



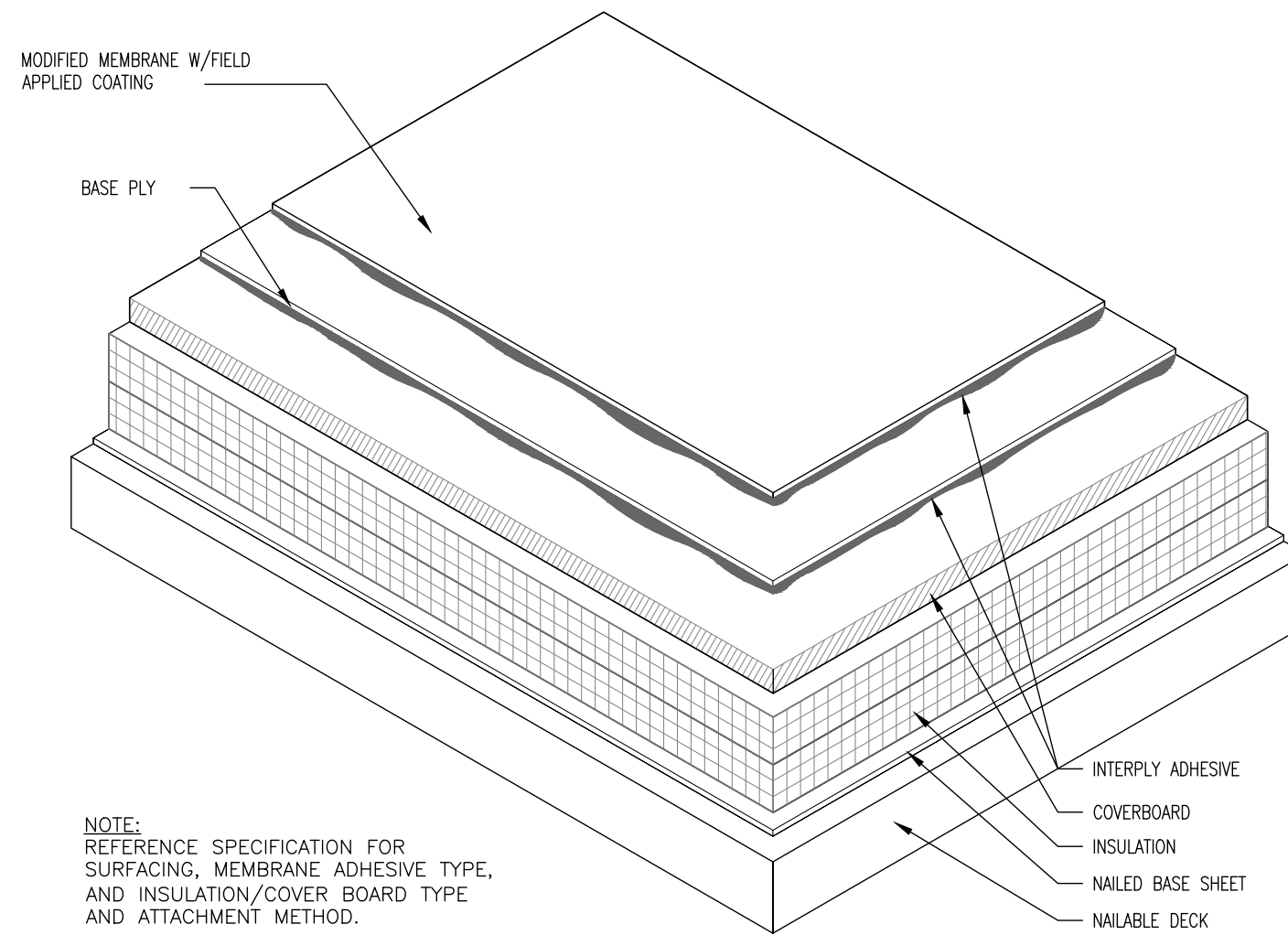
R EQUIPMENT SUPPORT - EXISTING
8 SCALE: 1½" = 1'-0"



Q COPING CAP AT CEMENT PLASTER WALL
8 SCALE: 1½" = 1'-0"



P WALL FLASHING AT EXISTING CEMENT PLASTER WALL
8 SCALE: 1½" = 1'-0"



N TYPICAL ROOF SYSTEM COATED SURFACE
8 SCALE: 3" = 1'-0"

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ALAMEDA HIGH SCHOOL 2200 CENTRAL AVE. ALAMEDA, CA 94601	ARCHITECT:	CUSTOMER:	DATE: 01-10-24	OF 4	SHEET: 2
AGENT:	JOB NUMBER:	DWG BY: GCK	CHK BY: AP		



ALAMEDA UNIFIED SCHOOL DISTRICT

ALAMEDA HIGH ROOF REPAIRS

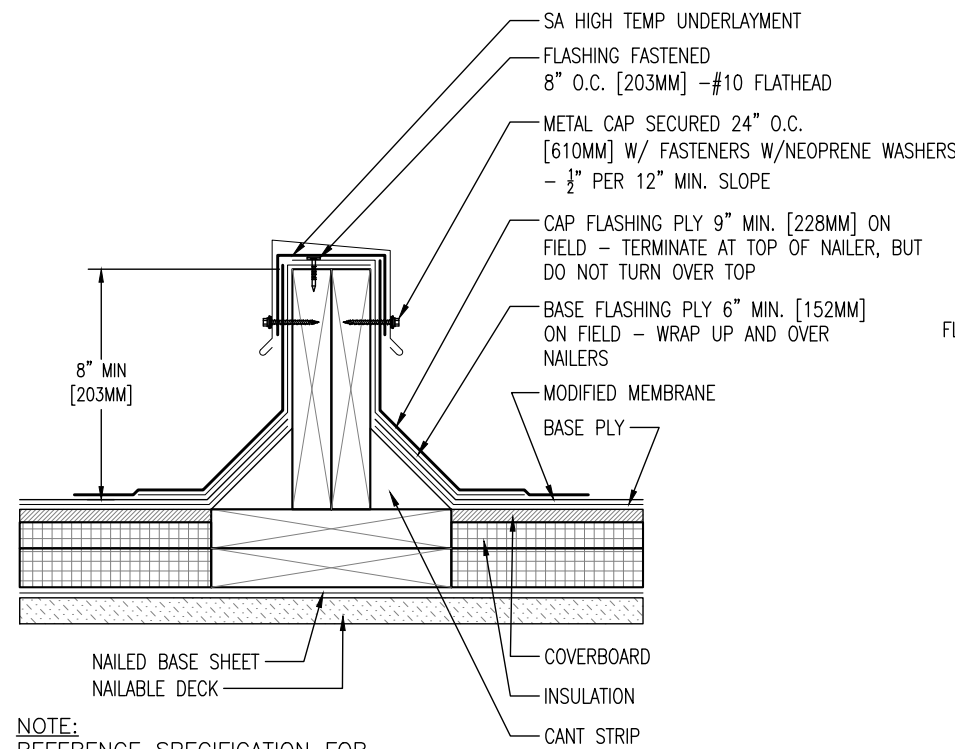
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DETAILS

SHEET NUMBER

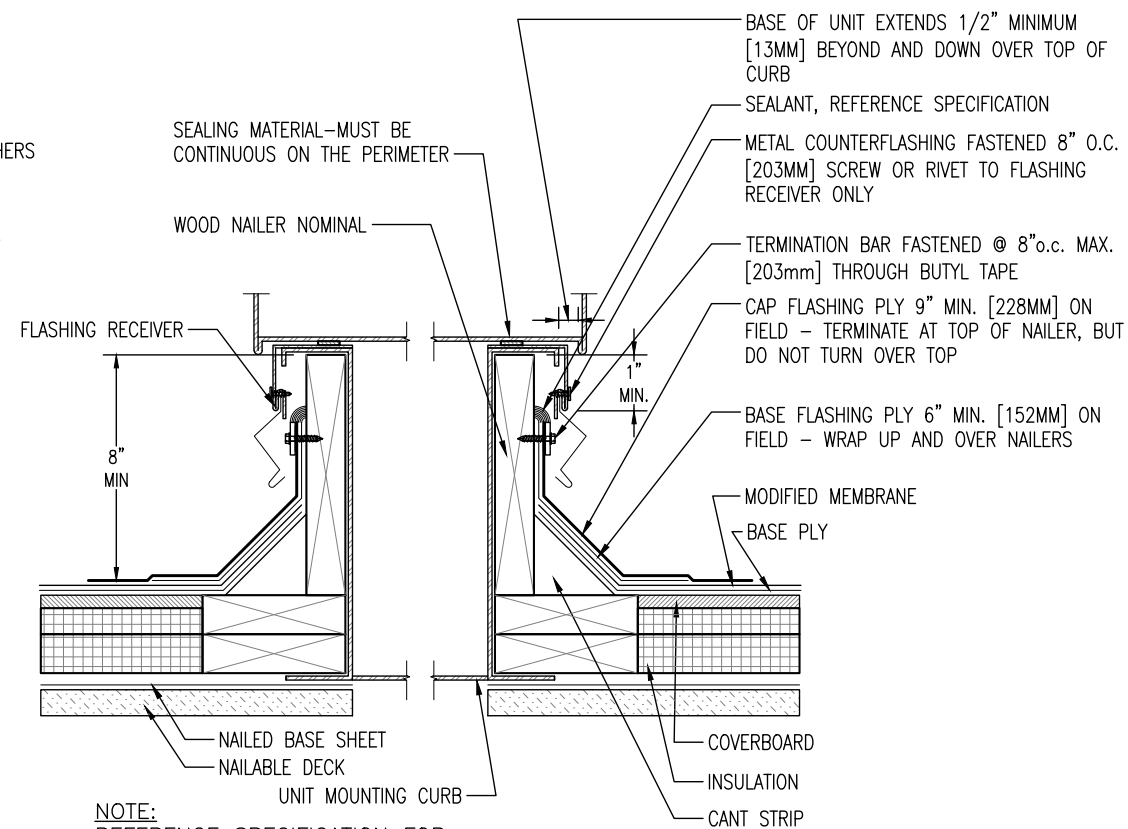
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Page: 8 of 14



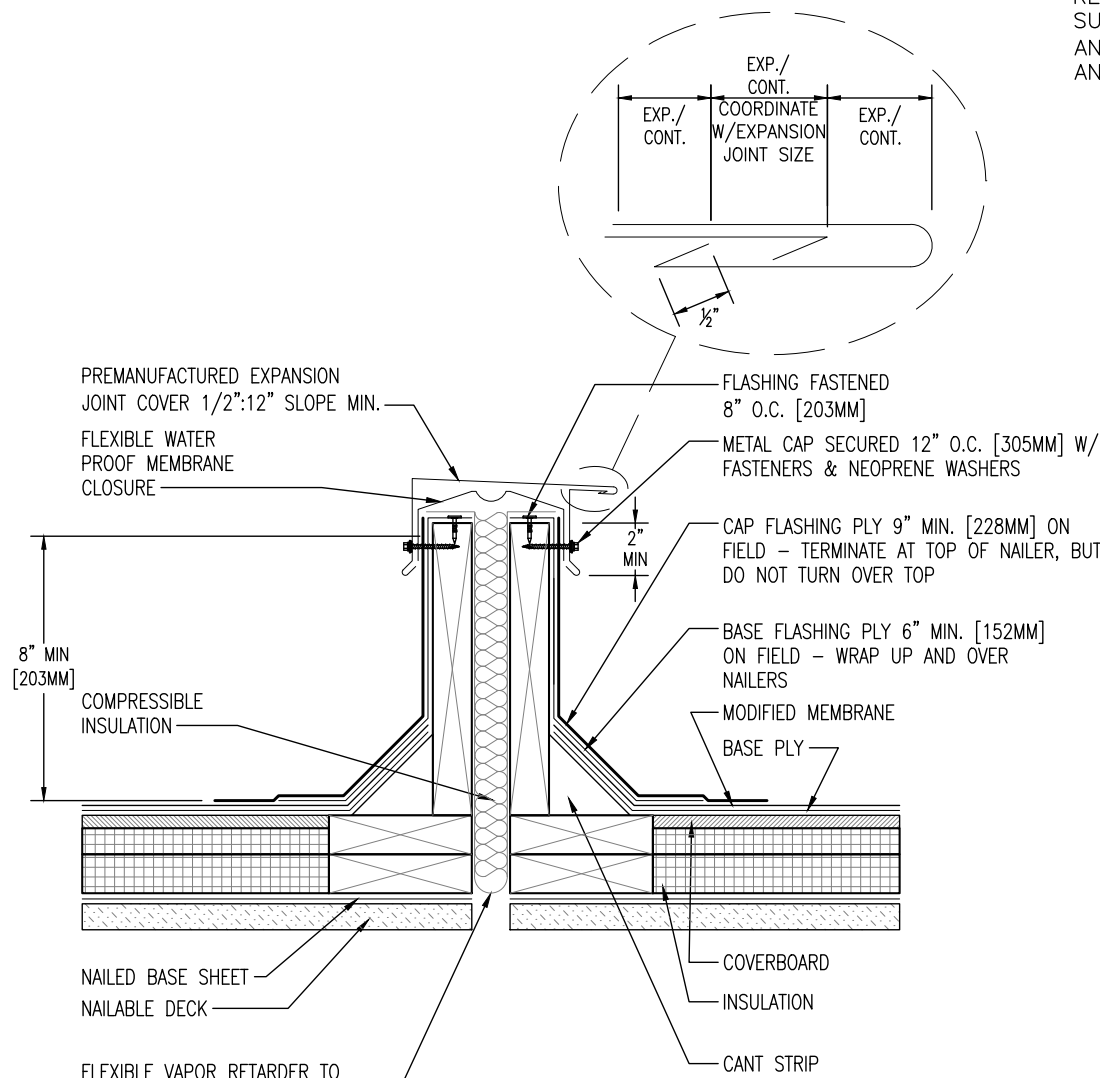
NOTE:
REFERENCE SPECIFICATION FOR
SURFACING, MEMBRANE ADHESIVE TYPE,
AND INSULATION/COVER BOARD TYPE
AND ATTACHMENT METHOD.

X
9
AREA DIVIDER
SCALE: 1½" = 1'-0"



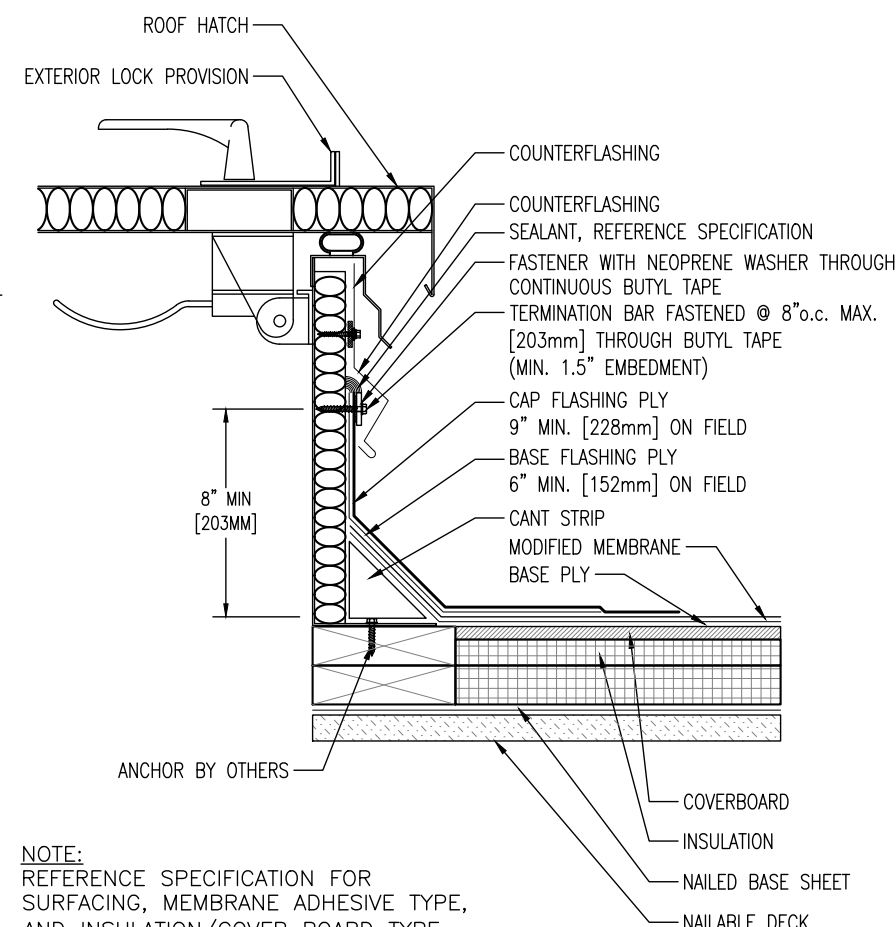
NOTE:
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AND INSULATION/COVER BOARD TYPE
AND ATTACHMENT METHOD.

W
9
**CURB DETAIL / AIR
HANDLING STATION**
SCALE: 1½" = 1'-0"



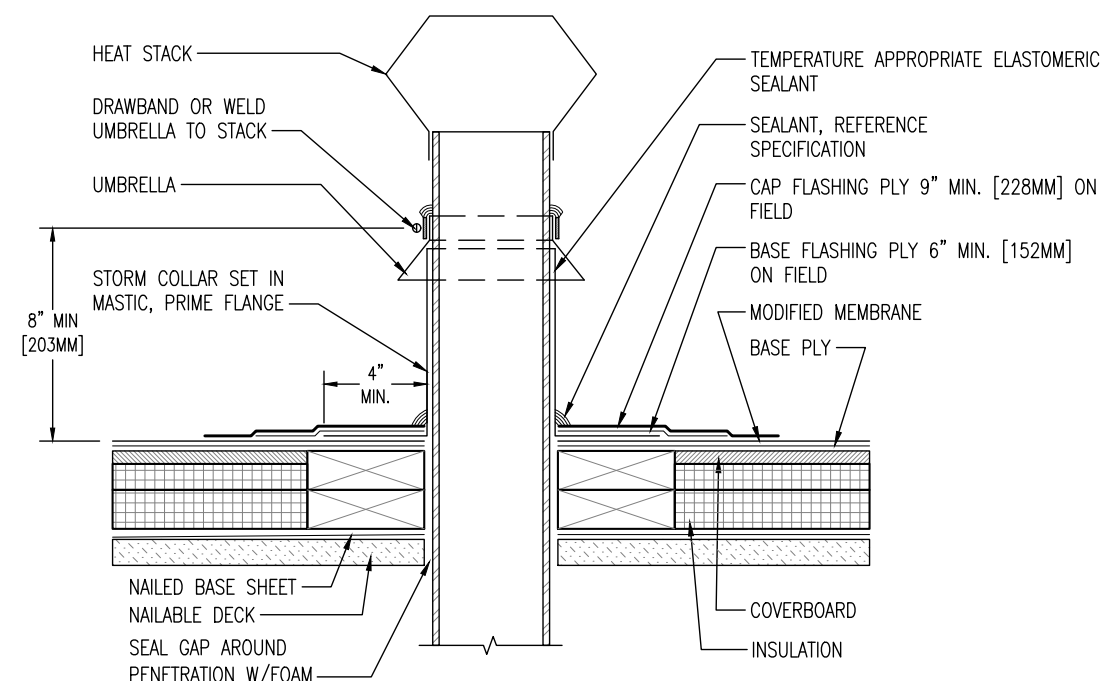
NOTE:
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SURFACING, MEMBRANE ADHESIVE TYPE,
AND INSULATION/COVER BOARD TYPE
AND ATTACHMENT METHOD.

V
9
EXPANSION JOINT
SCALE: 1½" = 1'-0"



NOTE:
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SURFACING, MEMBRANE ADHESIVE TYPE,
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AND ATTACHMENT METHOD.

U
9
HATCH DETAIL
SCALE: 1½" = 1'-0"



NOTE:
REFERENCE SPECIFICATION FOR
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AND INSULATION/COVER BOARD TYPE
AND ATTACHMENT METHOD.

T
9
HEAT STACK
SCALE: 1½" = 1'-0"

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ARCHITECT:	DWG. BY: GCK	JOB NUMBER:
CUSTOMER:	DATE: 01-03-24	4 OF 4
REVISION:	SHEET: 4	



ALAMEDA UNIFIED SCHOOL DISTRICT

ALAMEDA HIGH ROOF REPAIRS

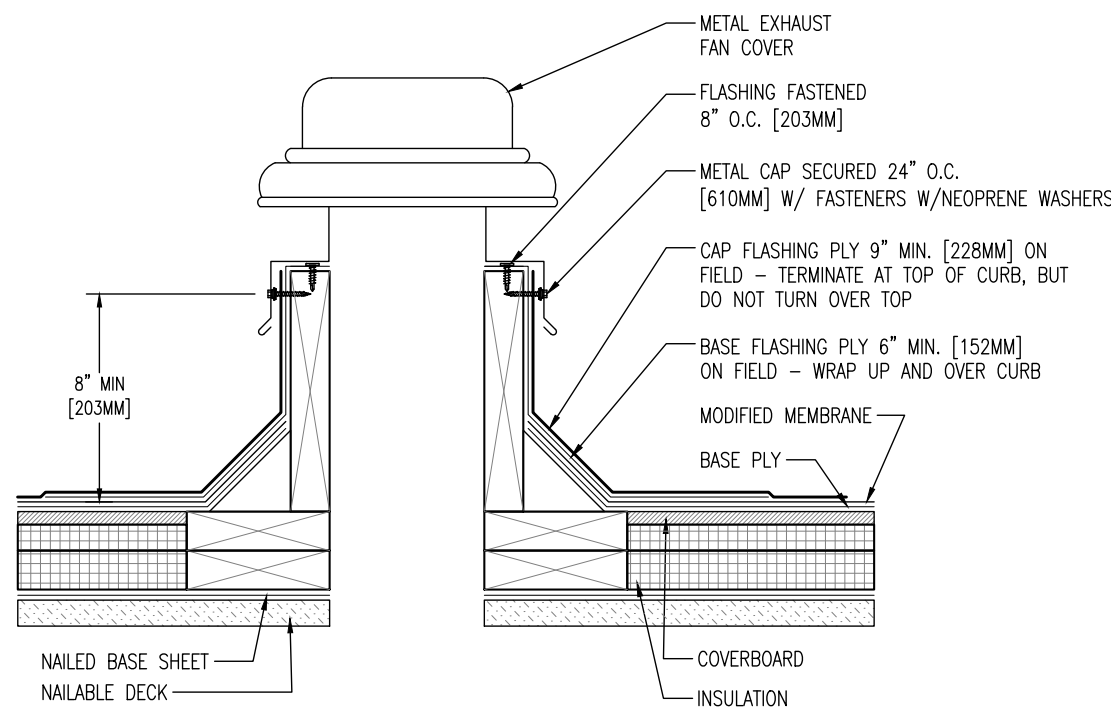
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DETAILS

SHEET NUMBER

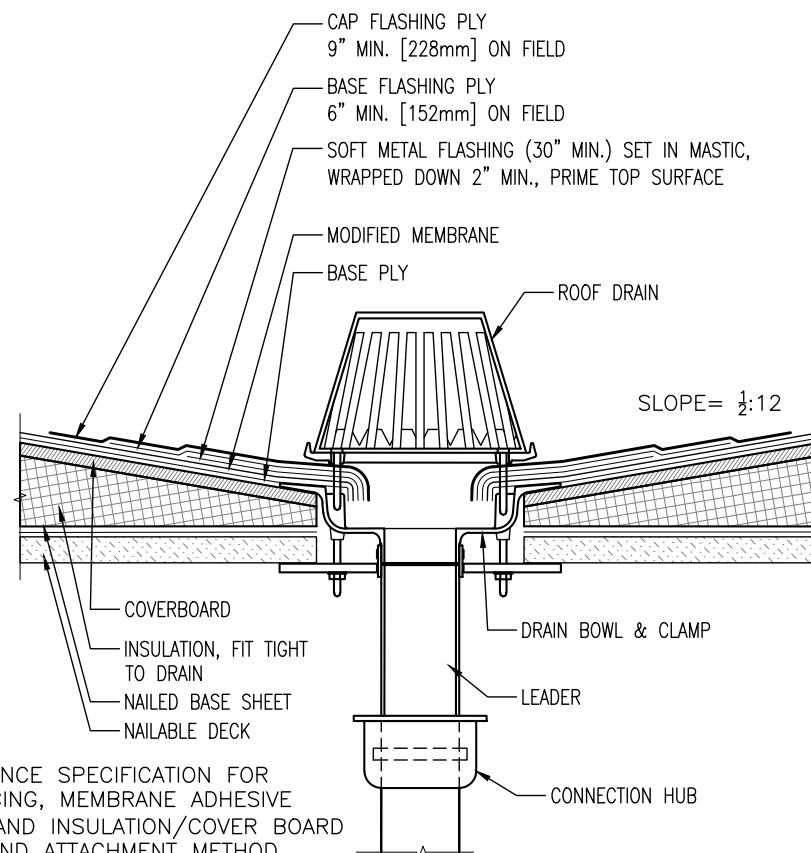
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Page: 9 of 14



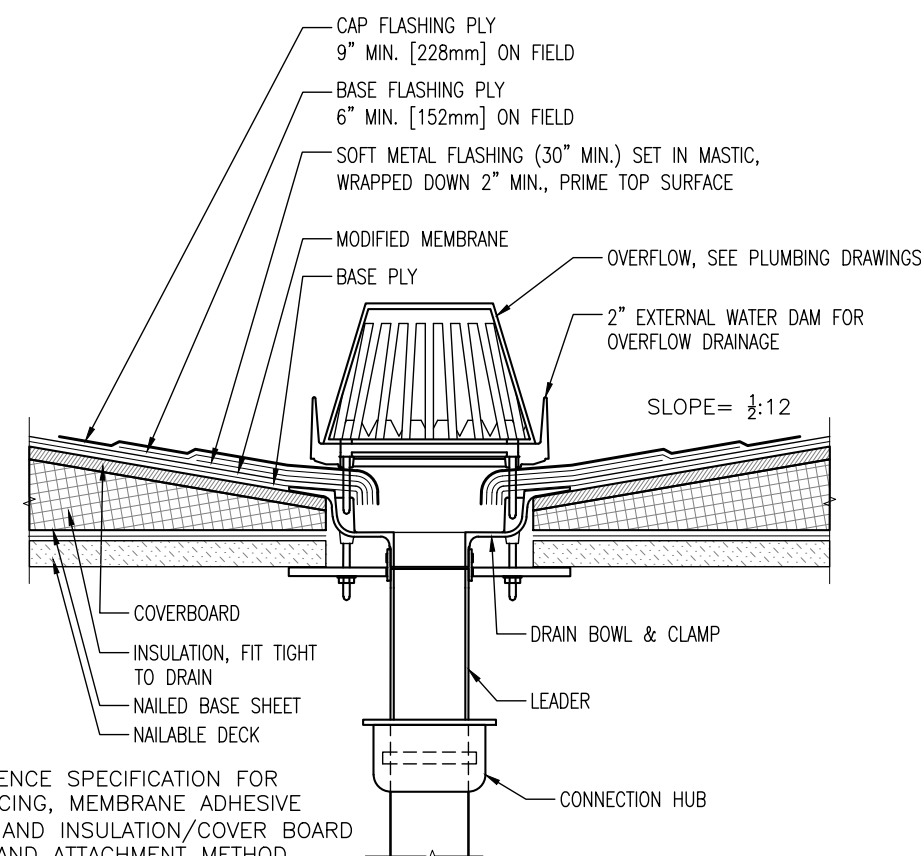
NOTE:
REFERENCE SPECIFICATION FOR
SURFACING, MEMBRANE ADHESIVE TYPE,
AND INSULATION/COVER BOARD TYPE
AND ATTACHMENT METHOD.

DD
10 **EXHAUST FAN**
SCALE: 1½" = 1'-0"



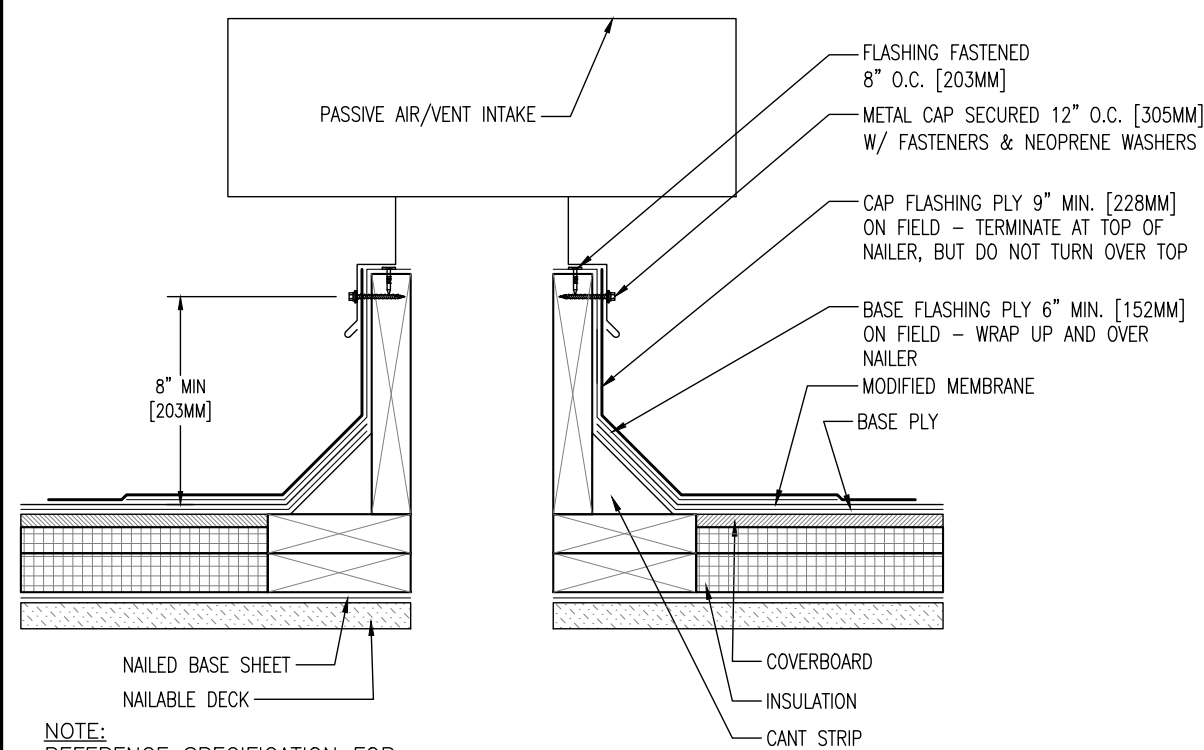
NOTE:
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SURFACING, MEMBRANE ADHESIVE
TYPE, AND INSULATION/COVER BOARD
TYPE AND ATTACHMENT METHOD.

CC
10 **ROOF DRAIN**
SCALE: 1½" = 1'-0"



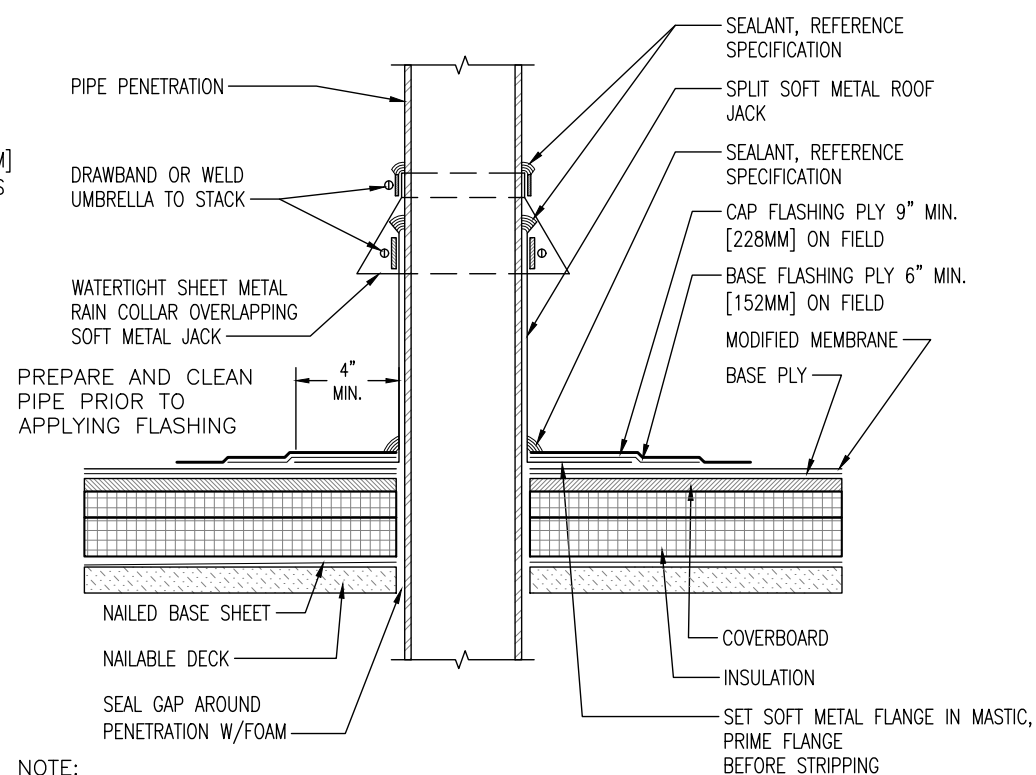
NOTE:
REFERENCE SPECIFICATION FOR
SURFACING, MEMBRANE ADHESIVE
TYPE, AND INSULATION/COVER BOARD
TYPE AND ATTACHMENT METHOD.

BB
10 **ROOF DRAIN - OVERFLOW**
SCALE: 1½" = 1'-0"



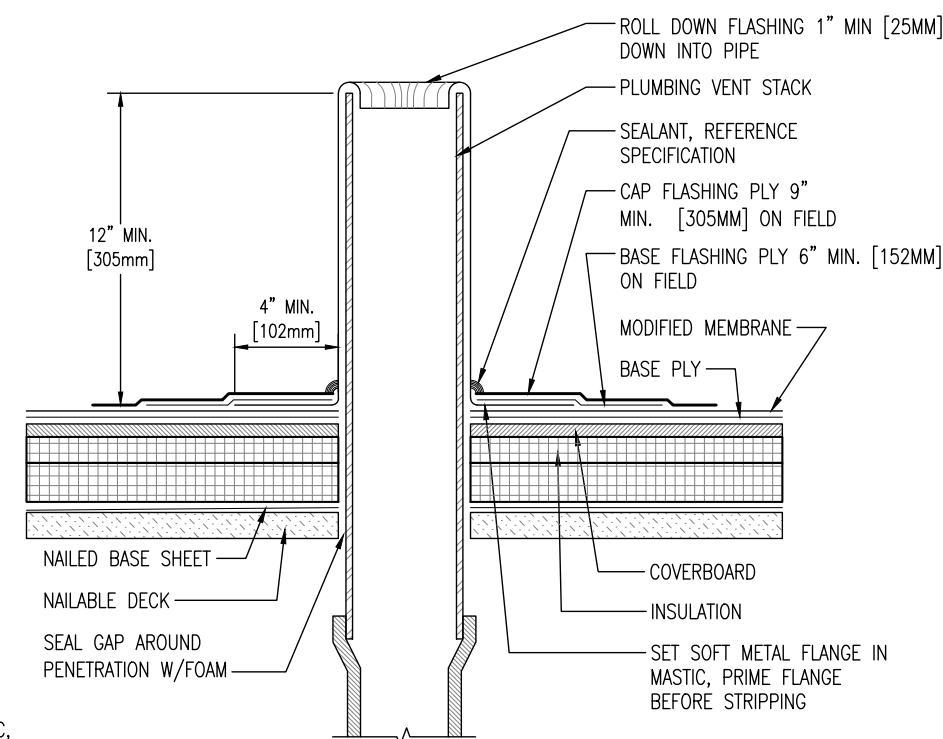
NOTE:
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AND INSULATION/COVER BOARD TYPE
AND ATTACHMENT METHOD.

AA
10 **PASSIVE AIR / VENT INTAKE**
SCALE: 1½" = 1'-0"



NOTE:
REFERENCE SPECIFICATION FOR
SURFACING, MEMBRANE ADHESIVE TYPE,
AND INSULATION/COVER BOARD TYPE
AND ATTACHMENT METHOD.

Z
10 **PIPE/TUBE PENETRATION - SPLIT JACK w/COLLAR**
SCALE: 1½" = 1'-0"



NOTE:
REFERENCE SPECIFICATION FOR
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AND INSULATION/COVER BOARD TYPE
AND ATTACHMENT METHOD.

Y
10 **PLUMBING STACK**
SCALE: 1½" = 1'-0"

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ALAMEDA HIGH SCHOOL 2200 CENTRAL AVE. ALAMEDA, CA 94601	AGENT:	DWG BY: GCK	CHK BY: JLP
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ALAMEDA UNIFIED SCHOOL DISTRICT

ALAMEDA HIGH ROOF REPAIRS

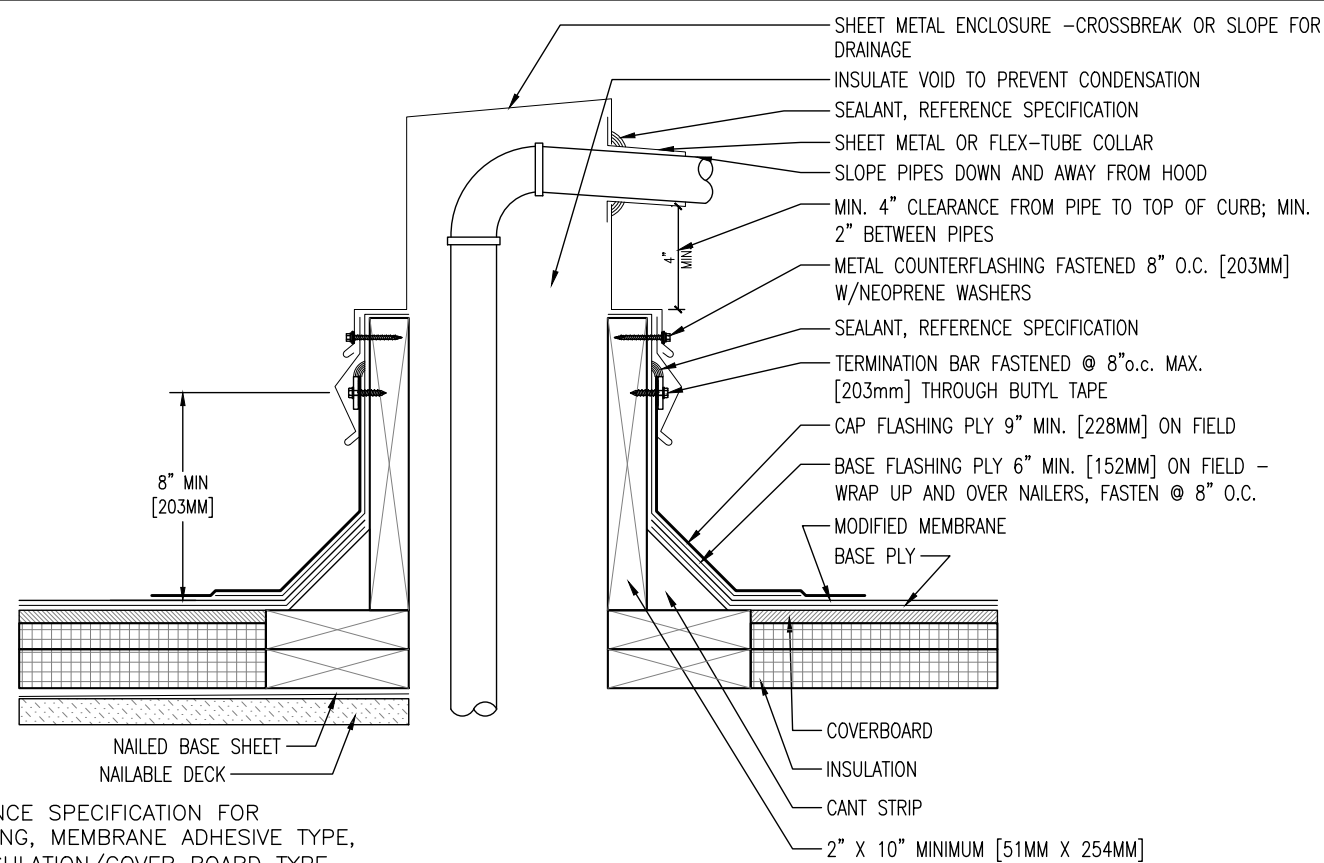
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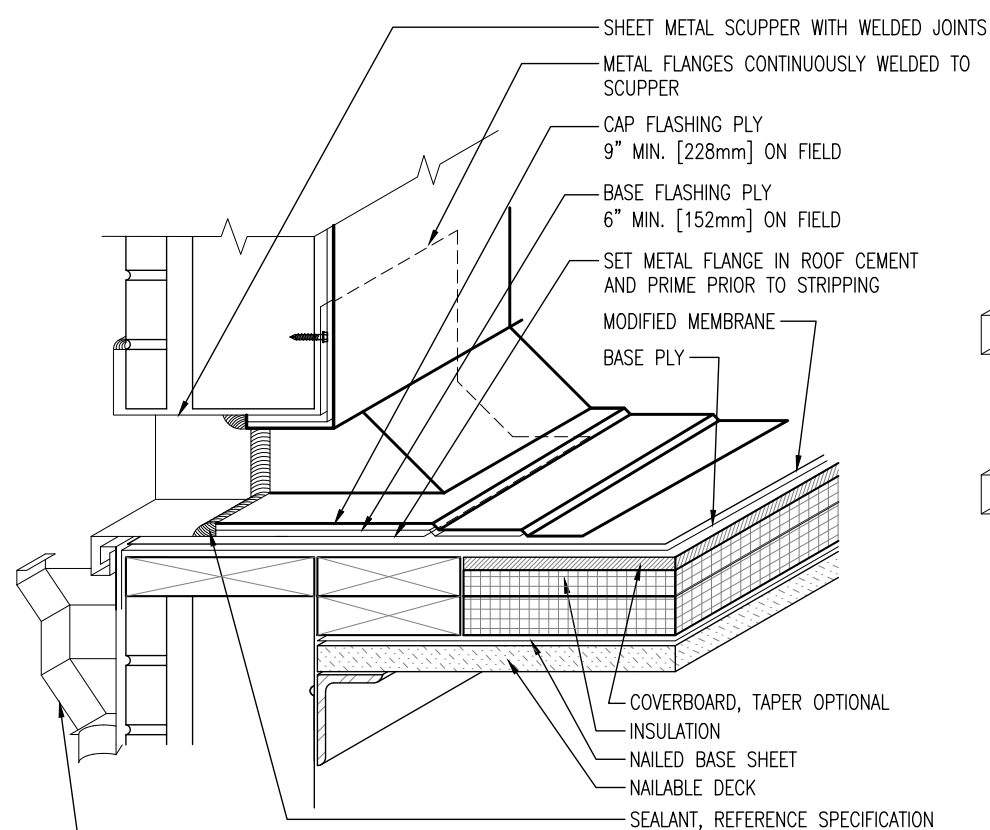
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Page: 10 of 14



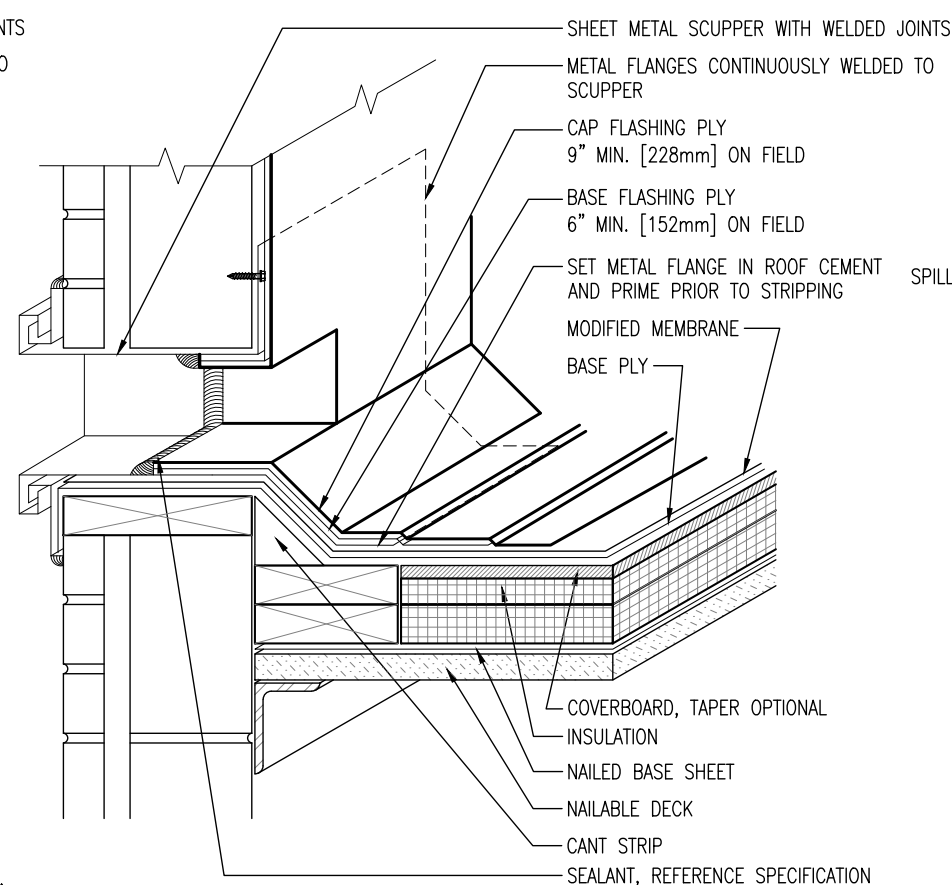
NOTE:
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AND INSULATION/COVER BOARD TYPE
AND ATTACHMENT METHOD.

HH
11 **PIPE HOUSING**
SCALE: 1 1/2" = 1'-0"



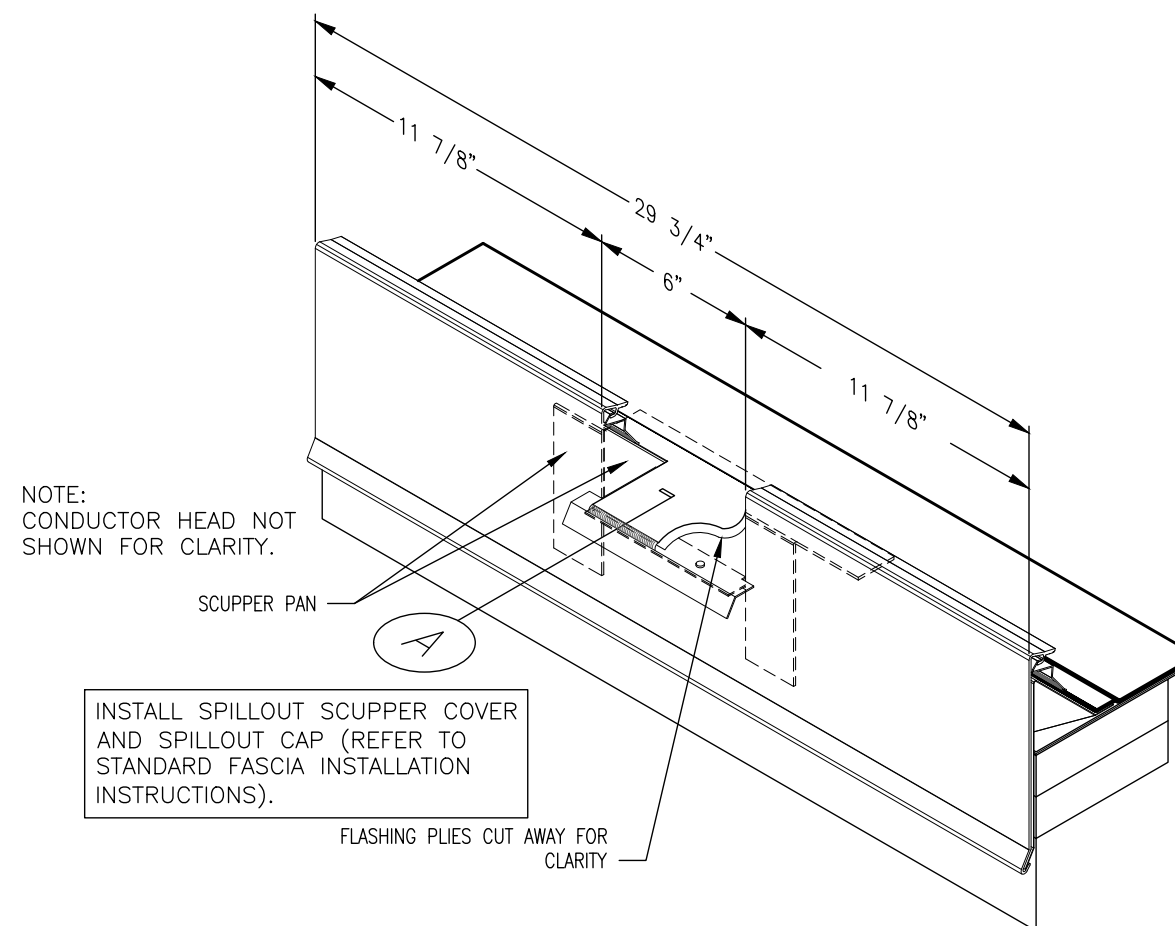
NOTE:
REFERENCE SPECIFICATION FOR SURFACING,
MEMBRANE ADHESIVE TYPE, AND INSULATION/COVER
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GG
11 **SCUPPER THROUGHWALL**
SCALE: 1 1/2" = 1'-0"



NOTE:
REFERENCE SPECIFICATION FOR SURFACING,
MEMBRANE ADHESIVE TYPE, AND INSULATION/COVER
BOARD TYPE AND ATTACHMENT METHOD.

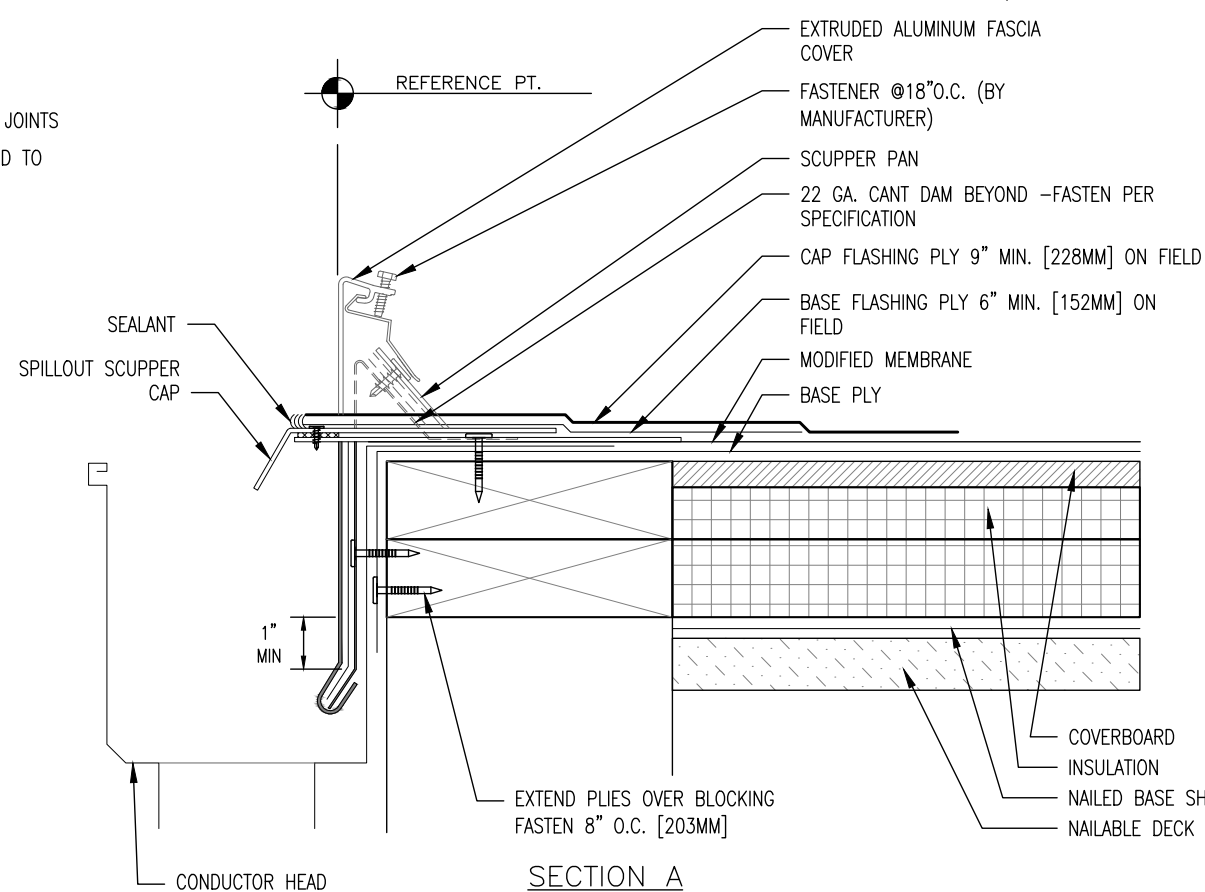
FF
11 **SCUPPER THROUGHWALL - OVERFLOW**
SCALE: 1 1/2" = 1'-0"



NOTE:
CONDUCTOR HEAD NOT
SHOWN FOR CLARITY.

INSTALL SPILLOUT SCUPPER COVER
AND SPILLOUT CAP (REFER TO
STANDARD FASCIA INSTALLATION
INSTRUCTIONS).

FLASHING PLIES CUT AWAY FOR
CLARITY



EXTRUDED ALUMINUM FASCIA
COVER

FASTENER @18"O.C. (BY
MANUFACTURER)

SCUPPER PAN

22 GA. CANT DAM BEYOND -FASTEN PER
SPECIFICATION

CAP FLASHING PLY 9" MIN. [228MM] ON FIELD

BASE FLASHING PLY 6" MIN. [152MM] ON
FIELD

MODIFIED MEMBRANE

BASE PLY

COVERBOARD
INSULATION
NAILED BASE SHEET
NAILABLE DECK

EXTEND PLIES OVER BLOCKING
FASTEN 8" O.C. [203MM]

CONDUCTOR HEAD
W/DOWNSPOUT

SEALANT

SPILLOUT SCUPPER
CAP

REFERENCE PT.

1" MIN

SECTION A

NOTE:
REFERENCE SPECIFICATION FOR
SURFACING, MEMBRANE ADHESIVE TYPE,
AND INSULATION/COVER BOARD TYPE
AND ATTACHMENT METHOD.

EE
11 **SCUPPER THROUGH ROOF EDGE
EXTRUDED**
SCALE: 3" = 1'-0"

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ARCHITECT:	JOB NUMBER:	CHK BY: AP
CUSTOMER:	DATE: 01-03-24	
REVISION:	SHEET: 2	OF 4



ALAMEDA UNIFIED SCHOOL DISTRICT

ALAMEDA HIGH ROOF REPAIRS

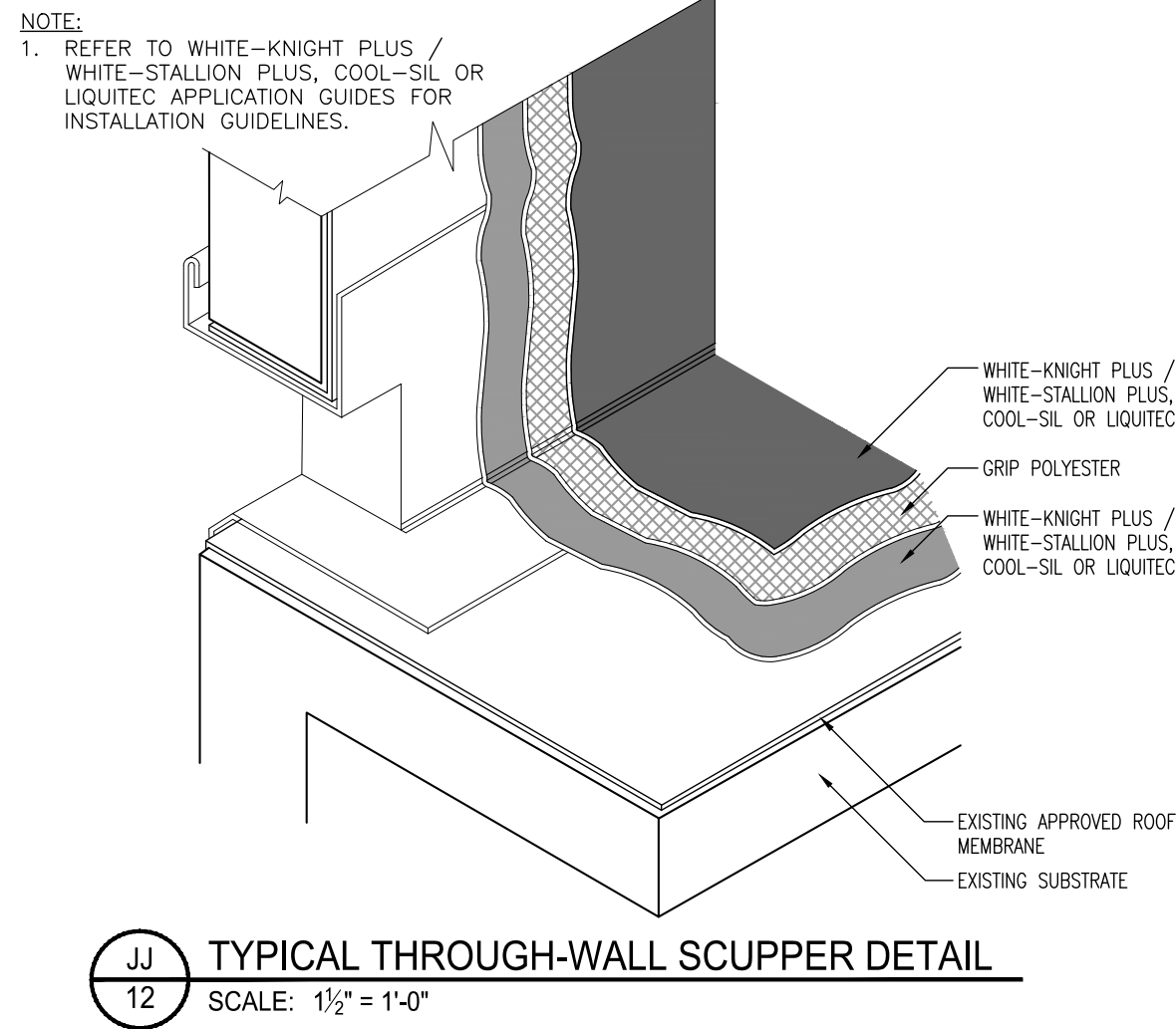
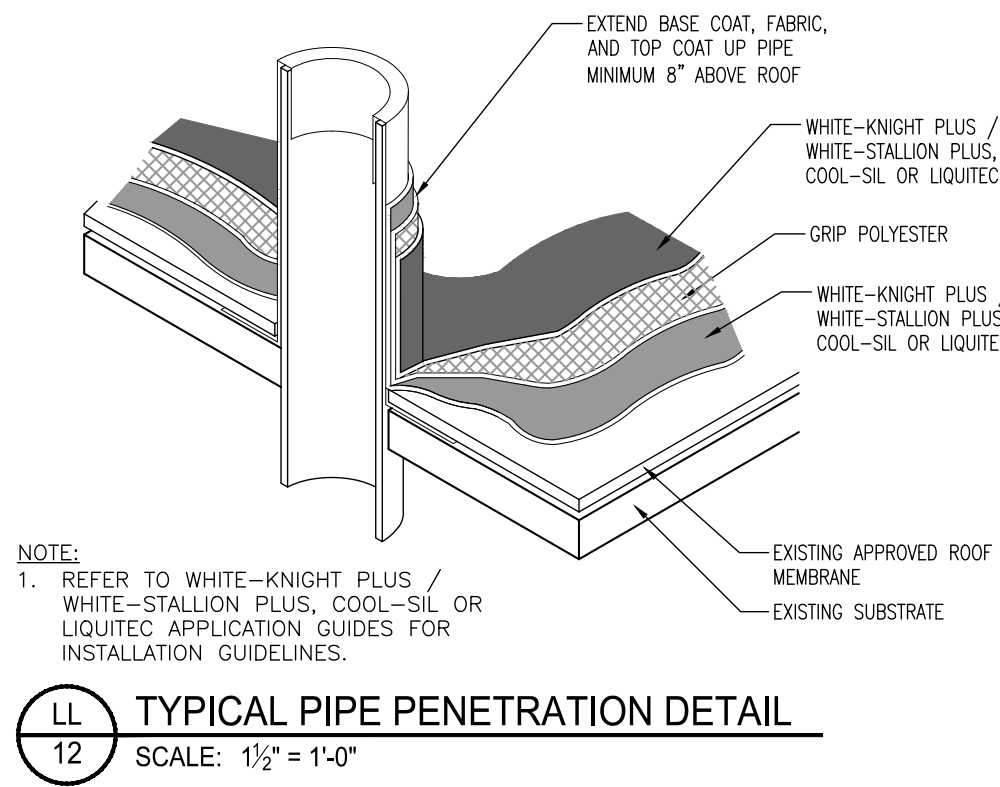
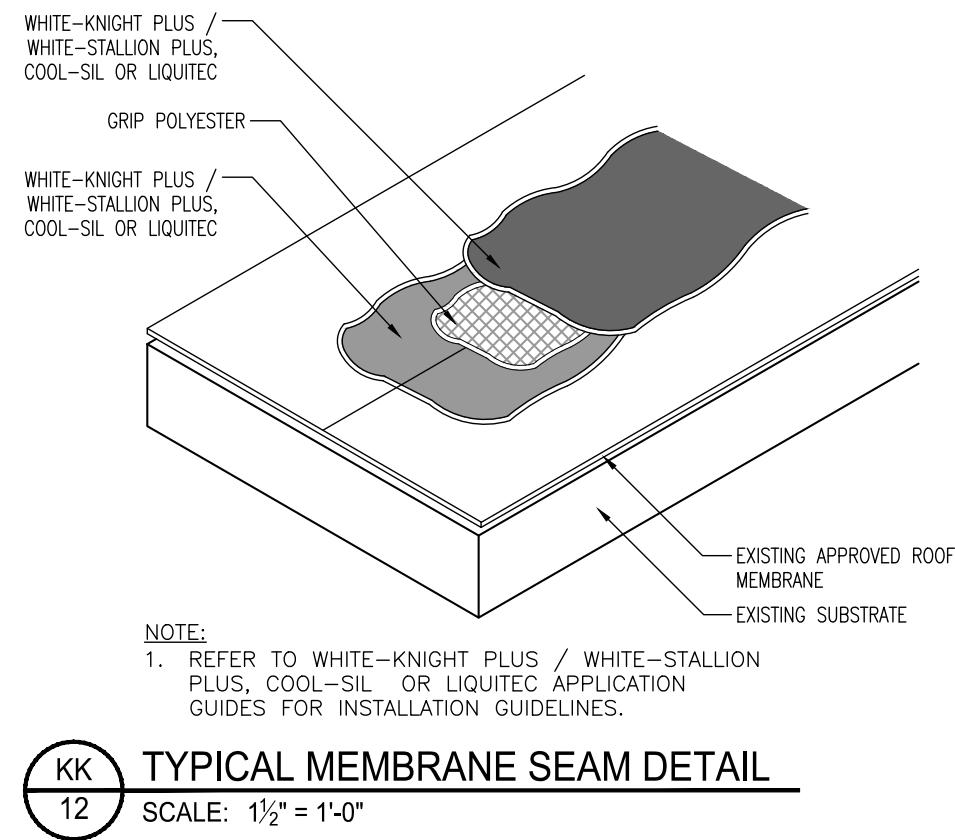
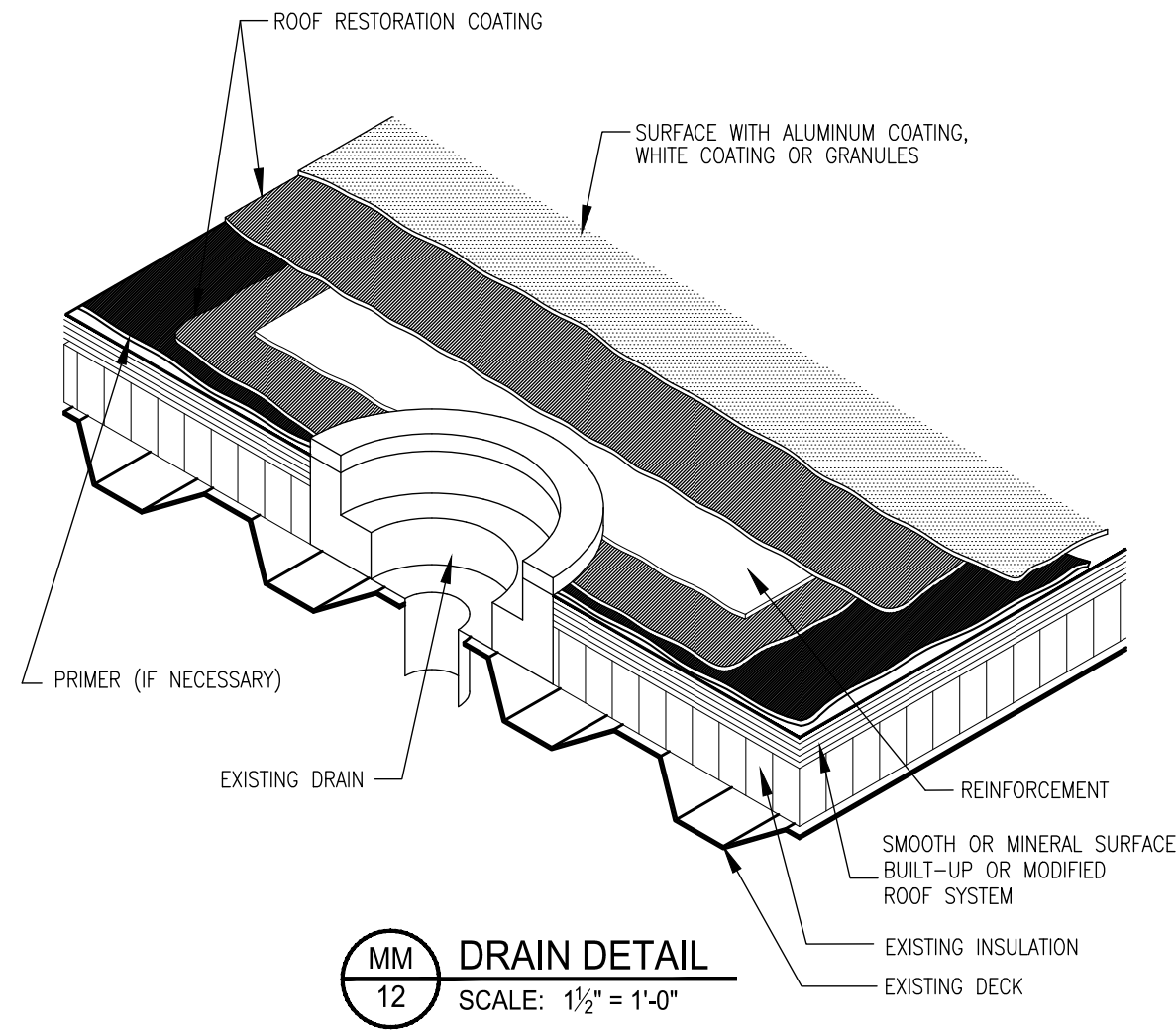
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DETAILS

SHEET NUMBER

Sheet: 11

Page: 11 of 14



THE GARLAND COMPANY INC.
3800 EAST 91st STREET - CLEVELAND, OHIO 44105-2197
PHONE (800) 321-9336 / FAX (216) 641-0633



ALAMEDA HIGH SCHOOL 2200 CENTRAL AVE. ALAMEDA, CA 94601	AGENT:	DWG BY: GOK	CHK BY: AP
ARCHITECT:	JOB NUMBER:	DATE: 01-03-24	OF 4
CUSTOMER:	SHEET: 2		



ALAMEDA UNIFIED SCHOOL DISTRICT

ALAMEDA HIGH ROOF REPAIRS

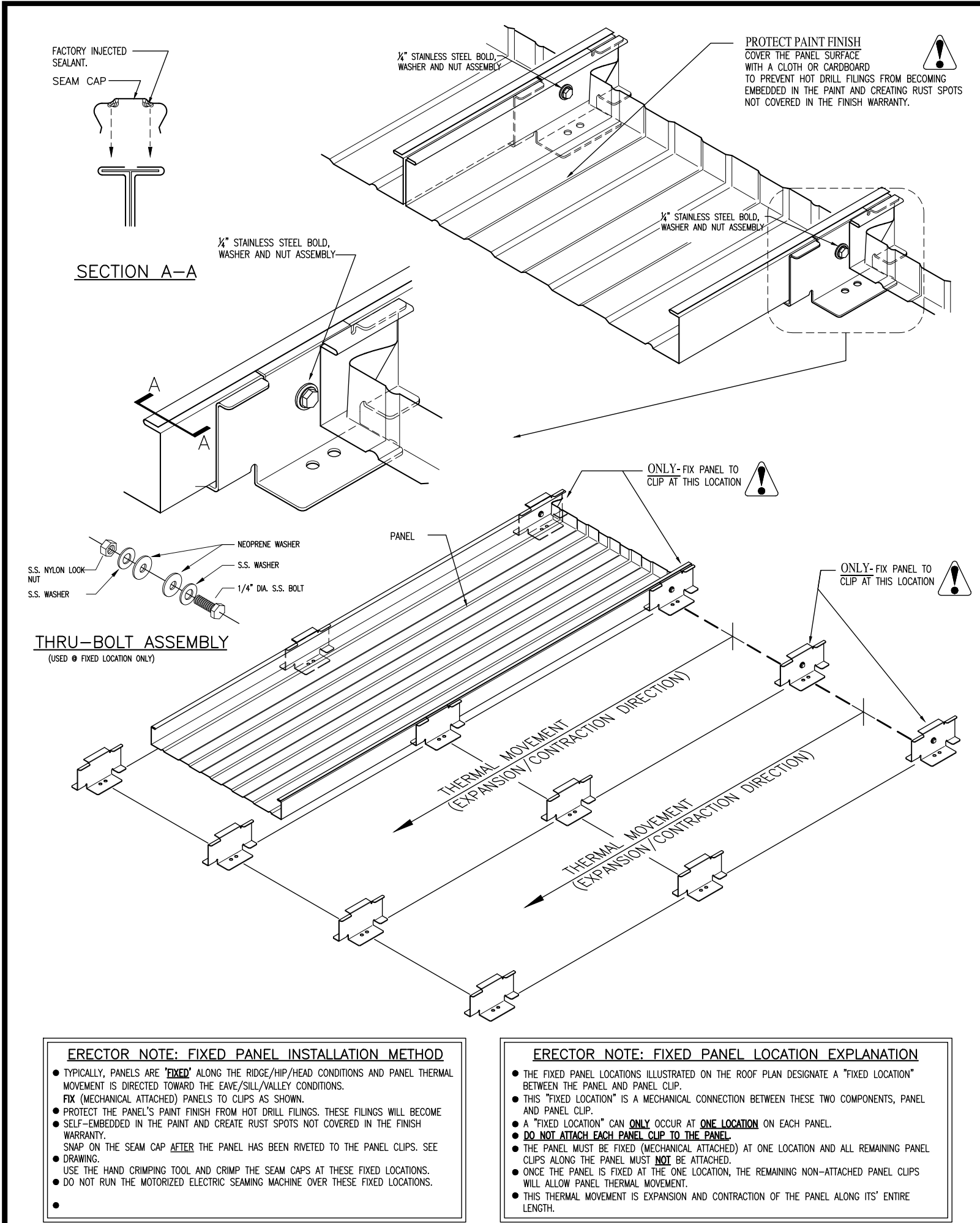
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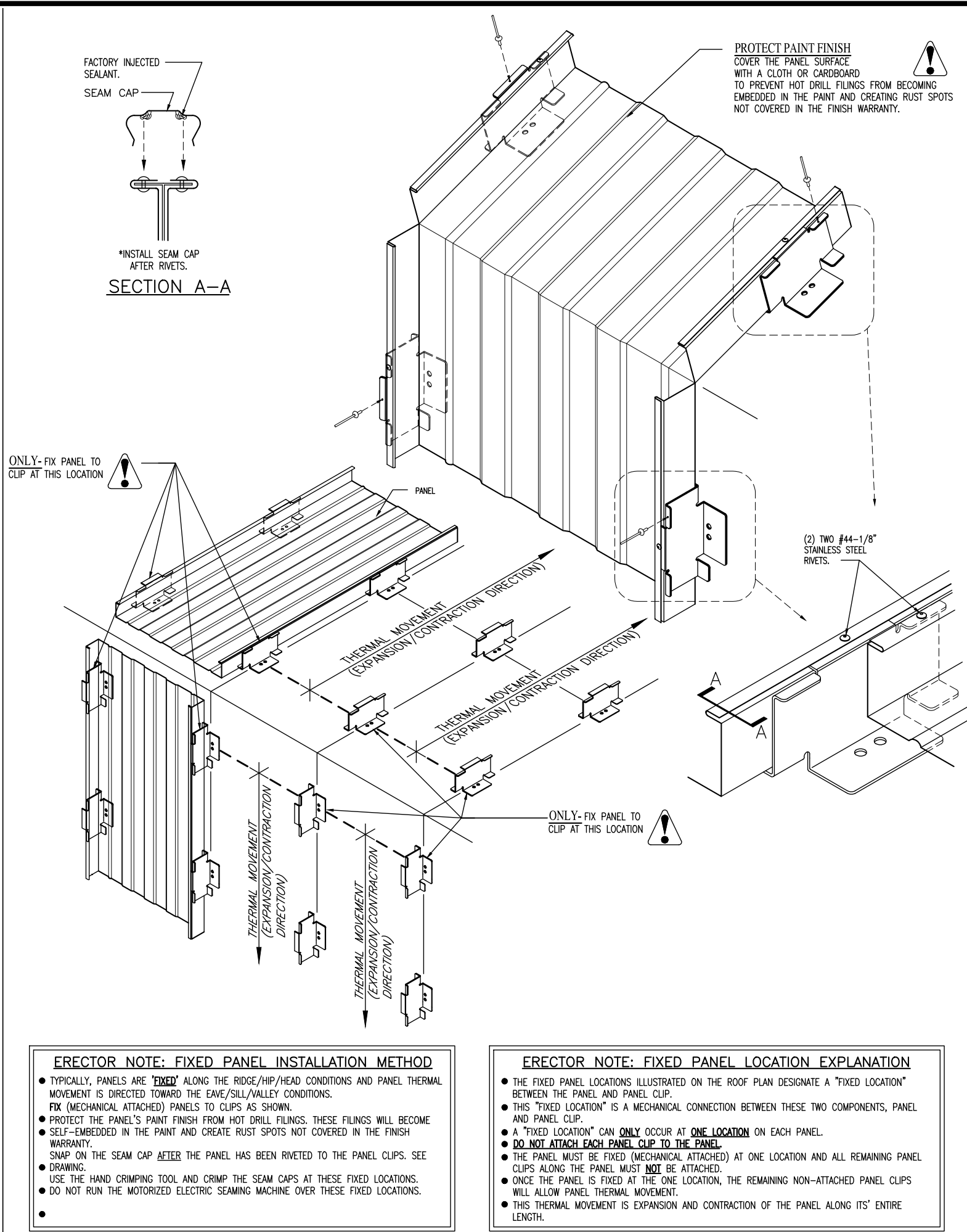
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Page: 12 of 14



PP
14
FIXED PANEL DETAIL
SCALE: 3" = 1'-0"

SEE ROOF PLAN FOR CORRECT PLACEMENT OF THE PANEL'S FIXED LOCATIONS.
IF THIS IS UNCLEAR IN ANY MANNER, DO NOT INSTALL PANELS AND CONTACT THE MANUFACTURER OR MANUFACTURER'S REPRESENTATIVE FOR CLARIFICATIONS.



NN
14
FIXED PANEL DETAIL @ EDGE
SCALE: 3" = 1'-0"

SEE ROOF PLAN FOR CORRECT PLACEMENT OF THE PANEL'S FIXED LOCATIONS.
IF THIS IS UNCLEAR IN ANY MANNER, DO NOT INSTALL PANELS AND CONTACT THE MANUFACTURER OR MANUFACTURER'S REPRESENTATIVE FOR CLARIFICATIONS.

THE GARLAND COMPANY INC.
3800 EAST 91st STREET - CLEVELAND, OHIO 44105-2197
PHONE (800) 321-9336 / FAX (216) 641-0633

ALAMEDA HIGH SCHOOL
2200 CENTRAL AVE. ALAMEDA, CA 94601

REVISION: ARCHITECT: DATE: 01-03-24
SHEET: 2 OF 4

DWG BY: CCK CHK BY: AP
JOB NUMBER: CUSTOMER:



ALAMEDA UNIFIED SCHOOL DISTRICT

ALAMEDA HIGH ROOF REPAIRS

SHEET TITLE

DETAILS

SHEET NUMBER

Sheet: 13

Page: 13 of 14



ALAMEDA
UNIFIED
SCHOOL
DISTRICT

ALAMEDA HIGH
ROOF REPAIRS

SHEET TITLE

DETAILS

SHEET NUMBER

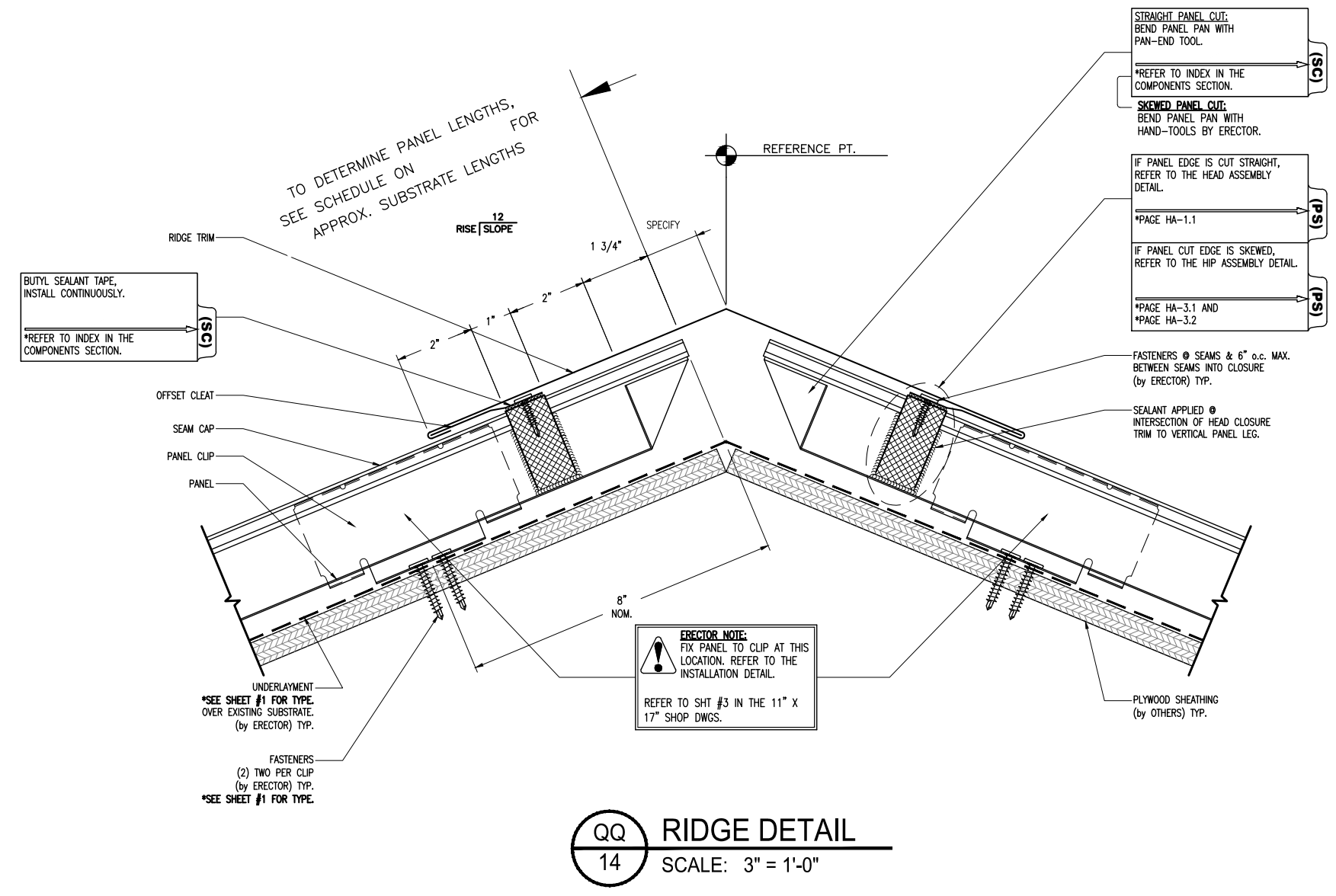
Sheet: 14

Page: 14 of 14

THE GARLAND COMPANY INC.
3800 EAST 91st STREET - CLEVELAND, OHIO 44105-2197
PHONE (800) 321-9336 / FAX (216) 641-0633



ALAMEDA HIGH SCHOOL 2200 CENTRAL AVE. ALAMEDA, CA 94601	ARCHITECT:	DATE: 01-03-24	REVISION:
AGENT:	CUSTOMER:	SHEET: 2	OF 4
DWG BY: GSK	JOB NUMBER:		
CHK BY: LP			



Alameda Unified School District

ITB# 024-077-04

Alameda High Roof Repairs

Addendum No. 1

Following are the questions, clarifications, interpretations, corrections, answers, and the Pre-Bid Conference Sign-in Sheet.

1. Question:

Can you please clarify if the contractor Pre-Qualification information included in the bid packages for Alameda High Roof Repairs should be included with the bid documents or submitted in advance? If to be submitted in advance, can you please provide the email address to which to submit?

Answer:

As shown in the Table of Contents the pre-qualification questionnaire shall be included in the Bid proposal package. Prospective Bidders may submit in advance to purchasing@alamedaunified.org and reference the Bid Number in the subject line. However, this does not replace the requirement to be submitted with the Bid proposal package.

2. Question:

What are the liquidated damages and engineer's estimates for Alameda High Roof Repairs project?

Answer:

As provided in Section 00 70 00-41 General Conditions (Para. 16.4.2) It being impractical and unfeasible to determine the amount of actual damage, it is agreed the Contractor shall forfeit and pay to District as fixed and liquidated damages, and not as a penalty, the amount set forth in the Agreement for each calendar day of delay in Completion. However, for conditions where the work has not been completed for reasons within the control of the contractors, liquidated damages shall be calculated at \$1,000 per day for each day past the completion date (August 15, 2024).

The expected magnitude of construction for the Ruby Bridges Classroom Building Roof Replacements project is between \$500,000.00 and \$2,000,000.00.

3. Question:

If we submit the prequalification questionnaire, when do get confirmation that we are qualified to submit the bid to Alameda Unified School District?

Answer:

As shown in the Table of Contents the pre-qualification questionnaire shall be included with the submitted bid proposal. The District will review the information following the submission of proposals by all Prospective Bidders.

General Note: As stated in the Bid Documentation (Section 00 32 00), the “District” reserves the right, in its sole discretion, to reject any or all prequalification questionnaires, to waive irregularities in any prequalification questionnaire or to request further information or documentation from any Contractor”.

4. Question:

I’m writing regarding the Alameda High School Roof Repairs as posted on Dodge Construction Central. Is this the same as the Alameda High School Swim Center (as posted on Valley Builders Exchange), or completely separate? They both show bid dates of March 6th.

Answer:

Alameda Unified School District is soliciting bid proposals for several projects across district facilities. The “Alameda High Roof Repairs” and “Alameda High School Swim Center” projects are separate projects, subject to different bidding requirements, and shall be evaluated independently from each other.

Alameda Unified School District

ALAMEDA HIGH

ROOF REPAIRS

ITB# 024-077-04

Pre-Bid Conference (February 20, 2024 @ 12:00AM)

Sign-in Sheet

BID PROPOSALS DUE: MARCH 6, 2024 at 2:00PM

Name	Company / Address	Phone / Email
Alejandro Pérez	Pioneer Contractors Inc.	(650) 797 3580
		estimating@pioneercontractors.com
Héctor Ibarra	IEA contractor inc.	650 315-3375
	3158 Spring St Redwood city	hector@ieacontractorinc.com
MANUEL AVILA	SF ROOFING SERVICES	many@sfr Roofing services.com
	1314 DONNLEE ST SF	
John Kemmer	Brazos	559-547-7780
	madera ca	J.Kemmer@Brazosinc.ca
Dan Edge	State Roofing systems INC	(510) 317-1477
	15444 Hesperia St Leandro	dan@stateroofingsystems.com
JOSE LOZANO	WESTERN ROOFING SERVICE	jlozano@westroof.com
	15002 WICKS BLVD. SAN LEANDRO CA	415-550-5268
Daniel Ryan	Courtney Inc.	408 472-7378
	5914 Las Positas Rd. Livermore	D.Ryan@courtneyinc.com
Jose Vega	Stronger Building S	jose@strongerbuilding.com
Javier Solis	Best Contracting Services, Inc	510-953-0790
		estimating@bestcontracting.com

Sign-In Sheet (Cont.)

Name	Company / Address	Phone / Email
Santiago Gower	Alcal specialty contracting	Santiago.Gower@alcal.com
	Alliance Contracting Services	(510) 4767 -5862
Rafael Nochebena	Alliance Contracting Services	209-743-2656
	1772 Neptune dr San Leandro CA	James@alliance-contracting.com
Lola A. Perez	KBC Commercial Services Inc.	(510) 491-7427
	San Leandro CA. 94	Estimating@kbccommercialservices.com
Richard Willey	Bay Area Roofers & Waterproofers	Rooferscompliance@gmail.com
	Labor Management	
Johnny Vega	B&M Tear off	928-522-6996
	2420 Senol Creek Rd. Martinez	Jvega7106@outlook.com
Dows Clark	Garland	925-784-6701
		dclark@garlandco.com

ALAMEDA UNIFIED SCHOOL DISTRICT
BOARD AGENDA ITEM

Item Title: Approval of Bid Award per Request for Proposal (RFP) No. 024-049-02 After School Program for Select Alameda USD Elementary Schools

Item Type: Action

Background: In alignment with Board Policy and Administrative Regulation 3311 for compliance with Public Contract Code 20111, AUSD posted Request for Proposal (RFP) #024-049-02 for After School Program for Select Alameda USD Elementary Schools on December 15, 2023. Eight (8) firms submitted by the deadline of 2:00 pm on February 7, 2024. Sealed proposals were opened and given an initial review on February 7, 2024 at 3:00 pm to ensure responsiveness. The selection committee at each school extensively reviewed and scored the received proposals at Love Elementary School and Maya Lin Elementary School on February 27, 2024, and Ruby Bridges Elementary School on March 4, 2024.

Staff recommends the Request for Proposal (RFP) #024-049-02 After School Program for Select Alameda USD Elementary Schools be awarded to the following:

Bay Area Community Resources - Love Elementary School
Bay Area Music Project – Maya Lin Elementary School
Champions – Ruby Bridges Elementary School

Staff is asking that the Board approve the Bid Awards this evening and contracts for services will be presented to the Board for approval at an upcoming meeting.

AUSD LCAP Goals: 1. Eliminate barriers to student success and maximize learning time.

Fund Codes: 01 General Fund

Fiscal Analysis

Amount (Savings) (Cost): Negotiated Contracts will be presented for approval at a future Board meeting.

Recommendation: Approve as submitted.

AUSD Guiding Principle: #3 - Administrators must have the knowledge, leadership skills and ability to ensure student success.| #4 - Parental involvement and community engagement are integral to student success.| #5 - Accountability, transparency, and trust are necessary at all levels of the organization.| #6 - Allocation of funds must support our vision, mission, and guiding principles.

Submitted By: Shariq Khan, Assistant Superintendent of Business Services

ATTACHMENTS:

Description		Upload Date	Type
▣	RFP 024-049-02	3/19/2024	Backup Material
▣	Addendum #1	3/19/2024	Backup Material
▣	Addendum #2	3/19/2024	Backup Material
▣	Addendum #3	3/19/2024	Backup Material



Request for Proposal No. 024-049-02

AFTER SCHOOL PROGRAMS

FOR SELECT ALAMEDA USD SCHOOLS:

**Love Elementary School
Maya Lin Elementary School
Ruby Bridges Elementary School**

Proposal Due Date: February 07, 2024, by 2:00 pm

ALAMEDA UNIFIED SCHOOL DISTRICT
REQUEST FOR PROPOSAL - RFP NO. 024-049-02
AFTER SCHOOL PROGRAMS FOR SELECT DISTRICT SCHOOLS
Love Elementary School
Maya Lin Elementary School
Ruby Bridges Elementary School

NOTICE IS HEREBY GIVEN that the Alameda Unified School District, hereinafter referred to as DISTRICT, invites and will receive sealed bid proposals from interested and qualified vendors for furnishing the After School Program at select Elementary Schools for the 2024-2025 school year.

The bid package will be posted on December 15, 2023 on the DISTRICT website, Fiscal page and can be accessed at <https://www.alamedaunified.org/fiscalservices> under “Current Bids”.

Sealed proposals shall be delivered and addressed to **Alameda Unified School District, Attn: Purchasing Department, 2060 Challenger Drive, Alameda, CA 94501** no later than **2:00 PM on February 07, 2024**. Proposals received after the scheduled Submittal Deadline will be rejected. Proposals must bear original signatures and figures.

The DISTRICT reserves the right to accept or reject any and all proposals and to waive any informality in bidding as deemed to be in the best interest of the DISTRICT. Proposals will remain open and valid for ninety (90) days after the date set for the opening. Any bidder may withdraw their proposal, either personally or by written request, at any time prior to the scheduled closing time for receipt of proposals. No objections concerning the application, meaning, or interpretation of these specifications will be considered after the opening of the subject proposals.

Shariq Khan
Assistant Superintendent, Business Services
Legal – East Bay Times
Publish Dates: **12/15/2023 & 12/22/2023**

REQUEST FOR PROPOSAL

INTRODUCTION

The Alameda Unified School District (the “District” or “AUSD”) invites interested organizations and other entities to submit proposals to provide on-site after school services and programs for TK-5th grade three (3) District schools (collectively referred to as “the Schools”): The chosen After School Programs vendor(s) will provide **priority** registration to students who qualify for Free and Reduced Price Meals, Foster or Unhoused. The program provider can also accept fee-based families who don’t qualify for the program. These programs are funded by ASES and ELOP after-school program grants.

Vendors can refer to AUSD’s [School Calendars](#), [Bell Schedules](#) and [Modified School Schedule](#) to assess the hours needed in the school year. All after school programs are to begin immediately after the school day ends. Note that Kindergarten will be an all-day program starting next year. They will follow the same schedule as 1-5th grade.

Love Elementary School
2025 Santa Clara Avenue
Priority Student Enrollment Target: 251

Maya Lin Elementary School
825 Taylor Street
Priority Student Enrollment Target: 205

Ruby Bridges Elementary School
351 Jack London Avenue
Priority Students Enrollment Target: 314

OBJECTIVES

The intent of this request for proposal (“RFP”) is to contract with an after-school provider who will be selected to 1) to provide a safe, secure on-site after school environment for children and 2) deliver an enriching, enjoyable after school program format that blends a combination of the following depending on the site: youth development, homework help, extracurricular activities, enrichment, music, recreation, physical activities and arts. The services will be delineated below under Scope of Services. The District, on behalf of the Elementary Schools listed, intend to enter a one (1) year contract for services in the 2023-2024 with an option to extend the contract on a yearly basis for an additional two (2) years based on satisfactory service/performance. The contract will also provide for a cancellation provision 60 days prior with written notice.

The District reserves the right to accept the proposal that it considers to be in the best interest of the District. The District further reserves the right to accept all or part of any proposal, to award to one or more vendors for a single site or to cancel in part or in its entirety the Request for Proposals. Awards made under this RFP are subject to the approval of the AUSD Board of Education.

TIMELINE

Release of RFP	December 15, 2023
Mandatory meeting/instructional session: Program Cost Calculator, Exhibit A. Meeting details on Page 12.	January 8, 2024, at 3:00pm-4:00pm
Last Day to Submit Questions and Seek Clarifications	January 10, 2024, by 5:00pm
Answers posted to District website	January 12, 2024
RFP Proposals Due	February 7, 2024, by 2:00pm
Interviews, if applicable	February 15, 2024, 2:00pm-4:00pm
Notice of Intent to Award	March 15, 2024
Board Approval	March 26, 2024
Contract Year	July 1, 2024-June 30, 2025

INSTRUCTIONS

Interested firms are invited to submit one original signed proposal, two (2) hard copies, and a USB flash drive copy. The proposal shall be made in the format provided and the complete proposal, together with any and all additional materials, shall be enclosed in a sealed envelope addressed and delivered no later than 2:00 p.m. on February 7th, 2024, to the following address:

Alameda Unified School District
 Attn: Purchasing Dept.
 2060 Challenger Drive
 Alameda, CA 94501

The bid envelope should be clearly marked with **RFP # 024-049-02**, After School Program. It is the vendor's sole responsibility to ensure that the proposal is received prior to the scheduled closing time for receipt of proposals. No proposal will be accepted after the deadline. All proposals shall become the property of the District. Incomplete proposals will not be considered.

ADDENDA AND QUESTIONS ABOUT THE RFP

Changes and addenda to a solicitation may occur prior to the solicitation opening date and time. Any questions should be emailed with the title **RFP 024-049-02** and sent to Marilou Tirona at mtirona@alamedaunified.org by **January 10, 2024 by 5:00pm**. Answers to any written questions will be posted to the website as an addendum by January 12, 2024. It is the bidder's responsibility to check under "Current Bids" on the Purchasing page of the District website to verify whether addenda have been issued. The District website is: <https://www.alamedaunified.org/fiscal-services>.

1. Program Requirements

A. Program Elements

The after-school program has two required elements, in addition to providing a safe, secure and supportive environment for students: 1) an academic development/ academic assistance with homework and 2) enrichment and physical activities. Program must meet the following standards as established by the California Department of Education: Expanded Learning Program Quality

<https://www.cde.ca.gov/ls/ba/as/documents/qualitycrosswalk.pdf>

B. Academic Assistance

After school programs must include homework support. This academic assistance must be aligned with the pupils' regular academic programs and must assist students in meeting and exceeding grade level Common Core Standards in core academic subjects, such as English language arts, mathematics, and science.

C. Enrichment & Physical Fitness

After school programs must provide an enrichment element that offers participating students a broad array of additional services, programs, and activities that are designed to reinforce and complement the regular academic program. Proposed enrichment activities may include, but are not limited to, the following:

- Mentoring opportunities (with cross-age peers and business and community partners)
- Service-learning/Project based learning
- Art
- Music
- Computer and technology training
- Youth development
- Physical fitness, games and activities
- Recreational activities
- Leadership and entrepreneurial skills development
- Character education programs
- School safety, including violence, drug, and tobacco use prevention

Each school currently offers after-school enrichment and physical activity programs. The bidder should indicate if it will maintain the existing programs or offer new/different enrichment programs. CDE Physical activity guidelines: <https://www.cde.ca.gov/ls/ex/as/documents/paguidelines.pdf>

2. Agency Requirements

A. Staff

Staff and agents who directly supervise students and are included in the 1:10 staff to student ration for TK and K students, and 1:20 staff to student ratio for 1-5th grades, must meet the following minimum qualifications for an instructional aide: a high school diploma or its equivalency and one of the following: (a) an AA degree; or completion of 48 semester units in college; or (b) successful completion of the Instructional Assistant exam, administered by the Alameda County Office of Education.

- Child Abuse and Neglect Reporting Act guidelines for Mandated Reporters as required by California Penal Code § 11164 – 11174;
- Fingerprinting and background checks for all employees, contractors, agents and volunteers before they have contact with any District students (Education Code Section 45125.1(e).), and
- Have on file current documentation of Tuberculosis Screening and negative TB Test results for all employees, contractors, agents and volunteers who have contact with District students.
- The cost of training, fingerprinting and health screening is the responsibility of the successful Bidder.

B. Insurance

The successful Bidder will be required to maintain the following insurance coverage throughout the life of the contract.

1. COMMERCIAL GENERAL LIABILITY insurance which shall include contractual, products and completed operations, corporal punishment and sexual misconduct and harassment coverage, and bodily injury and property damage liability insurance with combined single limits of not less than Two Million Dollars (\$2,000,000) per occurrence and Five Million Dollars (\$5,000,000) aggregate.
2. WORKERS' COMPENSATION and EMPLOYERS LIABILITY coverage providing statutory benefits for all persons employed by the contractor, or its contractors and subcontractors at or in connection with the Work.
3. AUTO LIABILITY including Hired and Non-Owned Auto Liability not less than One Million Dollars (\$1,000,000) for each occurrence for bodily injury and property damage.

The above policies of insurance shall be endorsed to name Alameda Unified School District, its officers, employees, volunteers or agents, as additional insured. Said Additional Insured endorsement shall be provided to the DISTRICT upon successful Bidder's execution of the contract and before work commences. If at any time said policies of insurance lapse or become canceled, the contract shall become void. All insurance shall be placed with insurers that are reasonably acceptable to the District and with an A.M. Best's rating of not less than A- (Excellent). All such insurers shall be licensed/approved to do business in California.

The acceptance by the DISTRICT of the above-required insurance does not serve to limit the responsibility of the insurer or successful Bidder to the DISTRICT.

C. School Site Key/Security Requirements

For security and access purposes, the successful bidder will be required to manage keys as appropriate, including a school master key when necessary. Successful bidder will be required to execute an AUSD Key Policy Agreement prior to the issuance of such keys, such policy requires that the loss of keys will require re-keying at the cost of the successful bidder. Successful bidder shall prove insurance coverage in place for this loss/expense or procure a surety in the amount of \$30,000 to effectively protect the district for this particular loss.

3. AFTER SCHOOL PROGRAMS GOALS

The after-school program will meet the community need for a physically and emotionally safe, strengths based, affordable, fun, educationally enriching and academically sound program.

A high priority need at these schools is to boost positive learning outcomes by providing supplemental academic support, and promote high academic self-efficacy (Schunk, 1989). The Program Goals of the after-school programs at the elementary school sites are:

Sustained high levels of educational achievement and/or improved academic performance.

- Align Academic Assistance and Enrichment activities with the school day curriculum and California content standards. Complement the school day without replicating it.
- Spark the desire for lifelong learning; encourage development of college/career goals.
- Maintain strong and collaborative working relationships with school day personnel.
- Identify and provide targeted support for struggling learners.
- Identify and understand the needs of English Language Learners and struggling students and provide tailored support.

Youth learn new skills and build confidence through challenging activities.

- Build 21st Century skills by emphasizing the following approaches in activities: working with others, communicating clearly in speaking and listening, solving problems-including how to get help when needed, managing time.
- Promote meaningful student engagement by providing continuous and consistent opportunities for youth to have choice, make decisions, develop their voice, hone leadership skills and feel a sense of belonging.
- Promote inclusive multicultural environment that values diversity.
- Provide resources and strategies to caretakers and parents to help support the positive academic and social-emotional development of their students.

Research on best practices in after school programming reveals success with a dual emphasis on youth development principles *and* academic standards (Moran, 2008).

Academic Assistance, Literacy and Enrichment:

Homework Help and Support

- Provide homework assistance, either individually or in cooperative, collaborative groups.
- Provide materials; establish a conducive workspace and consistent routines (Beck, 1999).
- Pay attention to strengthening students' study skills, work habits, and organizing practices, in addition to homework content (Eilam, 2001).
- Create homework contracts and communication structures with families (Epstein, 1995).

Alignment with School Day

- Principals will work with site After School Program team and staff to align programs and homework expectations.
- Youth leaders will keep student homework and communication logs to enhance partnership with school day teachers. Teachers communicate content standards to reinforce.
- Site Coordinators will attend all school day faculty meetings.

- Staff will attend relevant collaboration meetings, professional development days with grade level teams, and Student Success Team meetings for enrolled students.
- Principals will share data and promote understanding of data, including test scores, grades, behavior reports and other important student information, with staff.

Specialized Support of English Learners

- Provide intentional inclusive social-emotional support of English Learners by knowing demographic and academic proficiency level data of students, ensuring emotional safety for immigrants and English Learners, acting as cultural brokers for families and communities, incorporating activities and programming that is relevant to students' lives and cultures and building cross-cultural leadership skills among students (Bhattacharaya & Quiroga, 2011).
- Support English development by using graphic organizers (charts, graphs and diagrams), taking advantage of homework help to teach academic vocabulary, and intentionally creating time and space for English Learners to practice English (*ibid.*).
- Partner with the school day English Language Development program to identify students needing additional ELD support. Partner with school day teachers to plan and implement strategies to meet individual students' needs.

After School Curricula

All curricula provided in After School should be research-based, standards aligned, and have been designed to allow students to practice 21st Century skills of solving complex, multidisciplinary, open-ended problems in group settings. Research shows that combining academic and social activities in afterschool programs has positive effects on student achievement (Lauer et al., 2004). The following are samples to consider in developing an after-school curricula:

- Implement a STEM initiative that provides inspiring math and science experience to prepare participants for tomorrow's workforce.
- Develop literacy skills and the joy of reading
- Provide staff with initial and ongoing training with curricula. Develop a learning community among staff for professional development in implementing curricula.

Enrichment

After school enrichment and recreational activities will be varied and reflect input from students and staff at each school. They will address broad interrelated needs, including youth development, recreation, wellness and fitness, and applied learning opportunities.

- *Youth Development:* Provide youth opportunities to establish relationships that provide emotional and practical support from adults; participate in challenging and interesting activities relevant to their lives; and engage in decision making (Gambone et al, 2002).

For example, establish an elected student leadership structure (e.g. After School Student Council). Provide explicit leadership development training. Create other developmentally appropriate leadership positions, such as Yard Monitors at the elementary level whose training and responsibility include peer conflict resolution. Other youth development activities include public speaking opportunities with coaching integrated with other after school activities, community service, and multicultural celebrations. Students learn 21st Century skills such as problem solving, leading by influence, effective communication and collaboration, and interacting competently and respectfully with a diversity of others.

- *Recreation:* Provide varied daily physical activity through guided and structured sports and recreation activities. Recreation and play is a good place to practice 21st Century skills of communicating, collaborating

and interactive problem solving. CDE guidelines can be found here: Physical activity guidelines:

<https://www.cde.ca.gov/ls/ex/documents/paguidelines.pdf>

- *Wellness and Fitness:* Students practice 21st Century skills such as taking charge of health and making wise choices, as well as thinking critically and making judgments as with evaluating advertisements and promotion of food items.
- *Applied Learning:* Students will engage in enjoyable, hands-on opportunities to explore various subject areas related to the core curriculum. After school clubs and enrichment classes extend school day learning in a project-based format in which students can engage in new areas of learning, like art projects, managing community building initiatives, community service and more. Students develop 21st Century skills such as creativity and entrepreneurial thinking, making innovative use of knowledge, information and opportunities.

4. PROPOSAL REQUIREMENTS

Proposal

Describe your history, vision, and philosophy. Indicate the number of years you have provided services similar to those requested in the RFP and any specific qualifications you may have.

Include how your proposal will meet program needs, program design, elements of high-quality programing, how you will evaluate program progress. Include a program budget (Exhibit A) in spreadsheet format on the submitted zip drive and the signed certified assurances (Exhibit B).

References and Additional Information

- a) Provide at least three references, Unified School District references preferable.
- b) Describe your evaluation plan and how the evaluation information will be used to provide feedback to stakeholders and staff and to guide project direction.
- c) Provide parent survey responses demonstrating the satisfaction of the services you offer families, if available. Surveys must be current within the last year.
- d) Provide a Parent Handbook, or similar document/brochure.

5. EVALUATION OF PROPOSALS

After the proposals are evaluated, vendors may be invited to an interview as part of the evaluation process at the discretion of the RFP committee.

Proposals will be reviewed and evaluated based on the following evaluation criteria:

A. Addressing Program Needs	(20 points)
B. Program Design	(20 points)
C. Elements of High-Quality Programming	(20 points)
D. Professional Development	(10 points)
E. Program Evaluation	(10 points)
F. Program Funding	(20 points)

A. Addressing Program Needs (20 Points)

Describe how the proposed program's components will address the needs of AUSD students and families. Especially the needs of our Unduplicated Students (Unhoused, Foster, and ELD who qualify for FRPM). Describe how your program will address these needs. The After-School Program will support the AUSD Board of Education approved Strategic Goals for the District by providing systems and structures for student support (Focus Area 2), the program also aligns with our LCAP goal 2 focused on building relationships with between families, students and staff to ensure schools are supportive, inclusive, and safe environments that maximize learning.

1. Describe the range and type of programs that will be offered.
2. Describe how your program proposes to attract youth and their families. Also, explain how you will maintain student enrollment throughout the school year (180 days)
3. Please describe the organizational structure that will support the program and specifically the program manager/site director.
4. Describe methods used to communicate with parents of children in your program? Describe how parent and youth feedback will be included in the ongoing development of the program.
5. Describe how you provide program information to the school board, principals and other administrative personnel?
6. Describe how you collaborate and communicate with school site leadership and staff about the program and student needs?
7. Describe how you market the program to the school community?
8. Describe what actions will be taken to ensure that every child is physically and emotionally safe in the program.
9. Provide a timeline indicating steps required and time needed to establish the after school program.
10. Describe staff training and resources available to deescalate disputes and resolve differences and conflicts between students and between students and adults.

B. Program Design (20 Points)

Describe how the proposed programs' unique features will address the needs of AUSD students and their families, especially for our students of color, and how the programs are expected to improve student learning, including learning in core academic areas such as reading/language arts, mathematics or science. What efforts will be made to ensure that programming is student-centered and that every participant has a high interest in what he/she is doing? What efforts will be made to ensure appropriate grade level and/or developmental level programming? The program provider would engage students in activities that support and increase their social emotional well-being, allowing for less stress and therefore a greater capacity to engage in learning.

1. Fees: Cannot charge fees to Unduplicated Students: homeless youth, foster youth, ELD students eligible for Free & Reduced Price Meals
2. Providers will maintain all records of enrolled families and will review enrollment and attendance data regularly to evaluate capacity needs and program success.
3. Ratios: 1-5th staff ratio 20:1, TK/K staff ratio 10:1
4. Attendance policy: The program is required to stay open for a minimum of 15 hours per week, and until at least 6:00 p.m. everyday school is open. Attendance is mandated by CDE and Program is to be monitored daily and logged into a 3rd party after school attendance system provided by the school district.
5. Early Release Policy: The program shall establish a policy regarding reasonable early daily release of pupils from the program. ([Early Release Waiver Sample](#))

6. Core Year 180 Days
7. Promotion and registration applications are to be in the students' home language top five languages: Chinese, Spanish, Vietnamese, Mongolian, Arabic.

C. Elements of High-Quality Programming (20 Points)

Describe how the proposed program's mission, vision, and purpose will align with our After school Program goals.

Goal 1: Partner with After School Program providers to deliver programming that is hands-on, engaging, student-centered, results-driven, and most importantly, that fosters childhood joy.

Goal 2: Provide enrichment, educational program elements, especially literacy to assist students' academic advancement.

Goal 3: Improve attendance of participating students during the school day and the after-school program.

Goal 4: Increase positive student behaviors during school hours by providing significant Social Emotional Learning opportunities for all students in a safe, inclusive and caring environment.

Goal 5: Support a well-trained and caring staff to develop positive relationships and build connections between students, parents, and the school community.

Describe how the proposed program meets the Quality Standards for Expanded Learning in California:

https://www.afterschoolnetwork.org/sites/main/files/file-attachments/quality_standards.pdf

Program provider must :

- Ensure all program requirements are followed and met as outlined by the Program Plan Guide. Please reference the [CDE website](#).
- Ensure spaces and grounds used by the afterschool program are kept clean and orderly.
- Ensure that all provider employees meet the minimum qualifications.
- Ensure that all provider employees have completed Tuberculosis (TB) test and Federal and state fingerprint clearance.
- Ensure that the student discipline policy is in alignment with the school day by working with the school principal.
- Demonstrated ability to participate in required program evaluation activities, including collection of reliable and valid outcomes measures.

D. Professional Development (10 Points)

1. Describe how ongoing professional development will be conducted based on staff needs. Include the types of professional development that will be offered, how often and for whom.
2. The program provider will ensure the program manager/site director/site coordinator attend required professional development and seek out professional development for all staff they supervise on site.
3. Describe how professional development offerings will be continually assessed and evaluated.
4. The program provider will collect reliable and valid data and outcomes measures, as determined by collaborative process with the District, that address the performance indicators for the program. (Aspects of data collection and reporting are subject to change based on state requirements.)

5. Describe how the program will enlist, utilize, orient and train volunteers. How will the organization ensure supervision and student safety when volunteers are on site?
6. Volunteers who support the program will need to follow AUSD volunteer procedures and practices.

E. Program Evaluation (10 points)

Describe how the organization will collaborate with the district to develop continuous improvement tools.

Reference Quality Standards in Expanded Learning Here: https://www.afterschoolnetwork.org/sites/main/files/file-attachments/quality_standards.pdf

The program will work with AUSD School Leadership to demonstrate that progress has been made toward meeting the program goals as outlined in the service agreement.

1. The provider will work with the school community and School Leadership to create, refine, and modify the site after school program plans as needed.
2. Describe how the organization will implement what they have learned from the implementation of the continuous improvement tools.
3. In partnership with AUSD the program will collect reliable and valid data and outcomes measures, as determined by collaborative process with the District, that address the performance indicators for the program. (Aspects of data collection and reporting are subject to change based on state requirements.)
4. The program will maintain and submit accurate recording of the following documentation: program plan, late arrival early release policy, attendance policies, students' sign in/sign out records, staff personnel records, monthly attendance reports. They will use AUSD adopted tools for monitoring and evaluating the program on a monthly basis.

F. Program Funding (20 points)

Utilizing the Program Cost Calculator spreadsheet ([Exhibit A Pricing Sheet for ASES ELOP RFP.xlsx](#)), also incorporated as Exhibit A, and all provided resources including schedules, required ratios per grade level, and eligible student counts, provide the total cost of operating your program for 180 days at the specific school site. Actual number of students requiring after school services may vary depending on actual school enrollment in 2024-2025 and parental interest in the program and both parties agree that the submitted cost is subject to change due to this variable and this format is being utilized only for bid selection purposes.

The district will provide a mandatory meeting/instructional session for all potential bidders on Monday, January 8, 2024, 3:00pm – 4:00pm. This will be regarding utilizing the Program Cost Calculator (Exhibit A) for proposal submission.

Microsoft Teams meeting

[Click here to join the meeting](#)

Meeting ID: 247 056 362 121

Passcode: onAHAY

***The completed spreadsheet must be submitted with your proposal. No other cost proposal format will be accepted for consideration.**

GENERAL TERMS AND CONDITIONS

1. **Reject All Bids:** The District reserves the right to reject any or all proposals and to waive any informality in the proposal process. The District may select proposals to serve one or more of the listed school sites – or none at all. Once selected, a contract will be negotiated between the District, the school community and the selected agency. Selection of an agency based on its proposal does not constitute a binding agreement until the contract is approved by the District Board of Education.
2. **Terms of the Offer:** The District's acceptance of Bidder's offer shall be limited to the terms herein unless expressly agreed in writing by the District. Proposals offering terms other than those shown herein will be declared non-responsive and will not be considered.
3. **Bidder Agreement to Terms and Conditions:** Submission of a signed proposal will be interpreted to mean Bidder has agreed to all the terms and conditions set forth in the pages of this solicitation.
4. **Laws Governing Contract:** This contract shall be in accordance with the laws of the State of California. The parties stipulate that this contract was entered into in the County of Alameda, in the State of California. The parties further stipulate that the County of Alameda, California, is the only appropriate forum for any litigation resulting from a breach hereof or any questions raised here from.
5. **Non-Discrimination:** It is the policy of AUSD that in connection with all work performed under Contracts there be no discrimination against anyone engaged in the work because of race, color, ancestry, national origin, religious creed, physical disability, medical condition, marital status, sexual orientation, gender, or age; therefore, CONTRACTOR agrees to comply with applicable Federal and California laws including, but not limited to, the California Fair Employment and Housing Act beginning with Government Code Section 12900 and Labor Code Section 1735 and AUSD policy. In addition, CONTRACTOR agrees to require compliance by all its subcontractor(s). CONTRACTOR shall not engage in unlawful discrimination in employment on the basis of actual or perceived; race, color, national origin, ancestry, religion, age, marital status, pregnancy, physical or mental disability, medical condition, veteran status, gender, sex or sexual orientation.
6. **Excluded Parties Certification: Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion:** The District certifies to the best of its knowledge and belief, that it and its officials: Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency according to Federal Acquisition Regulation Subpart 9.4, and by signing this contract, certifies that this vendor does not appear on the Excluded Parties List. <https://www.sam.gov/portal/public/SAM>

Exhibit A

Program Cost Calculator

Vendor Name	Only enter in yellow highlighted cells							\$ -
Love Elementary	Number of Students	Students covered in Fixed Cost	Additional Students	Net Additional Students assuming less than 100% participation	Number of Section	Cost per Section (10:1 in TK/K, and 20:1 in other grades)	No of Months	Total
Fixed Cost						Fixed Cost	10	\$ -
Regular School Year: 180 Days								
Section						Cost for each additional section		
Grade TK/K (10:1)	63		63	63	7		10	\$ -
Grade 1-5 (20:1)	188		188	188	19		10	\$ -
Total Students	251							
Total								\$ -
Maya Lin Elementary	Number of Students	Students covered in Fixed Cost	Additional Students	Net Additional Students assuming less than 100% participation	Number of Section	Cost per Section	No of Months	Total
Fixed Cost						Fixed Cost	10	\$ -
Regular School Year								
Cost per section						Cost for each additional section		
Grade TK/K (10:1)	40		40	40	4		10	\$ -
Grade 1-5 (20:1)	165		165	165	9		10	\$ -
Total Students	205							
Total								\$ -
Ruby Bridges Elementary	Number of Students	Students covered in Fixed Cost	Additional Students	Net Additional Students assuming less than 100% participation	Number of Section	Cost per Section	No of Months	Total
Fixed Cost						Fixed Cost	10	\$ -
Regular School Year								
Cost per section						Cost for each additional section		
Grade TK/K (10:1)	65		65	65	7		10	\$ -
Grade 1-5 (20:1)	249		249	249	13		10	\$ -
Total Students	314							
Total								\$ -

Exhibit B**Assurances to Meet Requirements for AUSD After School Programs**

CERTIFIED ASSURANCES	
Program Elements	
	The program will include an educational and literacy element designed to provide tutoring and/or homework assistance in one or more of the following subject areas: language arts, mathematics, history and social science, science, and computer training.
	The program will have an educational enrichment element that may include, but is not limited to, fine arts, career technical education, recreation, physical fitness, and prevention activities. Such activities might involve the arts, music, physical activity, health promotion, general recreation, technology, career awareness, and activities to support positive youth development.
	The program will provide a safe physical and emotional environment and opportunities for relationship-building and will promote active student engagement.
	The program will collaborate and integrate with the regular school day program and other extended learning opportunities.
	The program will provide a snack that conforms to the nutrition standards in the California <i>Education Code</i> , Part 27, Chapter 9, Article 2.5, commencing with Section 49430.
	The program will provide opportunities for physical activity.
Program Plan	
	Partners to this proposal, as well as school staff, have demonstrated commitment to supporting the program and sharing responsibility for the planning and quality of the program at the designated site(s).
	The program is planned through a collaborative process that includes parents, youth, and representatives of participating public school sites, governmental agencies (e.g., city and county parks and recreation departments), local law enforcement, community organizations, and the private sector.
Program Operations	
	The program will maintain a student-to-staff member ratio of no more than 20:1 for 1-6 th Grade and 10:1 for TK/K.
	The program will begin operation immediately upon the end of the regular school day. (Note: A regular school day is any day that students attend and instruction takes place.)
	The program will operate for a minimum of 15 hours per week.
	The program will operate until at least 6:00 p.m., on every regular school day.
	The program will establish a reasonable early release policy for students attending the after school component.
	Elementary students should participate every day that the after school program operates.
	Every student attending a school operating a program is eligible to participate in the program, subject to program capacity.
	The program is not required to charge family fees or conduct individual eligibility determination based on need or income.
	The program will provide all notices, reports, statements, and records to parents or guardians in English and the student's primary language when 15 percent of the students enrolled at the school site speak a single primary language other than English as determined by language census data from the preceding year.

The agency will comply and work collaboratively with AUSD to uphold certified assurances.

The agency will comply and work collaboratively with AUSD to uphold certified assurances.

Authorized Signature: _____ Date: _____

Alameda Unified School District
RFF No. 024-049-02 – After School Programs for Select Alameda Schools
Addendum No.1

“Website links” were not live on the released RFP copy, please use these links to access the following information:

1. Fiscal Website – Current Bids
<https://www.alamedaunified.org/departments/fiscal-services>
2. School Calendar
<https://www.alamedaunified.org/family-resources/district-calendar>
3. Bell Schedule
<https://www.alamedaunified.org/departments/communications/ausd-news-page/news-details/~board/ausd-news/post/bell-schedules-to-shift-next-year>
4. Modified School Schedule
[23-24 Finalized School Site Minimum Modified Calendar - Google Docs](#)
5. CDE Physical Activity Guidelines
<https://www.cde.ca.gov/ls/ex/documents/paguidelines.pdf>
6. Early Release Waiver Sample
[Request Early Release Waiver.pdf - Google Drive](#)
7. Quality Standards for ELOP
[quality_standards.pdf \(afterschoolnetwork.org\)](#)
8. ASES Program Plan Guide
[asesprogramguide.docx \(live.com\)](#)
9. Exhibit A Pricing Sheet
[Exhibit A Pricing Sheet for ASES ELOP RFP.xlsx](#)

10. Mandatory Microsoft Teams Meeting – January 8, 2024, 3pm-4pm

Join on your computer, mobile app or room device

[Click here to join the meeting](#)

Meeting ID: 247 056 362 121

Passcode: onAHAY

[Download Teams](#) | [Join on the web](#)

**Alameda Unified School District
RFP 024-049.02 – After School Program**

Addendum No.2

After School Exhibit A Pricing Sheet copy and link to TEAMS meeting.

1. **Exhibit A Pricing Sheet ([download here](#))**
Click on File
Click on Download
Click on Microsoft Excel
Save on your computer
2. **Mandatory Meeting/Instructional Session on Exhibit A Pricing Sheet–
January 8, 2024, 3pm-4pm.**

Microsoft Teams meeting

Join on your computer, mobile app or room device. Please download Teams to be able to join meeting.

[Click here to join the meeting](#)

Meeting ID: 247 056 362 121

Passcode: onAHAY

[Download Teams](#) | [Join on the web](#)

[Learn More](#) | [Meeting options](#)

**Alameda Unified School District
RFP 024-049.02 – After School Program**

**Addendum No. 3
Questions and Answers**

The following are the changes, corrections and/or clarifications to the above-mentioned RFP.

1. Question:
Is the vision of the district to have 1 sole lead agency across all Alameda expanded learning programs?

Answer:

The vision of the district is to provide quality after-school programming that meets state requirements within the funding allocated to the district. This may result in selecting a different agency for each school or one agency for all three schools.

2. Question:
Is the vision of the district to have a collaborative lead agency model in which more than 1 lead agency is running the ASES and ELOP programs?

Answer:

No, the bid is looking for one program at each site to run the after-school program funded by ASES and ELOP.

3. Question:
Will the ELOP programs be RFP'd? If yes, what is the timeline for that RFP to be released?

Answer:

RFP #023-049-01 is for ASES and ELOP funding at Love, Maya Lin and Ruby Bridges. Other sites receiving ELOP services were awarded through bid in 2023.

4. Question:
Who is involved in the selection committee for the ASES sites RFP? Will the school community be engaged in the selection process?

Answer:

The school communities began engagement in the fall and will continue through this RFP process, including community meetings. Once bids are received, they will undergo initial review to determine the terms of the RFP have been met. All bids meeting such requirements will go to the selection committees for review and scoring, comprising school site and district staff.

5. Question:
For RFP #023-049-01, Addendum #1 Question 30 amended the RFP to allow electronic signatures with an audit trail in lieu of original signatures. Will you permit electronic signatures for this RFP?

Answer: Yes, with the signature audit included.

6. Question:
Last year's RFP #023-049-01 Expanded Learning Opportunities program included these three schools, with an option to renew for a total of three years. Why are these three schools going out to bid one year later?

Answer:

In 2023, for continuity purposes, the district withdrew the three ASES sites from the ELOP After School RFP. The district met with the current providers to negotiate an additional year at the sites, understanding all three would go back out to bid for the 24-25 school year.

7. Question:
We are aware that the three schools in this RFP have a number of enrichment programs and other providers. Will those other providers continue to operate at the schools?

Answer:

Capacity is the only consideration at the school sites; however, the district doesn't anticipate 100% enrollment in these programs, and therefore, believes all other programming run by tenants of the district will continue.

8. Question:
We have seen the early release waiver sample. Does the district have an early release policy you can share?

Answer:

Please use the early release waiver sample.

The program is required to stay open for a minimum of 15 hours per week and until at least 6 p.m. every day school is open [EC Section 8483(a)(1)(A)(i)], students are not required to stay the entire length of the program. The purpose of early release and late arrival policies are to identify the reasons as to why students are leaving before the end of the after school base program or arriving late to their before school program.

9. Questions and answers:
Does the district plan to provide supper as a typical requirement for ASES programs?

Answer:

Due to the status of these schools, district will provide supper in compliant with National Student Lunch Standards for all students. Suppers will be delivered to the school by the district and the program administrator will be responsible for meal ordering each week.

10. Question:

To what extent is the provider managing refrigeration, recordkeeping, and food preparation for suppers?

Answer:

None.

11. Question:

Does the provider's staff need food handler's cards?

Answer:

None.

12. Question:

Can you provide any guidance about what supper costs, if any, the provider would need to include in their pricing?

Answer:

Supper will be provided.

13. Question:

How many TK-5th grade children are currently or previously (2022-23) enrolled in each school and after-school program at (the schools)? How many children total (priority + regular students) are projected to participate in after-school programs 2024-5 school year?

Answer: Per students counts provided to the district by current providers in December 2023:

Ruby Bridges Elementary		
	Number of Students	
Grade Level	District Funded	Full Fee
TK	18	4
K	23	9
1	15	5
2	19	5
3	12	4
4	18	8
5	17	4
TOTAL	122	39

Maya Lin Elementary		
	Number of Students	
Grade Level	District Funded	Full Fee
TK		
K	12	18
1	8	27
2	6	23
3	12	21
4	11	15
5	7	21
TOTAL	56	125

Love Elementary		
	Number of Students	
Grade Level	District Funded	Full Fee
TK	19	6
K	17	8
1	13	4
2	9	8
3	16	6
4	10	2
5	11	1
TOTAL	95	35

Providers should expect similar numbers of fee paying families in 2024-25 and use the provided ELOP qualifying data in the RFP for potential numbers.

14. Question:

Is there a minimum number of students required to operate an after-school program at each school site?

Answer:

ASES grant funding does have minimum numbers for each site, those are:

Love: 83

Maya Lin: 77

Ruby Bridges: 121

15. Question:

Are there specific challenges that are not addressed by current after-school programming or the after-school vendor? Not including those specified as Unduplicated Students (Unhoused, Foster, and ELD who qualify for FRPM) students, Focus Area 2, or listed in 'AFTER SCHOOL PROGRAMS GOALS '.

Answer:

The cost to run after-school programming is high, and therefore providers rely on fee-based enrollment to support the program. The district would like to see more at-need students receiving services.

16. Question:

Will the new vendor replace the existing vendor at all three schools or serve as an additional provider, working with the current vendor?

Answer:

The awarded bidder will operate the district funded ASES and ELOP after-school programming at the site(s), not in addition to any other provider unless those providers are operating as tenants.

17. Question:

Program Requirements: Will the new vendor duplicate existing after-school programs or be responsible for new programs (Except for physical activity programs where the new vendor can maintain the existing program?)

Answer:

The awarded bidder will operate the school site's district after-school program, and all of its required components.

18. Question:

The program will operate until at least 6:00 p.m. on every regular school day. Does this include early release on Wednesdays? How late can the program run beyond 6:00 p.m. including Wednesdays?

Answer:

Yes, all programs must remain open until 6:00pm and close at 6:00pm including early-release Wednesdays.

19. Question:

Is there a minimum and maximum award range for annual funding per school/for all 3 schools? Is there a cap on daily/weekly/monthly program fees per student invoiced to the District?

Answer:

For the ASES funding at each site for 23-24, the funding amount was as follows:

Ruby Bridges: \$187,395.00

Maya Lin: \$119,083.00

Love: \$128,812.00

ELOP funding used to support the programming is based on the state allocation to the district and will be based on non-fee-paying students in the program who qualify.

20. Question:

Is a license fee or percent of the budget required to cover custodial, overhead, facility rent, and other charges?

Answer:

The awarded bidder is not responsible for any custodial fees, utilities, or facility rental fees. The provider will only be responsible for their own overhead fees such as staffing, training, licensing.

21. Questions:

Is it possible to submit a proposal for only one of the three schools?

Answer:

Yes

22. Question:

If we build our cost around the variable costs, can we leave the fixed cost box blank?

Answer:

Yes.

23. Question:

Can it be saved as a PDF on the USB?

Answer:

No, the worksheet must be saved in original format and submitted on a usb drive but a pdf should be submitted in the hard copied bid package.

24. Question:

We are just now seeing this RFP and missed the PPC. Is the district able to accept a proposal from a vendor who was not able to attend the PPC? Is there a recording or notes to review from yesterday's meeting?

Answer:

Yes, please follow this link to the recording:

<https://drive.google.com/file/d/1KKQLstO4v2gC6dvaycEpiU3R-x4Yv0QX/view?usp=sharing>

25. Question.

How many early release days are there in the academic year?

Answer:

Please refer to the school calendar linked in the RFP.

26. Question:

May Vendors charge families a fee for non-unduplicated students?

Answer:

Yes, however, the program shall prioritize ELOP qualifying families. Providers may establish their own fee and sliding schedule for other families that are not covered by district funding.

27. Question:

Can you clarify what systems AUSD currently has in place for the specialized support of English Learners (from page 8 of RFP)?

Answer:

Provider will work directly with school to identify the needs of these students.

28. Question:

Will there be advanced resources and support from the District and school site partner(s) to help identify and enroll Priority Student Enrollment Target? If so, what will these supports be? Will communications be offered in multiple languages?

Answer:

Yes. Providers will be given list of qualifying students. Providers need to work with school site to outreach to families. Provider is responsible for language translation.

26. Question:

Are there any other 'out of school time' care days that you plan on needing for the year – if so, how long in hours, would that day of care be and how many times per School Year?

Answer:

There is no intersession planned for the awarded bidder.

27. Question:

How many collaborative meetings are conducted per year?

Answer:

It depends on the need by school site.

28. Question:

Can we send our Site Director (onsite manager) only, or are we required to send youth leaders to collaborative meetings?

Answer:

Site program manager/s only.

29. Question:

Are multiple students discussed per meeting, or are there individual meetings for each student?

Answer:

On an as needed basis.

30. Question:

Are they conducted on teacher in-service days, or any time throughout the year?

Answer:

Please refer to the school calendar linked in the RFP for teacher PD days.

31. Question:

With regards to third-party attendance software, is it possible to restrict the provider's access to data solely to what is required to track attendance? (student name and attendance).

Answer:

The district has a Data Privacy Agreement in place with the provider. We require the use of a district-selected attendance reporting system.

32. Question:

Can we have families fill out a waiver allowing the sharing of information and ask if we can separately collect data?

Answer:

Families will register with providers directly. Provider may collect family information at registration time.

33. Question:

If we are required to rely on accessing family data through your 3rd party software for attendance tracking and what we need for our family management system, what provisions does the LEA provide to keep both parties in FERPA compliance?

Answer:

The district maintains a data privacy agreement with the software company. In the event CONTRACTOR receives student data protected by the Family Educational Rights and Privacy Act ("FERPA"), Provider shall abide by Education Code section 49073, including the following: (a) Provider shall not use the student data provided, for an unauthorized purpose, transfer the student data to an unauthorized third party, or sell said data (b) Provider shall delete or otherwise dispose of student data in its possession after the termination of services under this Agreement (c) Provider shall undertake reasonable precautions to protect the student data and shall promptly report to the District any unauthorized access to the student data.

34. Question:

What is the purpose of this RFP?

Answer:

To select a vendor to provide after-school services at Maya Lin, Love and Ruby Elementary schools.

ALAMEDA UNIFIED SCHOOL DISTRICT
BOARD AGENDA ITEM

Item Title: Approval of Bill Warrants and Payroll Registers

Item Type: Consent

Background: On a routine basis, all payments from the funds of the District are made by written order of the Board of Education. This requirement is provided under Education Code 42631.

Nine (9) redactions were made where posting of that information would violate agreed upon confidentiality settlements. The District is posting all bills and warrants except for the ones that are redacted.

AUSD LCAP Goals: 4. Ensure that all students have access to basic services.

Fund Codes: 01 General Fund

Fiscal Analysis

Amount (Savings) (Cost): Will reduce the available funds of each respective site/department budget by \$3,434,621.82.

Recommendation: Approve as submitted.

AUSD Guiding Principle: #5 - Accountability, transparency, and trust are necessary at all levels of the organization. | #6 - Allocation of funds must support our vision, mission, and guiding principles.

Submitted By: Shariq Khan, Assistant Superintendent of Business Services

ATTACHMENTS:

Description	Upload Date	Type
□ Summary of Register	3/19/2024	Backup Material

ALAMEDA UNIFIED SCHOOL DISTRICT
BOARD AGENDA ITEM

Item Title: Approval of Facilities Bond Measure I and Measure B Contracts (Standing Item)

Item Type: Consent

Background: Alameda voters approved Facilities Bond Measure I in November 2014 and approved Facilities Bond Measure B in June 2022.

As the bond schedules dictate, various contracts will come before the Board for approval. Contracts may include construction bid contracts, architectural services contract addenda, specialists/consultants agreements, etc. Staff has created a standing board item to keep the contracts for Measure I and Measure B separate from the approval of other district contracts.

1. (Fund 21, Measure I and B) Fee Agreements (Initial Plan and Final Fees) between AUSD and the Division of State Architect (DSA) for various projects totaling \$720,587.44.

2. (Fund 21, Measure B) Professional Services Agreement between AUSD and Brelje & Race Consulting Engineers for a proposed fee of \$9,000.00. (Alameda Swim Center)

3. (Fund 21, Measure B) Professional Services Agreement between AUSD and Panaguiton Construction Inspection LLC for an hourly rate of \$150.00 with a total not to exceed \$248,400.00. (Alameda Swim Center)

4. (Fund 21, Measure B) Professional Services Agreement between AUSD and Panaguiton Construction Inspection LLC for an hourly rate of \$150.00 with a total not to exceed \$248,400.00. (EJSHS Field)

AUSD LCAP Goals: 4. Ensure that all students have access to basic services.

Fund Codes: 21 Building – Bond Fund

Fiscal Analysis

Amount (Savings) (Cost): See attached contract(s) for detailed expenditures.

Recommendation: Approve as submitted.

AUSD Guiding Principle: #5 - Accountability, transparency, and trust are necessary at all levels of the organization. | #6 - Allocation of funds must support our vision, mission, and guiding principles.

Submitted By: Shariq Khan, Assistant Superintendent of Business Services

ATTACHMENTS:

Description	Upload Date	Type
❑ DSA	3/20/2024	Backup Material
❑ Brelje & Race Consulting Engineers	3/20/2024	Backup Material

▣	Panaguiton Construction Inspection (Alameda Swim)	3/20/2024	Backup Material
▣	Panaguiton Construction Inspection (EJSHS Field)	3/20/2024	Backup Material

ALAMEDA UNIFIED SCHOOL DISTRICT
BOARD AGENDA ITEM

Item Title: Approval of Individual Service Agreements (ISAs) with Non-Public Schools and Non-Public Agencies

Item Type: Consent

Background: Each year, Alameda Unified School District's Special Education Department executes "Master Contracts" with Non-Public Schools and Non-Public Agencies to support the Special Education Department. Through the year, Individual Service Agreements (ISAs) are entered into under these "Master Contracts" that allocate funds for services required to provide support to AUSD students in accordance with the Individuals with Disabilities in Education Act (IDEA).

Below are details of contracts executed and attached to this agenda item.

(Fund 01) Individual Services Agreement between AUSD and Ro Health for a total value of \$19,824.00.

(Fund 01) Individual Services Agreement between AUSD and Ro Health for a total value of \$25,088.00.

(Fund 01) Individual Services Agreement Amendment No. 1 between AUSD and Ro Health for an increase of \$15,300.00 for a new total of \$76,500.00.

For reasons of confidentiality, the contracts for non-public schools and non-public agencies with student specific information are not uploaded to this item, and will be maintained in the Special Education Department for review upon request.

AUSD LCAP Goals: 4. Ensure that all students have access to basic services.

Fund Codes: 01 General Fund

Fiscal Analysis

Amount (Savings) (Cost): See attached non-confidential contract(s) for detailed expenditures.

Recommendation: Approve as submitted.

AUSD Guiding Principle: #1 - All students have the ability to achieve academic and personal success.

Submitted By: Kirsten Zazo, Assistant Superintendent of Educational Services

ALAMEDA UNIFIED SCHOOL DISTRICT
BOARD AGENDA ITEM

Item Title: Approval of Memorandum of Understanding between Alameda Unified School District and Contra Costa County Office of Education Teacher Induction Program

Item Type: Consent

Background: In California, teachers need to complete a Teacher Induction Program in order to obtain a clear teaching credential. Teacher Induction Programs are administered by California's Department of Education (CDE) and the Commission on Teacher Credentialing (CTC). Some school districts are authorized by the State to offer teacher induction programs, some offer induction programs through a State authorized consortium with other districts, and some offer no program at all. In order to support beginning teachers in the Alameda Unified School District (AUSD), we are proposing to continue a partnership with the Contra Costa County Office of Education (CCCOE) for teacher induction support.

This is a Memorandum of Understanding (MOU) between the CCCOE Teacher Induction Program and Alameda Unified School District in partnership to carry out the Teacher Induction Program and guidelines of SB 2042. The purpose of this MOU is to establish a formal working relationship between the CCCOE and the Alameda Unified School District and to set forth the operative conditions that will govern this partnership.

AUSD LCAP Goals:

Fund Codes:

Fiscal Analysis

Amount (Savings) (Cost): Estimated annual cost: \$255,000.

Recommendation: Approve as submitted.

AUSD Guiding Principle:

Submitted By: Timothy Erwin, Assistant Superintendent, Human Resources

ATTACHMENTS:

Description	Upload Date	Type
□ Alameda Unified TIP MOU for 2024-2025 SY	3/20/2024	Backup Material

**Contra Costa County Office of Education
Teacher Induction Program**

**MEMORANDUM OF UNDERSTANDING (MOU)
for the CCCOE Teacher Induction Program**

July 1, 2024 – June 30, 2025

This Memorandum of Understanding (MOU) establishes a partnership between the Contra Costa County Office of Education (CCCOE) Teacher Induction Program and District/Partner School, as noted on the signatory page, to carry out the guidelines of SB 2042 and the California Induction Standards. The purpose of this MOU is to establish a formal working relationship between the CCCOE and the District/Partner School to set forth the operative conditions that will govern this partnership.

The goal of this partnership is to increase student achievement through the implementation of a quality teacher induction program while nurturing the growth and development of participating General Education and Education Specialist teachers. Upon successful completion of the program, teachers earn a formal recommendation for a California Clear Credential.

The partnership will assess itself bi-annually, based on the agreed-upon outcomes. It is expected that measurable progress will be demonstrated in order to continue the partnership. Assuming that the partnership demonstrates measurable progress, and receives continued funding, the partnership will be maintained.

ANTICIPATED OUTCOMES OF THIS AGREEMENT:

- ☐ The CCCOE will partner with District/Partner School in implementing an induction program to support eligible teachers who hold a valid CA preliminary credential as outlined in this MOU.
- ☐ District/Partner School will when possible, create a cadre of experienced new teacher support mentors. These support mentors will possess a high level of training and leadership ability and will contribute to District/Partner School as instructional leaders.
- ☐ District/Partner School will fully implement the program design incorporating all the necessary support and resources to ensure that participating teachers have every opportunity to successfully complete the induction program to receive their Professional Clear Credential.

THE CCCOE TEACHER INDUCTION PROGRAM AGREES TO:

1. Provide and supervise the Commission-approved induction program which grants a recommendation of a California Clear Credential upon successful completion of all CCCOE Teacher Induction Program activities and requirements.
2. Comply and submit reports or other information on matters related to accreditation or program information related to program requirements and activities to the California Commission on Teacher Credentialing.

3. Consult with District/Partner School (including administration, teacher representatives, and other stakeholders) in reviewing the school's needs and resources in relation to new teacher induction.
4. Consult with District/Partner School in developing and/or revising program design and interfacing with the CTC to support participating teachers to receive a Professional Clear Credential.
5. Assist District/Partner School in the recruitment and selection of new teacher mentors according to the California Induction Program Preconditions and Induction Standards and hiring guidelines. Verify qualifications of all mentors and provide final approval for all participating teacher and mentor partnerships according to CTC guidelines.
6. Work with District/Partner School to ensure that efforts are coordinated with and complementary to other school improvement initiatives.
7. Provide training, ongoing professional development, and support to mentors and induction participating teachers.
8. Consult with District/Partner School in the design of teacher recruitment and professional development programs related to teacher induction.
9. Make available and advise participating teachers of an Early Completion Option (ECO) for "experienced and exceptional" participating teachers who meet the program's established criteria.
10. Participate in an Induction Program Director network in support of teacher induction programs.
11. Solicit feedback from stakeholders to guide the development and continuous improvement of program processes and systems.
12. Fulfill state requirements for an Induction Program.
13. Verify that the participating teacher has successfully completed all program requirements and submit verifying information/recommendation to the CTC on behalf of the participating teacher in order to apply for a Professional CA Clear Credential

DISTRICT/PARTNER SCHOOL AGREES TO:

1. Designate a coordinator (who holds an administrative position) to serve as one of the primary contacts. The coordinator or liaison will represent the District/Partner School on the Leadership Team and support the implementation of all program requirements.
2. Designate an induction liaison (lead mentor). The liaison (lead mentor) may represent the District/Partner School on the Leadership Team and will monitor the implementation, submission, and completion of all program requirements.
 - One person may hold both roles as long as they are not **evaluating** anyone participating in Induction.
3. Support each qualified CCCOE Teacher Induction new teacher with a trained mentor, assigned within the first 30 days of the teacher's enrollment in the program (See Exhibit D: Participating Teacher/Mentor Ratio Guidelines).

4. Support each qualified CCCOE Teacher Induction California trained Level I Education Specialist with a mentor who holds the same credential as the participating teacher.
5. There is a non-refundable registration fee of \$175 for each Participating Teacher added to the Teacher Induction projections list.
6. Submit a final list of participating teachers and mentors to CCCOE prior to **October 1st** of the current school year.
7. Pay a service fee to CCCOE for Teacher Induction services: Provide \$2,250 per participating teacher (if District/Partner School is providing the mentor) **OR** provide \$5,250 per participating teacher (if CCCOE is providing the mentor) for each year of the teacher's participation. (See Exhibit B for Program Service Fees). To request a CCCOE mentor, email the CCCOE TIP Coordinator with the request and an additional written agreement will be provided.
8. Pay half of the amount by **December 13, 2024**. Pay the balance of the amount by **March 28, 2025**. A late fee of 1% per month will be applied to accounts 30 days past due. Service fees are paid by the District/Partner School, **not** participating teacher(s). Credential recommendations will be made after full payment is received.
9. Ensure sufficient resources are allocated to support participating teachers and mentors with meeting program requirements including:
 - Participating teachers are employed as a teacher of record for a minimum of one course in the area(s) they are authorized to teach
 - At least one hour per week of individualized support/mentoring coordinated and/or planned by the mentor
 - Mentoring activities deliberately designed to provide teachers multiple opportunities to demonstrate growth in the *California Standards for the Teaching Profession*
 - An Individualized Learning Plan, including goal-setting and inquiry designed and implemented solely for the teacher's professional growth and not for evaluation and/or employment purposes (See Exhibit C for Confidentiality Policy)
 - Individualized Learning Plan goals collaboratively developed by the teacher and mentor, in consultation with the site administrator, within the first 60 days of enrollment
 - Release time for mentor to attend all required professional development and to conduct required observations of the participating teacher
 - Ongoing formative assessment of participating teacher development
 - Provide basic foundational technology support for mentors and participating teachers (i.e. Google suite, Zoom etc.)
10. Ensure full cooperation and participation in program activities to include as appropriate:
 - Mentor attendance at all mentor professional learning during the year
 - Individual coaching of mentors and other program-related personnel
 - Training and meetings for site administrators
 - Professional development for participating teachers
 - Online communication and coordination
 - Organize and coordinate program Mid-Year Reflection and End of Year Celebration/Colloquium.

11. Ensure that all participating teachers and all leaders in the following roles sign the appropriate program commitment form: coordinator/liaison, site administrator, and mentor.
12. Conduct and participate in program accreditation interviews, evaluations, and research activities, including a program Mid-Year and End of Year Survey.
13. Provide professional resources required for program implementation beyond those provided by the induction program.
14. Take organizational action to ensure that the program of new teacher support is sustained.

☐ **Mutual Indemnity:**

a) The *County Superintendent* shall defend, indemnify and hold *District/Partner School*, its officers, employees, and agents harmless from and against any and all liability, loss, expense, including reasonable attorneys' fees, or claims for injury or damages arising out of the performance of this Agreement (collectively, "Claims") but only in proportion to and to the extent such Claims are caused by or result from the negligent or intentional acts or omissions, or violations of FERPA with respect to student records, by *County Superintendent*, its officers, agents, or employees.

b) The *District/Partner School* shall defend, indemnify, and hold the *County Superintendent* its officers, employees, and agents harmless from and against any and all liability, loss, expense, including reasonable attorneys' fees, or claims for injury or damages arising out of the performance of this Agreement (collectively, "Claims") but only in proportion to and to the extent such Claims are caused by or result from the negligent or intentional acts or omissions or violations of FERPA with respect to student records, by *District/Partner School*, its officers, agents, or employees.

☐ **Termination:**

- ☐ In the event that either party does not fulfill the terms of this agreement in a timely manner, the other party may terminate this agreement with a 30-day written notice to the breaching party.
- ☐ In the event that either party determines this agreement is no longer to be bound by the terms, Termination may be made with a 30-day prior notice to the date of termination.

Exhibit A

District/Partner School Roles and Responsibilities	
A.	CCCOE Teacher Induction Program Coordinator
B.	District/Partner School Coordinator
C.	District/Partner School Liaison
a.	Coordinator and Liaison Venn
D.	Site Administrator

Exhibit B

Program Service	Fee
Teacher Induction Participating Teacher	<ul style="list-style-type: none"> Traditional two-year pathway: \$2,250 per year Early Completion Option (ECO) pathway: \$2,500 <p>The non-refundable registration fee of \$175 for each Participating Teacher added to the Teacher Induction projections list is included in this fee.</p> <p>The service fee is prorated for withdrawals prior to November 1st as follows:</p> <ol style="list-style-type: none"> September: \$425 (registration included) October: \$675 (registration included) <p>Full-service fee after November 1st.</p>
CCCOE Provided Mentor	<p style="text-align: center;">\$3,000</p> <p style="text-align: center;">(Includes stipend + benefits)</p> <p>The service fee is prorated for early withdrawals at the cost of \$334 per month.</p>
CCCOE Provided Coordinator/Liaison for District/Partner Schools	<p style="text-align: center;">\$3,500</p> <p>Enrollment of <i>six to twelve</i> program participants (total includes Participating Teachers and Mentors)</p> <p>Enrollment above <i>twelve</i> program participants (total includes Participating Teachers and Mentors) will require an addendum reflecting an additional service fee of \$300 per candidate.</p>
CCCOE Facilitated Professional Development is available for Districts/Partner Schools <i>upon request</i>	<p style="text-align: center;">TBD</p> <p style="text-align: center;">(Art and Science of Mentoring, Foundations of Coaching, Coaching Cycles, Analysis of Student Work, Observation Cycles, Coaching toward Equity, Culturally Responsive Teaching, Teacher Resilience, etc)</p> <p>i.e. Foundations of Coaching</p> <ul style="list-style-type: none"> Individual: \$750 Groups of 6-29 paying together*: \$650 per participant Group of 30 or more? Contact us for custom pricing
CCCOE Provided Level 1 Competency Requirement Only (California Trained Education Specialists Only)	<p style="text-align: center;">\$1,125 per Participating Teacher</p>

Exhibit C
CCCOE TIP Confidentiality Policy

Confidentiality Policy

One of the basic principles underlying the CCCOE Teacher Induction Program is confidentiality. While TIP Mentors participate in assessing growth, Mentors are not evaluators; rather the mentor is a colleague whose goal is to assist the PT in applying promising practices when creating their Individualized Learning Plan (ILP) and working toward receiving a Professional Clear Teaching Credential. **Communication between the mentor and PT is strictly confidential.**

It should be noted, however, that mentors and teachers collaborate on the individualized Learning Plan's goals in consultation with the site administrator in order to better align the induction experience with district/partner school priorities. A "triad of communication" between the PT, mentor and site administrator can serve to optimize support and coordinate professional growth plans.

The ILP and other documents are the property of the PT for the purpose of completing credential requirements, not for evaluation. A District/Partner School Liaison may provide feedback to support your learning while still honoring confidentiality. PTs may choose, but are not required, to share any elements of the ILP with the administrator(s).

Participation, however, such as attendance at professional development seminars and meetings, and completion of Teacher Induction requirements are not confidential. They are documented within the CCCOE Teacher Induction Program database and can be made available for PTs, mentors, site administrators, district/partner school coordinators, and district/partner school liaisons.

For more information. See [Confidentiality Policy](#)

Exhibit D
Participating Mentor/Teacher Ratio Guidelines

The recommended ratio of participating teachers to mentors stated below is based on knowledge about learning to teach and knowledge of the level of support necessary to successfully assist participating teachers in maximizing successful teaching and meeting the induction standards.

Mentoring Role	Recommended Number of Participating Teachers
Full-time classroom teacher	1-2 Recommended Stipend: \$2,000 - 3,000 per teacher
Partial release classroom teacher	<ul style="list-style-type: none">● 20% release supports 3 teachers● 40% release supports 6 teachers● 60% release supports 9 teachers● 80% release supports 12 teachers

Full release mentors (assuming no other duties aside from induction mentoring)	13-15 Consider: required one hour a week of individualized support, release/prep time, observation/planning time, mentor experience, travel (multiple school locations)
--	--

District/Partner School Information

1. Carefully review the attached MOU.
2. If in agreement, please complete all information requested and sign using one of the options below:
 - a. *Option 1:* Print PDF, fill and sign pages 7 and 8, then scan
 - b. *Option 2:* [Use Adobe Acrobat](#) to fill and sign pages 7 and 8.
3. Email **ALL** pages, 1-8, to Mary Louise Vander Meulen, TIP administrative assistant, at mvandermeulen@cccoe.k12.ca.us by **May 31, 2024**.

Note: Please do not use DocuSign.

Name of District/ Partner School

Name of District/Partner School:	
Mailing Address including City, State, Zip Code	

Designated TIP District/ Partner School Coordinator

Name of District/Partner School TIP Coordinator:	
District/Partner School Position/Title:	
Phone Number: <i>(include area code)</i>	
Email Address:	

Designated TIP District/ Partner School Liaison/Lead Mentor

Name of District/Partner School TIP Liaison:	
District/Partner School Position/Title:	
Phone Number: <i>(include area code)</i>	
Email Address:	

MOU Signatures of Agreement

Electronic signatures below are considered authorized by CCCOE TIP and the District/Partner School named above and relied upon to constitute a fully executed MOU.

District/Partner School Authorized Signatory

Name of District/Partner School Authorized Signatory:

(Print the full name of the person signing below):

District/Partner School Position/Title:

Phone Number: *(include area code)*

Email Address:

Signature:

Date:

Email **ALL** pages (pgs.1-8) of the signed MOU to Mary Louise Vander Meulen, TIP administrative assistant, at mvandermeulen@cccoe.k12.ca.us by **May 31, 2024**.

To Be Completed by CCCOE Only

MOU Authorization Has Been Approved By The Following:

Daniela Parasidis
Deputy Superintendent, CCCOE

Date

Charise DeCoito
Nyere da Silva
Coordinator, CCCOE TIP

Date

ALAMEDA UNIFIED SCHOOL DISTRICT
BOARD AGENDA ITEM

Item Title: Proclamation: Adult Education Week - April 7-13, 2024

Item Type: Consent

Background: Adult Education Week, honoring the teachers, administrators, classified staff, and students of adult education programs statewide for their efforts, persistence, and accomplishments is being observed from April 7th -13th, 2024.

AUSD LCAP Goals: 1. Eliminate barriers to student success and maximize learning time.| 4. Ensure that all students have access to basic services.

Fund Codes:

Fiscal Analysis

Amount (Savings) (Cost): N/A

Recommendation: Approve as submitted.

AUSD Guiding Principle: #1 - All students have the ability to achieve academic and personal success.| #2 - Teachers must challenge and support all students to reach their highest academic and personal potential.| #3 - Administrators must have the knowledge, leadership skills and ability to ensure student success.

Submitted By: Kerri Lonergan, Senior Executive Assistant to the Superintendent and Board of Education

ATTACHMENTS:

Description	Upload Date	Type
□ Proclamation: Adult Education Week	3/20/2024	Backup Material

PROCLAMATION
Adult Education Week
April 7 – 13, 2024

WHEREAS, The first recorded adult education class in California was held in the basement of St. Mary's Cathedral in San Francisco in 1856. The class was authorized by the San Francisco Board of Education to teach English to Irish, Italian, and Chinese immigrants. John Swett, who was the first volunteer teacher for the class, later became a State Superintendent of Public Instruction; and

WHEREAS, Adult Schools have been utilized on numerous occasions to assist the state as it dealt with significant social, political, and economic issues through job training programs during World War II, immigration reform of the 1980s, and most recently, the Great Recession; and

WHEREAS, Adult education in California overcame its biggest challenge as a result of the severe economic crisis facing both the state and the nation in 2008-2009. Funding that was previously reserved for adult education was redistributed to other levels of education in the state, resulting in many adult schools decreasing in size and some closing; and

WHEREAS, over 66% of adult learners enrolled in Adult Schools across California in 2022-23 were between the ages of 25-54, making them very likely to have children in our public school system. The impact of adult education is felt across generations, particularly for early childhood learners who have been characterized as a priority of the Governor and Legislature; and

WHEREAS, Alameda Adult School serves Alameda and the surrounding communities through its collaboration with its community college partners and community-based organizations through the Adult Education system. Alameda Adult School served 612 students in the 2022-23 school year; and

WHEREAS, Alameda Adult School provides significant and varied classes and programs to serve Alameda and the surrounding communities, including: classes in English as a Second Language (ESL), Job Preparation, and High School Diploma and Equivalency; and

WHEREAS, Alameda Adult School served 59 students in the High School Diploma and GED Programs in the 2022-23 school year. The programs help minimize the high school dropout rate. 12 students earned their high school diploma, and 8 students earned their High School Equivalency in the 2022-23 school year; and

WHEREAS, Alameda Adult School served 520 students in the English as a Second Language (ESL) Program in the 2022-23 school year, and parents enrolled in ESL classes learned how to assist their children with school; and

WHEREAS, Alameda Adult School provides a safe environment for its students free from discrimination or bullying regardless of race, ethnicity, religion, sexual orientation or socio-economic status; and

WHEREAS, the California Adult Education Program celebrates its 10th anniversary this year, having been established in law in 2014; and

WHEREAS, California Adult Schools will celebrate Adult Education Week during the week of April 7th through April 13th, 2024; and

NOW, THEREFORE, BE IT PROCLAIMED that the Alameda Board of Education and Alameda Unified School District recognize strongly urges the Governor of California, Gavin Newsom, and the California Legislature to recognize the important role of K12 Adult Education in addressing the needs of our communities in the short and long term and to increase access to programs and services for the most in-need and not yet reached members of our great State.

PASSED AND ADOPTED by the following called vote this 26th day of March, 2024.

AYES: _____MEMBERS:_____

NOES:_____MEMBERS:_____

ABSENT:_____MEMBERS:_____

Jennifer Williams, President
Board of Education
Alameda Unified School District
Alameda County, State of California

ATTEST:

By: _____
Pasquale Scuderi, Secretary
Board of Education
Alameda Unified School District
Alameda County, State of California

ALAMEDA UNIFIED SCHOOL DISTRICT
BOARD AGENDA ITEM

Item Title: Proclamation: Cesar Chavez Day - March 31, 2024

Item Type: Consent

Background: Cesar Chavez was a great leader who fought injustice and created a coalition for civil rights that was unprecedented in this state's history. The Alameda Unified School District Board of Education recognizes March 31, 2024 as Cesar Chavez Day.

AUSD LCAP Goals: 2a. Support all students in becoming college and career ready.

Fund Codes:

Fiscal Analysis

Amount (Savings) (Cost): N/A

Recommendation: Approve as submitted.

AUSD Guiding Principle: #1 - All students have the ability to achieve academic and personal success.

Submitted By: Kerri Lonergan, Senior Executive Assistant to the Superintendent and Board of Education

ATTACHMENTS:

Description	Upload Date	Type
□ Proclamation: Cesar Chavez Day	3/20/2024	Backup Material

PROCLAMATION

Cesar Chavez Day

March 31, 2023

WHEREAS, California has established an official state holiday to honor Mexican-American labor leader Cesar Chavez, born March 31, 1927; and

WHEREAS, Cesar Chavez was a Latino, farm worker, and labor leader who acted as a community servant and social entrepreneur, as well as a crusader for nonviolent social change and an environmentalist and consumer advocate; and

WHEREAS, Cesar Chavez was a unique and humble leader, a man who was a great humanitarian and communicator and who influenced and inspired millions of Americans to seek social justice and civil rights for the poor and disenfranchised in our society; and

WHEREAS, Cesar Chavez Day recognizes one of the state's great leaders who created a coalition for civil rights that was unprecedented in this state's history;

NOW, THEREFORE, BE IT PROCLAIMED that the Alameda Unified School District Board of Education hereby recognizes March 31st as Cesar Chavez Day.

PASSED AND ADOPTED this 28th day of March, 2023.

AYES: _____ MEMBERS: _____

NOES: _____ MEMBERS: _____

ABSENT: _____ MEMBERS: _____

Heather Little, President
Board of Education
Alameda Unified School District
Alameda County, State of California

ATTEST:

By: _____
Pasquale Scuderi, Secretary
Board of Education
Alameda Unified School District
Alameda County, State of California

ALAMEDA UNIFIED SCHOOL DISTRICT
BOARD AGENDA ITEM

Item Title: Proclamation: Dolores Huerta Day - April 10, 2023

Item Type: Consent

Background: Activist and labor leader Dolores Huerta has worked her entire life to improve social and economic conditions for farm workers, is a leader in the fight against discrimination, and is a defender of civil rights, equal rights, and dignity for all.

Tonight, Alameda Unified School District recognizes April 10 as Dolores Huerta Day by remembering her life, recognizing her accomplishments, and familiarizing its students with the contributions she made to this state.

AUSD LCAP Goals: 3. Support parent/guardian development as knowledgeable partners and effective advocates for student success.

Fund Codes:

Fiscal Analysis

Amount (Savings) (Cost): N/A

Recommendation: Approve as submitted.

AUSD Guiding Principle: #4 - Parental involvement and community engagement are integral to student success.

Submitted By: Kirsten Zazo, Assistant Superintendent of Educational Services

ATTACHMENTS:

Description	Upload Date	Type
□ Proclamation: Dolores Huerta Day	3/20/2024	Backup Material

PROCLAMATION

Dolores Huerta Day

April 10

WHEREAS, activist and labor leader Dolores Huerta has worked her entire life to improve social and economic conditions for farmworkers, is a leader in the fight against discrimination, and is a defender of civil rights, equal rights, and dignity for all; and

WHEREAS, Dolores Huerta found her calling as an organizer while serving in the leadership of the Stockton chapter of the Community Service Organization (CSO) and founded the Agricultural Workers Association. She set up voter registration drives and pressed local governments for barrio improvements; and

WHEREAS, during this time, Dolores Huerta met César Chávez, a fellow CSO official, who had become its director; and

WHEREAS, in 1962, Dolores Huerta and César Chávez lobbied to have the CSO expand its efforts to help farmworkers, but the organization was only focused on urban issues; and

WHEREAS, as a result, César Chávez and Dolores Huerta resigned from the CSO and cofounded the National Farm Workers Association. Dolores Huerta's organizing skills were essential to the growth of the association; and

WHEREAS, Dolores Huerta overcame the many challenges she faced as a woman. She remained the most talented negotiator securing services for farmworkers in California in 1963 in the form of Aid to Families with Dependent Children and disability insurance, an unparalleled feat of the times; and

WHEREAS, the Agricultural Workers Organizing Committee was an integral part of the farmworkers' original organizing and was formed by Filipino workers. The Agricultural Workers Organizing Committee was led by Larry Itliong, Philip Vera Cruz, Pete Velasco, and Andy Imutan, all of whom were instrumental to the farm labor movement; and

WHEREAS, Dolores Huerta advocated for the entire family's participation in the movement because of the involvement of men, women, and children together in the fields picking, thinning, and hoeing. Thus, the practice of nonviolence was not only a philosophy but a very necessary approach in providing for the safety of all. Nonetheless, her life and the safety of those around her were in jeopardy on countless occasions; and

WHEREAS, following a lengthy recovery, Dolores Huerta took a leave of absence from the union to focus on women's rights, traveling the country for two years on behalf of the Feminist Majority, encouraging Latinas to run for office. The campaign resulted in a significant increase in the number of women representatives at the local, state, and federal levels; and

WHEREAS, the most widely-known phrase "**Sí se puede**" was a phrase first used by Dolores Huerta in the farmworker movement; and

WHEREAS, at age 88, Dolores Huerta continues to work tirelessly, developing leaders and advocating for the working poor, women, and children. As founder and president of the Dolores Huerta Foundation, she travels across the country advocating in campaigns and legislation that support equality and defend civil rights. She continues to be a voice for social justice and public policy; and

WHEREAS, Dolores Huerta has been honored for her work as a fierce advocate for farmworkers, immigrants, the working poor, and women; and

WHEREAS, the accomplishments and contributions of Dolores Huerta should be properly memorialized within the history and culture of the United States. Dolores Huerta deserves proper recognition for her numerous sacrifices in the name of justice and the amelioration of severely inadequate working conditions;

NOW, THEREFORE, BE IT PROCLAIMED that the Alameda Board of Education and Alameda Unified School District recognize April 10th each year as Dolores Huerta Day by remembering her life, recognizing her accomplishments, and familiarizing its students with the contributions she made to this state.

PASSED AND ADOPTED by the following called vote this 26th day of March, 2024.

AYES: _____ MEMBERS: _____

NOES: _____ MEMBERS: _____

ABSENT: _____ MEMBERS: _____

Jennifer Williams, President
Board of Education
Alameda Unified School District
Alameda County, State of California

ATTEST:

By: _____

Pasquale Scuderi, Secretary
Board of Education
Alameda Unified School District
Alameda County, State of California

ALAMEDA UNIFIED SCHOOL DISTRICT
BOARD AGENDA ITEM

Item Title: Ratification of Contracts Executed Pursuant to Board Policy 3300

Item Type: Consent

Background: On January 9, 2024, the Board of Education delegated authority to enter into contracts on behalf of the Alameda Unified School District and to purchase supplies, materials, apparatus, equipment, and services up to the amounts specified in Public Contract Code 20111 and Education Code section 17604 to the Superintendent of Schools, Assistant Superintendent of Educational Services, Assistant Superintendent of Business Services, Assistant Superintendent of Human Resources, and the Purchasing Manager.

Resolution Number 2023-2024.35 further limited the delegation to expenditures of less than \$114,500 and required that the Board of Education ratify the contracts within sixty (60) days of incurring the expense.

The following contracts are presented for ratification:

1. (Fund 01) Amendment No. 1 to Contract for Repairs, Maintenance or Small Construction Projects between AUSD and ACTenviro, Inc. for an increase of \$29,999.00 and an amended value of \$59,999.00.
2. (Fund 25) Professional Services Agreement between AUSD and LiveView Technologies, Inc. for a monthly cost of \$3,000.00 and a total cost of \$36,000.00.
3. (Fund 01) Host School Agreement between AUSD and GeoVisions for a total not to exceed \$113,290.00.
4. (Fund 25) Professional Services Agreement between AUSD and AMS.Net for project material and service costs totaling \$89,000.00.
5. (Fund 01) Agreement between Attorney and Client between AUSD and Leone Alberts & Duus for varying hourly rates from \$140-\$295/hour and reimbursable expenses.

AUSD LCAP Goals: 4. Ensure that all students have access to basic services.

Fund Codes:

Fiscal Analysis

Amount (Savings) (Cost): See attached contract(s) for detailed expenditures.

Recommendation: Approve as submitted.

AUSD Guiding Principle: #5 - Accountability, transparency, and trust are necessary at all levels of the organization. | #6 - Allocation of funds must support our vision, mission, and guiding principles.

Submitted By: Shariq Khan, Assistant Superintendent of Business Services

ATTACHMENTS:

Description	Upload Date	Type
▣ ACTenviro, Inc.	3/20/2024	Backup Material
▣ LiveView Technologies	3/20/2024	Backup Material
▣ GeoVisions	3/20/2024	Backup Material
▣ AMS.Net	3/20/2024	Backup Material
▣ Leone Alberts & Duus	3/20/2024	Backup Material

This HOST SCHOOL AGREEMENT (hereinafter, the “Agreement”) is entered this 05 day of March 2024, by and between GeoVisions,

a Delaware Corporation (“GeoVisions”), Alliance Strategies Ltd. of Dublin, Ireland (“OpCo”), (together referred to in this Agreement as “GeoVisions”), and Alameda Unified School District

(School/District Name)

whose address is Alameda USD
2060 Challenger Dr.
Alameda, CA 94501

(hereinafter, the “Host School”).

WHEREAS OpCo is the international principal and operating company in relation to GeoVisions’ business, and GeoVisions and OpCo, along with other Alliance Strategies affiliates, work together to provide certain services and support to such global business, customers, and international affiliates and subsidiaries.

WHEREAS, the Host School acknowledges, understands, and agrees that OpCo shall perform certain services and operations in furtherance of this Agreement.

WHEREAS, Host School wishes to engage a number of J-1 Exchange Visitors (“Participants”), as that term is defined by the United States Department of State (“USDOS”) without displacing domestic United States (“U.S.”) workers;

WHEREAS, GeoVisions is a USDOS Designated Sponsor assisting with securing positions in the U.S. for Participants;

And WHEREAS, Host School wishes to engage GeoVisions to recruit and provide Participants to satisfy Host School’s need;

NOW THEREFORE, in consideration of the mutual promises and representations set forth herein, the parties, intending to be legally bound, agree as follows:

I. General Terms and Conditions

- The “Effective Date” of this Agreement shall be the date on which it is signed by Host School.
- The term of this Agreement shall expire on June 30 of the year following the Effective Date.

II. Position Request

- At any time during the term of the Agreement, Host School may submit a Position Request to GeoVisions for the upcoming Academic Year (as defined by Host School). Such Position Requests must include, but are not limited to: position titles, descriptions, types (Teacher, Intern, and/or Trainee), requirements (including any certifications), proposed start dates, number of positions, location of each position, and compensation for each position.
- Cancellation or Amendment: Host School may cancel or amend a Position Request up to 90 days prior to the earliest requested start date within that Position Request. If Host School cancels or amends a Position Request on or after that date, Host School understands that GeoVisions’ ability to fulfill such positions may be limited and may impact future agreements between GeoVisions and Host School. If Host School cancels or amends any Position Request to decrease the number of Participants after participants arrive in country, Host School will be responsible for any transportation and housing costs associated with the transfer of Participant(s) to their new placement/host school, and/or return transfer to their departure city.

III. Host School’s Obligations, Warranties, Agreements and Representations

- Host School agrees to abide by all USDOS regulations governing the programs;
- GeoVisions is the legal sponsor of this program and of the Participants, not the Host School.

C. Host School shall provide GeoVisions with the following:

- Host School’s Federal Employer Identification Number (EIN);
- A copy of Host School’s current state accreditation;
- Proof of a valid Worker’s Compensation Policy or proof of a state exemption from requirement of such coverage;
- The total number of J-1 Exchange Visitors per program currently hosted by Host School;
- A brief summary, in a form acceptable to GeoVisions, of cultural activities that were offered to Participants to fulfill the requirements under section H below;
- If Host School provides housing and/or transportation to and/or from the site of activity, Host School shall provide GeoVisions with details of all such arrangements, including: the cost to Participants; whether such arrangements deduct costs from Participants’ wages; and the market value in accordance with the Fair Labor Standards Act if considered part of the compensation packages. If Host School does not provide housing, Host School will provide appropriate housing leads to GeoVisions so that Participants can secure on their own prior to arrival;
- If Participants are participating in the Intern or Trainee Programs, Host School must provide Training/Internship Placement Plans (T/IPP) with a minimum of 3 phases, not including the orientation phase. Each phase should be signed by the phase supervisor;
- The Host School is obligated to respond to GeoVisions communication within 48 hours or within time requested regarding matters affecting the health, safety, and/or welfare of Participants placed at the Host School.

D. Host School will promptly notify GeoVisions of the following events:

- Arrival of Participants at the site of activity to begin their programs and/or Participants who have not arrived;
- Any changes or deviations in the positions such as, but not limited to, training plans, rate of pay, cost of host school-provided housing, supervisors and points of contact, or location during the Participants’ programs;
- Failure by Participants to meet the requirements of their position placements or otherwise fails to comply with the program rules or agreed-upon training;
- A Participant leaves his/her position ahead of the Program End Date as listed on Participant’s Certificate of Eligibility for Exchange Visitor (J-1) Status Form DS-2019 (“DS-2019”);
- The Host School ends a Participant’s employment, in which case Host School will provide GeoVisions with documentation detailing the circumstances thereof;
- An emergency involving any Participant, any situation that impacts the welfare of any Participant, or any situation that may bring notoriety, disrepute, and/or media coverage on the J-1 Exchange Visitor programs, as required by USDOS.

E. Obligations to Participants:

- Host School shall provide Participants with a standard schedule that includes a minimum of 32 hours of paid employment per week.
- Host School shall pay Participants eligible for overtime in accordance with applicable state or Federal law. If Host School is not required by law to pay overtime, Host School will note this in Position Requests.

F. Enrollment: GeoVisions will use its best efforts to enroll the number and profile of Participants for the time period indicated in Position Requests. However, Host School acknowledges that hiring is an imperfect science, and GeoVisions can make no guarantees, express or implied, that GeoVisions will be able to fill any position with a Participant, or that GeoVisions will be able to match Participants for the dates requested.

G. Arrival and Period of Employment:

- Host School will require Participants to confirm their arrival and U.S. address (including room or apartment number, if applicable) with GeoVisions to ensure their program is activated in SEVIS within 10 days of arrival.

- GeoVisions retains the right, in its sole discretion, to amend program start dates for Participants up to 10 days from start date provided to GeoVisions by Host School in order to account for unforeseen circumstances (e.g. visa appointments, flight delays, etc.).
- Host School understands that Participants are only authorized to work during the dates specified on their DS-2019. Participant employment must adhere to these dates.

H. Social Security: Host School will use best efforts to assist Participants in securing their Social Security cards. Host School understands that Participants will not be able to obtain a Social Security card until 10 days after completing their check-in to SEVIS. Host School will not delay payment for time worked for Participants who have applied for their Social Security card but have not received their number.

I. Insurance: GeoVisions will provide Intern and Trainee Participants with basic medical coverage for the entire duration of their program. GeoVisions will provide Teach Participants with basic medical coverage for the first 90 days of their program. Coverage will meet or exceed requirements promulgated by DoS for the applicable program. Host School acknowledges that the exact terms of the coverage are subject to change without notice.

J. Cultural Exchange: In support of the primary purpose of the J-1 Exchange Visitor programs, the USDOS requires that Participants engage in cultural exchange activities during the course their program. Host School will support this objective by providing opportunities that involve Participants in local activities or events promoting cultural exchange. Examples include, but are not limited to: community events (parades, festivals, etc.), picnics, sporting events, camping trips, holiday celebrations (visiting culture or US culture), and Participant presentations about their home country and culture.

1. Furthermore, Host School will support Teach Participants to complete their two USDOS-required annual cultural program components:

- an activity for the teacher’s classroom, larger host school or host school district population, or the community at large that gives an overview of a cultural aspect of the teacher’s home country.
- an activity that involves U.S. student dialogue with schools or students in another country, preferably the teacher’s home country.

K. Support during the Program: Host School acknowledges that GeoVisions will provide support as required by USDOS for Host School and Participants before, during, and after the program, and that GeoVisions will be reachable at all times via an emergency number: 1-866-622-7623.

L. Payroll and Taxes: Host School understands that all Participants are exempt from Social Security taxes (FICA) and Medicare taxes. They must pay federal, state, and local taxes (as appropriate). Host School acknowledges that last paychecks and W2 forms should be sent to the Participants in their home country. Host School agrees to reimburse GeoVisions for any official Participant materials mailed to GeoVisions which GeoVisions then mails to Participants.

M. Refusal to Hire: Host School retains the right and ability to refuse to offer a position to a Participant for any reason.

N. Host School warrants and represents that it:

- Has not had any layoffs in the past 120 days or currently have workers on strike;
- Provides opportunities for regular communication and interaction with U.S. citizens and allows Participants to experience U.S. culture;
- Will complete mandatory regulation trainings as instructed by GeoVisions, and submit their acknowledgement form (main contacts and supervisors of the Participants);
- Have completed criminal background checks for each supervisor of the Participants and make those available to GeoVisions when required;
- Will not place Participants on overnight shifts or at positions or sites of activity that differ from that listed on their DS-2019 forms unless approved by GeoVisions;
- Will not change site of activity without GeoVisions approval;

7. Understands that the purpose and intent of all J-1 Exchange Visitor programs is for Participants to return to their home country at the conclusion of their program and share their experiences, increased knowledge of American business practices, and enhance skills. Host School will not encourage, promote, support, or pursue a change of status to another visa type for Participants while on the J-1 Exchange Visitor program and will remind all Participants of their obligation to return home following the end of their program;
 8. Understands that on Trainee programs, Bona fide training is permitted; merely gaining additional work experience is not. For Intern programs, a period of work-based learning in the intern's academic field is permitted and requires a substantial academic framework in the participant's field;
 9. Gives permission to GeoVisions to use any photograph/video taken at any event sponsored by GeoVisions, unless otherwise stated in writing. GeoVisions may use the photograph/video in publications or any other media material produced;
 10. Shall comply with all federal, state, and local laws when carrying out the terms and conditions of this Agreement, including but not limited to all federal, state, and local employment laws, and shall seek local legal counsel at its own expense for clarification when necessary
- O. Site Visit Requirements: Host School understands that per program regulations, a site visit may be required prior to approval of a request for participation in the program.

IV. Program-Specific Terms and Conditions

A. Intern & Trainee Program

1. Purpose of the Intern & Trainee Programs: The Intern & Trainee Programs are designed to enhance the skills and expertise of Participants in their academic or occupational fields through participation in structured and guided work-based training and internships and to improve Participants' knowledge of American techniques, methodologies and expertise.
2. Training/Internship Placement Plan ("T/IPP"): Host School must provide GeoVisions with a suitable T/IPP which outlines the training that Participants will receive for the duration of the program. Plans must be tailored to Participants' background and to the experiences that Host School will offer. Host School will follow the T/IPP at all times and will notify GeoVisions of any variation from or change to the T/IPP. Host School warrants and represents that it will provide everything necessary to comply with the T/IPP, including, but not limited to, sufficient physical space, equipment, and training personnel for supervision.
3. Supervision of Participant: Host School will cooperate with GeoVisions in the supervision of Participants and will provide midpoint and final evaluations for Participants. Host School will accept GeoVisions' provision of selection, orientation, insurance, and monitoring of the program.
4. Limits on Participant Activities: Host School acknowledges and understands that Intern & Trainee Programs must not be used as substitutes for ordinary employment or work purposes, nor used to displace American workers, and that no more than 20% of Participants' total activities can be spent in clerical tasks. At no time can Participants train in positions that the Department of State has noted as "Unskilled Occupations," and GeoVisions retains the right to reject any position that may be in violation of this regulation.

B. Teach Program

1. Purpose of the Teach Program: The Teach Program is designed to promote the interchange of U.S. and foreign teachers and enhance mutual understanding between the people of the United States and other countries. Exchange teachers sharpen their professional skills and participate in cross-cultural activities in schools and communities, and they return home after the exchange to share their experiences and increased knowledge of the United States and the United States educational system.
2. Host School will ensure teaching positions, including duties, responsibilities, hours of employment, and compensation, are commensurate with those of similarly-situated U.S. teachers in the school district or host school where that Participant is assigned to teach.

3. Host School will monitor the performance of Participants in the classroom and in carrying out official responsibilities.
4. Host School agrees and understands that Participants will be required to comply with any applicable collective bargaining agreement
5. Host School agrees to only assign GeoVisions teachers to full-time teaching positions in K-12 classrooms. Prekindergarten assignments are ONLY allowed in language immersion programs offered as regular courses of study by accredited primary schools. Host School understands that GeoVisions may request to review the curriculum of Pre kindergarten programs or require additional information from the Host School in order to sufficiently determine if the program qualifies.
6. Host School understands that under no circumstances can J-1 Teachers be placed in substitute, aide, or receptionist positions.
7. Exchange teacher appointments to positions must be temporary, even if the teaching positions are permanent, and must not lead to tenure.
8. The Host School/District confirms that all J-1 teachers hired meet their state's teaching eligibility standards.
9. Host School/District agrees to ensure J-1 teachers remain on track with the certification process throughout the initial school year and to notify GeoVisions if any teachers are at risk of not meeting or maintaining the minimum requirements for teacher of record status during any point of their employment with the School/District.

V. Program Fees

- A. If Host School is paying GeoVisions or the designated third-party agency all or partial program fees for Participants placed with Host School, please provide the amount contributed by the school/district here:
- | | | |
|-----------------------------------|---------|-----|
| 1. Teach Participants: | \$ 3920 | USD |
| 2. Intern & Trainee Participants: | \$ 3470 | USD |
- B. Any fees listed above shall constitute the whole and entire amount responsible by Host School. This fee includes recruitment and placement fees, training plan (if applicable), visa documentation (DS-2019 form), orientation services, insurance (first 90 days only for Teach), and 24/7 emergency support during the Participants' programs. These fees do not include any fees charged by the U.S. Embassy/Consulate, SEVIS fees, or airfare.
- C. GeoVisions will issue an invoice to Host School immediately for the full above-mentioned program fee for each Participant after Host School confirms approval to offer the position to that Participant via the Hanover portal. All invoices are payable by Host School within 14 days of receiving the invoice. No DS-2019 form will be issued to a Participant before full payment for the program fee has been received.
- D. Cancellation Policy
1. If a Participant cancels for any reason prior to their Program Start Date, a full refund for that Participant's Program Fee will be credited to Host School.
 2. No refunds or credits will be provided to Host School for any Participant after the Start Date as listed on their DS-2019.
 3. Any credits issued to Host School for cancelled Participants can be applied to invoices for future Participants' program fees.

VI. Miscellaneous.

- A. Host School understands and agrees that while GeoVisions will do its best to place Participants with Host School, GeoVisions cannot guarantee the exact number of Participants to be placed (due to recruitment, cancellations, visa denials, etc.).
- B. Host School understands that the program requirements are subject to Federal law and/or regulations. In the event that the law or regulations change, Host School will comply with the new laws and regulations.
- C. If GeoVisions, in its sole discretion, determines that Host School has failed to comply with its obligations hereunder, or that any placement is not appropriate for Participants for any reason, GeoVisions may immediately cancel this agreement and reroute the Participants to a new host school or cancel the positions. In this event, Host School will be responsible for any transportation and housing costs associated with the transfer of Participant(s) to their new placement/host school, and/or return transfer to their departure city.
- D. Indemnification. Host School agrees to indemnify and hold GeoVisions harmless from any and all damages that may result to GeoVisions or the Participants from any breach of Host School's obligations, warranties, or representations hereunder. GeoVisions will indemnify, defend, and hold the Host School its affiliates, officers, agents and employees harmless against any claims, liability, damages, or costs incurred by reason of any negligent act, error, or omission of GeoVisions, its agents, or independent contractors.
- E. Force Majeure. If any event beyond the control of GeoVisions prevents GeoVisions from complying with any of its obligations hereunder, including, but not limited to riot, war, or hostilities between nations, embargoes, government orders, regulations, laws, ordinances or rulings, acts of God, or other contingencies beyond the reasonable control of the non-performing party, GeoVisions shall not be considered in breach of this Agreement.
- F. Governing Law. This Agreement shall be governed by and shall be construed in accordance with the laws of the State of Texas. The parties agree to submit all their disputes arising out of or in connection with this Agreement to the exclusive jurisdiction of the courts of Travis County, Texas.
- G. Counterparts. This Agreement may be executed in counterparts, each of which shall be considered an original Agreement.

I understand that, by providing my signature below, I give GeoVisions the authority to reproduce my signature electronically on GeoVisions training/job offer form(s). I understand that my signature will not be used for any other documentation.

AGREED AND ACCEPTED:

Alameda Unified School District

Host School Name

Timothy Erwin

Host School Representative

DocuSigned by:
Timothy Erwin
DC2B5FEAD9FC43A...
Signature

3/5/2024

Date

AGREEMENT BETWEEN ATTORNEY AND CLIENT

AGREEMENT made at Concord, California, March 1, 2024, by and between **Leone Alberts & Duus**, a Professional Law Corporation, hereunder referred to as Law Corporation, and the **Alameda Unified School District**, hereunder referred to as the Client.

1. The Client retains Law Corporation to represent and provide legal advice and services to the Client in the following matter: **Jane RB Doe v. Alameda USD, Alameda Superior Court, Case No.: 23CV032022.**

2. The term of this Agreement shall be for the entirety of the above mentioned case.

3. Law Corporation may associate any other attorney in the representation of Client with respect to any said matter. Law Corporation may utilize paralegals, legal assistants, investigators, or other non-lawyers to perform services where, in the discretion of Law Corporation, such persons can be effectively utilized, provided that charges for said services performed by such persons shall be less than those charged for the services performed by Associates.

4. Client may substitute any attorney for Law Corporation with respect to any said matter upon the prior written notice to Law Corporation.

5. Law Corporation may withdraw from the representation of the Client with respect to any said matter upon the prior written notice thereof to Client.

6. If Law Corporation withdraws for cause, or is substituted out for any reason, prior to the completion of legal services with respect to any said matter, Client shall pay Law Corporation, immediately upon the submission to Client of an itemized statement, all costs advanced by Law Corporation and attorney's fees at the hourly rate of Law Corporation for services rendered to date with respect to said matter. Law Corporation shall retain all documents reflecting its costs and expenses until payment pursuant to this paragraph is made.

7. Law Corporation shall have the authority and power to negotiate a settlement of said matter so retained and to execute any and all pleadings, claims, contracts, settlements, drafts, checks, compromises, releases, dismissals, deposits, orders, and all other agreements and documents which Client may properly execute and to receive, in the name and stead of Client, any monies and other things of value which may be payable or deliverable to Client on account of settlement, judgment, or otherwise with respect to any said matter. Law Corporation shall obtain Client's consent to the settlement of any matter affecting the Client.

8. Client shall advise Law Corporation of its current business address and telephone number at all times, shall appear upon reasonable notice of any and all conferences, depositions and other appearances, and shall comply with all reasonable requests of Law Corporation with respect to any said matter.

9. In consideration of legal services rendered by Law Corporation, its Attorneys and attorneys it associates with in respect to this matter:

Hourly Rate Effective: March 1, 2024: Client shall pay Law Corporation, within thirty (30) days of the submission to Client of an itemized statement:

- (1) The amount of all costs advanced by Law Corporation;
- (2) The amount of services rendered as follows:
 - (a) For services rendered by any Shareholder or Senior Attorney (7 years or more of litigation experience) of the Law Corporation, the sum of Two Hundred Ninety-Five Dollars (\$295.00) per hour;
 - (b) For services rendered by Mid-Level Attorneys (4 to 7 years of litigation experience) of the Law Corporation, the hourly rate of Two Hundred Seventy-Five Dollars (\$275.00) per hour;
 - (c) Junior Attorneys (3 or less years of litigation experience) of the Law Corporation, the hourly rate of Two Hundred Sixty Dollars (\$260.00) per hour, and
 - (c) For services rendered by a Paralegal of the Law Corporation, the hourly rate of One Hundred Forty Dollars (\$140.00) per hour.

These are the rates currently permitted by Northern California ReLiEF to approved panel counsel. Client agrees that should the Northern California ReLiEF panel counsel rates increase during the term of this AGREEMENT, the rates charged hereunder will also increase correspondingly.

THE ABOVE FEES ARE NOT SET BY LAW, BUT ARE NEGOTIABLE BETWEEN LAW CORPORATION AND CLIENT.

10. Law Corporation shall advance any cost which shall appear to Law Corporation to be reasonably necessary with respect to any said matter, including but not limited to, court costs, costs of investigation, travel expenses, postage, telephone charges, photocopies, incidental expenses and the costs of obtaining and representing evidence, including the costs of expert testimony. Court costs include, but are not limited to, filing fees, recording fees, certification fees, deposition fees and jury fees. Law Corporation shall charge a fee of 5% of gross monthly fees not to exceed \$250 per month for in-house telephone, postage, photocopying, scans, and faxes. Law Corporation shall advance costs incurred on behalf of Client in any matter covered by this Agreement that are less than Two Thousand, Five Hundred Dollars (\$2,500).

11. Law Corporation shall send Client an itemized statement of all fees and advanced costs incurred on behalf of client on a monthly basis. Client shall pay the amount set forth within thirty (30) days of the submission to Client of an itemized statement.

12. Costs greater than Two Thousand, Five Hundred Dollars shall be paid directly by Client upon thirty (30) days of submission of the invoice for said costs.

13. If there is any dispute between Client and Law Corporation over the fee charged/the amount billed/the reasonable value of or for legal services, then Client and Law Corporation agree to submit the controversy to Advisory Arbitration in accordance with the rules of the State Bar Re Arbitration Program set out in Sections 6200-6206 of the California Business and Professions Code and California Code of Civil Procedure Section 1281. Client shall pay all costs of Arbitration

incurred by the Law Corporation as may be awarded by the Arbitration Panel.

14. If Client defaults in the payment of any payment due to Law Corporation for legal services, or in the payment of an arbitration award to the Law Corporation, and if action is instituted to enforce collection of said amount or award, Client shall pay Law Corporation additional costs and attorney's fees at the hourly rate of Attorney or associated attorneys, or as incurred by Law Corporation, or as awarded by Court.

15. Law Corporation maintains errors and omissions insurance coverage applicable to the services to be rendered at or above the limits specified in Business and Professions Code 6147(a)(6) and 6148(a)(4) coverage of a minimum of one million dollars (\$1,000,000).

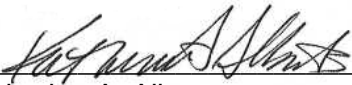
16. It is intended that each paragraph of this Agreement be separate and divisible, and in the event that any paragraph shall be held invalid, the remaining paragraphs shall continue to be in full force and effect.

17. Any modifications of the above are as follows: NONE.

18. Client acknowledges receipt of an original of this Agreement signed by Law Corporation.

LEONE ALBERTS & DUUS
(Law Corporation)

DATED: March 1, 2024

By 
Katherine A. Alberts
President

Alameda Unified School District

DATED:

By _____
[Print Name and Title]

ALAMEDA UNIFIED SCHOOL DISTRICT
BOARD AGENDA ITEM

Item Title: Resolution No. 2023-2024.54 Approval of Budget Transfers, Increases, Decreases

Item Type: Consent

Background: After the adoption of the proposed budget for the fiscal year, it is often necessary to make budgetary transfers and revisions. Budget transfers allow budget managers to redistribute funds as needs and plans change. Budget revisions allow the District to increase or decrease funds based on entitlements and grants actually received by the District.

AUSD LCAP Goals: 4. Ensure that all students have access to basic services.

Fund Codes: 01 General Fund

Fiscal Analysis

Amount (Savings) (Cost): Will increase revenues and expenditures in the District in the amount of \$57,633.24.

Recommendation: Approve as submitted.

AUSD Guiding Principle: #1 - All students have the ability to achieve academic and personal success.| #5 - Accountability, transparency, and trust are necessary at all levels of the organization.| #6 - Allocation of funds must support our vision, mission, and guiding principles.| #7 - All employees must receive respectful treatment and professional support to achieve district goals.

Submitted By: Shariq Khan, Assistant Superintendent of Business Services

ATTACHMENTS:

Description	Upload Date	Type
❑ Attachment A	3/20/2024	Backup Material
❑ Resolution No. 2023-2024.54	3/20/2024	Resolution Letter

BUDGET REVISIONS

(Budget Revisions affect Fund Balance;
Amounts are either added or subtracted from Fund Balance)

School/Dept	Description	Amount
Alameda High School	Donations	\$ 7,784.00
Earhart Elementary	Donations	\$ 35,174.71
Ed Services	Donations	\$ 93.97
Encinal Jr./Sr. High School	Donations	\$ 1,461.00
Island High School	Donations	\$ 60.00
Lincoln Middle School	Donations	\$ 28.56
Maya Lin Elementary	Donations	\$ 8,040.00
MOF	Donations	\$ 3,201.00
Paden Elementary	Donations	\$ 1,790.00
Total Donations		\$ 57,633.24

ALAMEDA UNIFIED SCHOOL DISTRICT
Alameda, California
Resolution

March 26, 2024

Resolution No. 2023-2024.54

Approval of Budget Transfers, Increases, Decreases

WHEREAS, the state statute require budget appropriations to be adopted by the Board of Education in the following object codes:

1000 Certificated Salaries
2000 Classified Salaries
3000 Employee Benefits
4000 Books and Supplies
5000 Services and Other Operating Expense
6000 Capital Outlay
7000 Other Sources and Uses

AND, WHEREAS, the Board of Education desires to change the adopted appropriations;

NOW, THEREFORE, BE IT RESOLVED that the changes be made to the adopted appropriations as per Attachment A.

PASSED AND ADOPTED by the following vote this 26th day of March, 2024:

AYES: _____ MEMBERS: _____

NOES: _____ MEMBERS: _____

ABSENT: _____ MEMBERS: _____

Jennifer Williams, President
Board of Education
Alameda Unified School District

ATTEST:

By: _____
Pasquale Scuderi, Secretary
Board of Education
Alameda Unified School District

ALAMEDA UNIFIED SCHOOL DISTRICT
BOARD AGENDA ITEM

Item Title: Resolution No. 2023-2024.55 Authorization to Dispose of Surplus Property

Item Type: Consent

Background: Education Code Sections 17545 and 17546 authorize that the Board of Education may, through its designated agent, legally dispose of surplus equipment in such a state of obsolescence or disrepair that it should be disposed of and removed from district inventory.

Exhibit A contains a list of either damaged or obsolete materials or surplus property no longer required for district use.

Approval will authorize staff to dispose of these items as most appropriate and aligned with Administrative Regulation 3270: Sale and Disposal of Books, Equipment, and Supplies.

AUSD LCAP Goals: 4. Ensure that all students have access to basic services.

Fund Codes:

Fiscal Analysis

Amount (Savings) (Cost): N/A

Recommendation: Approve as submitted.

AUSD Guiding Principle: #5 - Accountability, transparency, and trust are necessary at all levels of the organization. | #6 - Allocation of funds must support our vision, mission, and guiding principles.

Submitted By: Shariq Khan, Assistant Superintendent of Business Services

ATTACHMENTS:

Description	Upload Date	Type
☐ Resolution No. 2023-2024.55	3/20/2024	Resolution Letter
☐ Exhibit A	3/20/2024	Exhibit

ALAMEDA UNIFIED SCHOOL DISTRICT
Alameda, California
Resolution

March 26, 2024

Resolution No. 2023-2024.55

Authorization to Dispose of Surplus Property

WHEREAS, the state requires a resolution to be adopted by the Board of Education for the property transfer or retirement of used and obsolete equipment used in Maintenance, Operations, and Facilities, Food Services, or Technology as listed in:

Exhibit A - Property Transfer or Retirement Forms

AND WHEREAS, the Board of Education desires to change the adopted appropriations,

NOW, THEREFORE, BE IT RESOLVED that the changes be made to the adopted appropriations as per the Exhibit.

PASSED AND ADOPTED by the following vote this 26th day of March, 2024:

AYES: _____ MEMBERS: _____

NOES: _____ MEMBERS: _____

ABSENT: _____ MEMBERS: _____

Jennifer Williams, President
Board of Education
Alameda Unified School District

ATTEST:

By: _____
Pasquale Scuderi, Secretary
Board of Education
Alameda Unified School District

Property Transfer/Retirement Form

BOE Decision

Consent Item Approval Date *



Type of request:

☐ Transfer ☒ Waste ☐ Recycle ☐ Auction

Current Location

District Office- Business Services



Property Item Type

Furniture/ Equipment



Item Details

Qty	Item Description	Model/Serial Number	Asset Tag	Condition	
1	Love Elementary Kitchen Hobart 3 door refrigerator	E3/32-571-203	01975	3 - Retire/Poor	<div>Upload</div> <div>image... 1...</div> <div>image... 2...</div> <div>image... 1...</div> <div>image... 2...</div>

Submitter Signature

James Assia

Site Admin Approval

Site Admin Signature

Shahiq Khan

Director Approval

Director Signature

MONTY PATTERSON

Business Services

Asst. Superintendent Signature

Shahiq Khan

Comments

Submit



ALAMEDA UNIFIED SCHOOL DISTRICT
BOARD AGENDA ITEM

Item Title: Update on Special Education Goals and Projects as they Align with District Priorities (20 Mins/Information)

Item Type: Informaiton

Background: Tonight's update from the Special Education team includes the following:

- Strategic goals and other major projects with timelines
- Enrollment data
- Staffing Information
- Continuum of Services
- Steering Committee Meeting Topics and Takeaways
- Family Relationships and Trust Survey and Test Results
- Parent Survey Results

AUSD LCAP Goals: 1. Eliminate barriers to student success and maximize learning time.| 2a. Support all students in becoming college and career ready.| 2b. Support all English Learners (ELs) in becoming college and career ready.| 3. Support parent/guardian development as knowledgeable partners and effective advocates for student success.| 4. Ensure that all students have access to basic services.

Fund Codes:

Fiscal Analysis

Amount (Savings) (Cost): N/A

Recommendation: This item is presented for information only.

AUSD Guiding Principle: #1 - All students have the ability to achieve academic and personal success.| #2 - Teachers must challenge and support all students to reach their highest academic and personal potential.| #3 - Administrators must have the knowledge, leadership skills and ability to ensure student success.| #4 - Parental involvement and community engagement are integral to student success.| #5 - Accountability, transparency, and trust are necessary at all levels of the organization.| #6 - Allocation of funds must support our vision, mission, and guiding principles.

Submitted By: Kirsten Zazo, Assistant Superintendent of Educational Services

ATTACHMENTS:

Description	Upload Date	Type
□ Presentation: Update on Special Education Goals and Projects_3.26.24_Revised	3/28/2024	Presentation



Update on Special Education Goals and Projects as they Align with District Priorities

Randhir Bains, Senior Director, Special Education
Julie Venuto, Coordinator, Secondary Education
Jorge Wahner, Coordinator, Elementary Education

March 26, 2024

Outcomes

- Highlight various special education indicators.
- Provide an update on the priority goals of the special education department aligned with the district's goals.

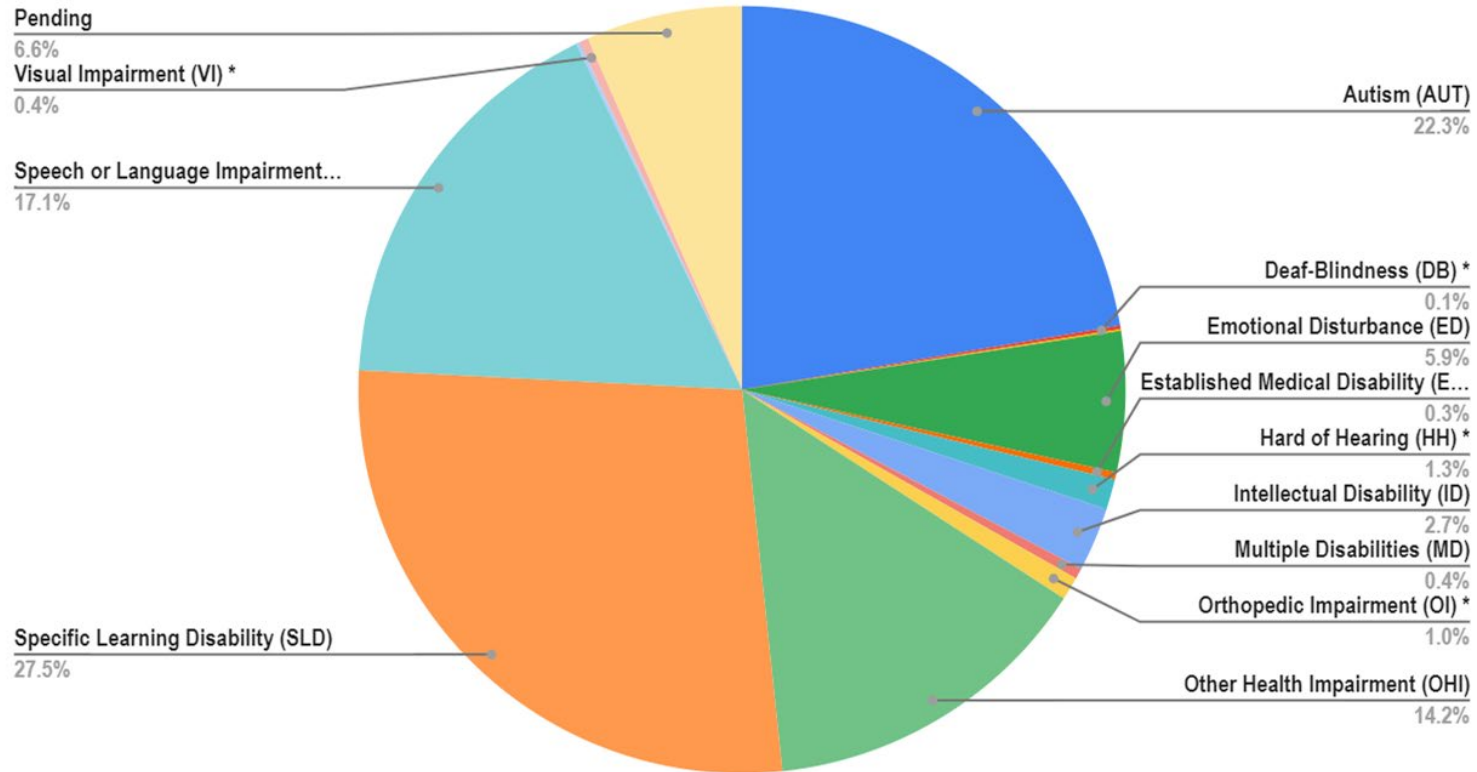
Special Education Strategic Goals

Goal	Key Activities	Timeline
Develop a Parent Resource Network (PRN) at select schools.	<ul style="list-style-type: none"> Create/administer parent interest survey to support the virtual PRN. 	3.25.24
	<ul style="list-style-type: none"> Create support call line. 	4.30.24
	<ul style="list-style-type: none"> Create support email address. 	4.30.24
	<ul style="list-style-type: none"> Create and disseminate literature promoting PRN to parent community. 	5.30.24
Create Alameda Unified School District's alternate pathway to a high school diploma.	<ul style="list-style-type: none"> Create and submit for Board review and approval new course syllabi aligned to the common core standards. 	4.25.24/5.9.24
	<ul style="list-style-type: none"> Submit for review and approval updates to Board policy 6146.1 	4.25.24/5.9.24
Implement Use of Timelines Tracker	<ul style="list-style-type: none"> Continue to monitor the implementation of the timelines trackers for the schools of the district. 	Ongoing
	<ul style="list-style-type: none"> Work with secondary schools to identify root causes that delay IEPs being held on time. 	3.18.24
	<ul style="list-style-type: none"> Update systems to support timely completion of IEPs 	5.30.24

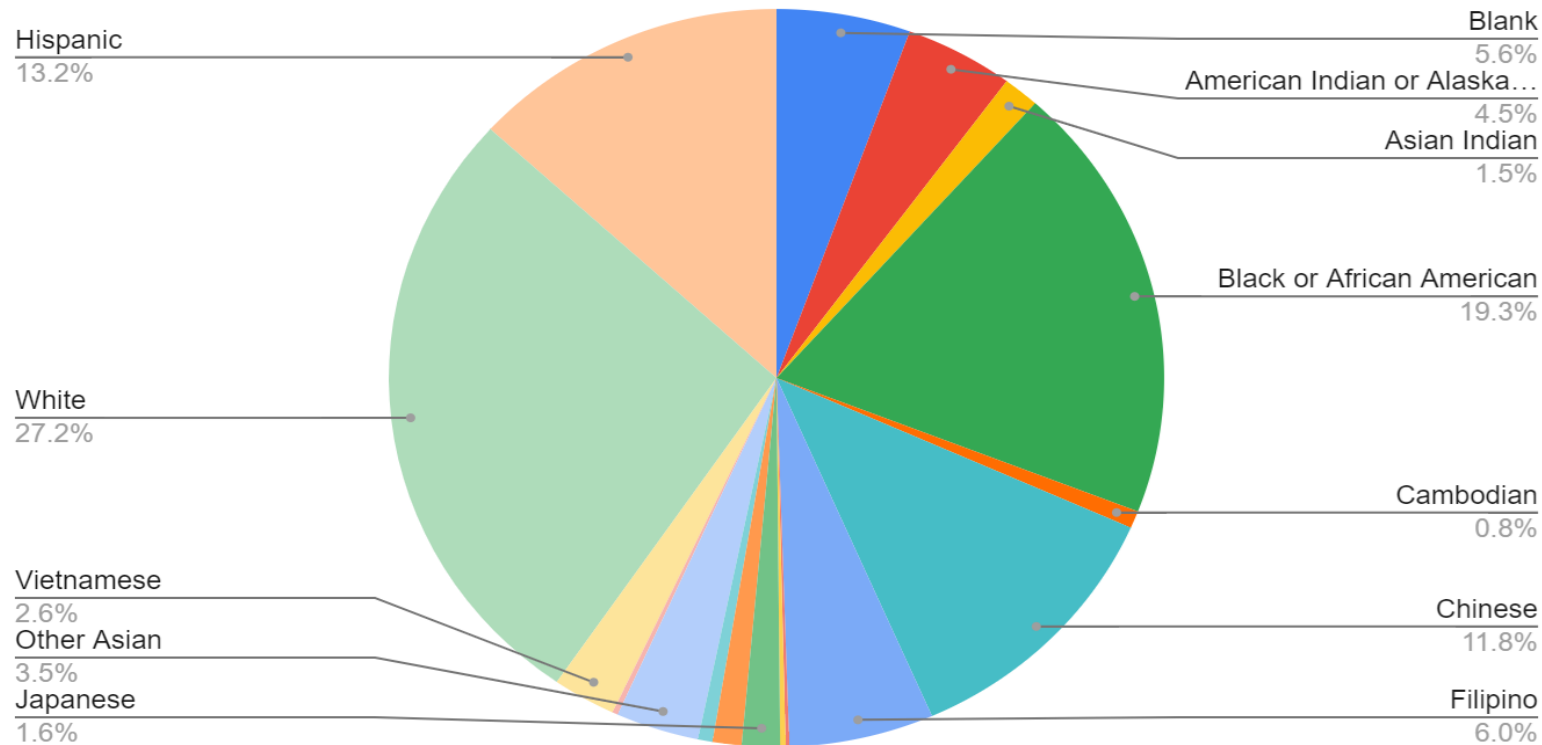
Other Major Projects

Goal	Key Activities	Timeline
Extended School Year	• ESY administrators identified, and planning to begin.	3.25.24
	• Notify parents of eligible students about ESY opportunity this year.	4.1.24
	• Determine staffing needs to support ESY	Ongoing
Transportation	• Debrief with staff to determine the effectiveness of the online transportation request and registration processes and make recommendations for improvement for school year 2024-35.	4.8.24
Matriculation IEPs	• Review updated continuum of special education programs with special education teachers, administrators.	Ongoing
	• Share with parents/families the continuum of special education programs prior to transition IEP meetings.	3.18.24
	• Support school sites to host open houses that include special education programs.	Ongoing

Special Education Enrollment by Disability Category









Special Education Enrollment by Race/Ethnicity



Special Education Team

STAFF	FTE		STAFF	FTE
Special Education Administrator	1		Psychologists	15.6
Database Administrator	1		Transportation/Records Specialist	0.875
Budget Analyst	1		Transition Services Specialist	0.8
Special Education Coordinators	2		Speech Language Therapists	13.6
Program Managers	2		Preschool Special Education Teachers	4
Occupational Therapists	5		Mild/Moderate Teachers	54.2
Nursing Services	1.5		Extensive Support Needs Teachers	13
Paraprofessionals	127		Itinerant Support Staff	7.6
			Teachers on Special Assignment	3

Special Education Continuum of Services: Elementary

Mild/Moderate Special Day Class		Practical Special Day Class	
	Students access modified general education curriculum aligned to grade level content standards in addition to: <ul style="list-style-type: none"> interventions environmental and curricular accommodations and modifications 		Students access common core curriculum connectors in addition to: <ul style="list-style-type: none"> foundational academic skills interventions environmental and curricular accommodations and modifications
	Primary Classroom: Special Day Class with General Classroom Inclusion		Primary Classroom: Special Day Class with General Classroom Inclusion
	Specialized academic instruction service provided through whole group and small group instruction; staff to student ratio 2:15		Specialized academic instruction service provided through whole group and small group instruction; staff to student ratio 3:12

[Click here for the full Continuum of Special Education Programs](#)

Special Education Steering Committee Meetings

Meeting Date	Topics	High Level Takeaways
9.27.23	Share and review the focus areas from the special education strategic plan for 2023-24.	Continue to keep the steering committee updated on the special education department's focus areas.
11.13.23	Part One: Receive feedback on the idea to implement the Parent Resource Network at the schools of the district.	Team members shared and supported the idea of a virtual parent resource network per school site due to the challenges of providing in person support.
12.11.23	Part Two: Share out and receive feedback on Parent Resource Network model. Solicit feedback on how to receive feedback from the larger parent community on the PRN model. Solicit feedback on how to recruit volunteer parents to staff PRN.	Team members shared ideas on how to recruit individuals to support the parent resource network, including flyers, surveys, working through PTAC.
3.11.24	Share out for information and answer questions related to the updated continuum of special education programs to be used for the first time during this year's matriculation IEPs.	Make the slide deck available on the district's website, email a copy to parents, along with a recording of the meeting.

Family Relationships and Trust Survey and Test Results

- Family Relationship and Trust Survey Results
 - Presented to the Board of Trustees on June 27, 2023 by Lindsey Jenkins-Stark, Senior Manager of Research, Data and Assessment.
- SBAC Results
 - Presented to the Board of Trustees on November 28, 2023 by Lindsey Jenkins-Stark, Senior Manager of Research, Data and Assessment.
- STAR Results
 - Presented to the Board of Trustees on March 12, 2024 by Lindsey Jenkins-Stark, Senior Manager of Research, Data, and Assessment.

Family Relationships and Trust Survey and Test Results, *cont...*

- The responses from families of students served through Special Education were statistically similar to those of families not using Special Education services.
- In mathematics and ELA, opportunity gaps persist between students with IEPs compared to those without IIEPs.
- In mathematics, 22% of AUSD students with IEPS met or exceeded expectations compared to the state rate of 12.3%.
- In ELA, 23.2% of AUSD students with IEPS met or exceeded expectations compared to the state rate of 18.4%.
- Star Reading Percent of Students with Typical or Greater Growth Fall to Winter for students with IEPs increased by 5% from 2021-2024.
- Star math percent of students with typical or greater growth fall to winter for students with IEPs remained constant at by 60% from 2021-2024.

Post IEP Parent Survey Results

		Initial or eligibility IEP (formally known as triennial IEP)							
	I understood the purpose of the IEP team meeting.	I was offered a copy of the Special Education procedural safeguards (special education parent rights) and the opportunity to have them explained.	I have received a copy of my child's assessment report.	I feel that my child's IEP team has a good understanding of his/her educational needs.	I was comfortable asking questions during the IEP meeting.	My input was received and considered by the IEP team.	I understand the outcome of the initial/eligibility IEP meeting and the supports my child receives.	I understand what my signed consent means and that I can consent to all or part of the IEP.	I know what to do if I disagree with something in the IEP.
Yes	39	39	40					40	33
No	2	2	1					1	8
Agree/Strongly Agree				36	37	35	35		
Disagree/Strongly Disagree				4	3	5	4		
Neutral				1		1	2		

Post IEP Parent Survey Results, *cont...*

		Annual IEP or Amendment IEP									
	I understood the purpose of the IEP team meeting.	I was offered a copy of the Special Education procedural safeguards (special education parent rights) and the opportunity to have them explained.	I feel that my child's IEP team has a good understanding of his/her educational needs.	I was comfortable asking questions during the IEP meeting.	My input was received and considered by the IEP team.	I understand why the IEP goals were proposed.	I had an opportunity to discuss the proposed IEP and had my input considered by the IEP team in a meaningful way.	I know who to contact if I have questions or concerns about my child's IEP.	I understand my child's special education program and the services my child receives.	I know what to do if I disagree with something in the IEP.	I understand what my signed consent means and that I can consent to all or part of the IEP.
Yes	53	52				53		53	53	52	53
No		1								1	
Agree/Strongly Agree			51	44	45		43				
Disagree/Strongly Disagree			2	8	8		10				
Neutral				1							

Special Education Update

Board Discussion

ALAMEDA UNIFIED SCHOOL DISTRICT
BOARD AGENDA ITEM

Item Title: Update on Early Childhood Education Program, Transitional Kindergarten, Kindergarten, and Preschool to First Grade Alignment (10 Mins/Information)

Item Type: Information

Background: In May of 2023, staff presented an update on the steps taken for the transition to a modified full-day kindergarten program in the 2023-24 SY and the implementation of a full-day kindergarten program in the 2024-25 SY.

Tonight's presentation will include an update on Early Childhood Education including Transitional Kindergarten, full-day Kindergarten, and Preschool-First Grade alignment.

AUSD LCAP Goals: 1. Eliminate barriers to student success and maximize learning time.| 2a. Support all students in becoming college and career ready.| 2b. Support all English Learners (ELs) in becoming college and career ready.| 3. Support parent/guardian development as knowledgeable partners and effective advocates for student success.| 4. Ensure that all students have access to basic services.

Fund Codes:

Fiscal Analysis

Amount (Savings) (Cost): N/A

Recommendation: This item is presented for information only.

AUSD Guiding Principle: #1 - All students have the ability to achieve academic and personal success.| #2 - Teachers must challenge and support all students to reach their highest academic and personal potential.| #3 - Administrators must have the knowledge, leadership skills and ability to ensure student success.| #4 - Parental involvement and community engagement are integral to student success.| #5 - Accountability, transparency, and trust are necessary at all levels of the organization.| #6 - Allocation of funds must support our vision, mission, and guiding principles.

Submitted By: Kirsten Zazo, Assistant Superintendent of Educational Services

ATTACHMENTS:

Description	Upload Date	Type
□ Presentation: Update on Early Childhood Education_TK_K_P3 Alignment_3.26.24_Revised	3/28/2024	Presentation



Update on Early Childhood Education, Transitional Kindergarten, Kindergarten and Preschool-First Grade Alignment

Tanya Harris, Director, Elementary Education
Jill Hunter, Coordinator, Early Childhood Education
Erin Ashworth, P3 Coach

March 26, 2024

Tonight's Update

Tonight's presentation will include an update on Early Childhood Education including:

- Preschool-First Grade Alignment
- Ardella Dailey Preschool and Alameda Child Development Center
- Transitional Kindergarten
- Full-Day Kindergarten
- Highlights and Next Steps



Vision

Our vision is to align preschool through 3rd grade to create a comprehensive and developmentally appropriate learning environment that fosters happiness, confidence, essential skills, creativity, critical thinking, and social-emotional competencies.

Together with families, educators, and community partners, we empower every child to reach their full potential as lifelong learners.



Alignment

- Preschool through first grade alignment is the process of ensuring continuity and coherence in educational practices, curriculum, and expectations from preschool through the first grade.
- This alignment aims to create a smooth transition for children as they progress from preschool into the early years of formal schooling.
- This approach has the potential to improve child outcomes and close the opportunity gap.



The Ardella Daily Preschool Program & Alameda Child Development Center

California State Preschool Program (CSPP)	General Childcare and Development (CCTR)	Special Education Program
<ul style="list-style-type: none">Four preschool classrooms *80 children total	<ul style="list-style-type: none">Two toddler classrooms *24 children totalTwo school-age programs at Ruby Bridges and Love Elem *61 children total	<ul style="list-style-type: none">Three extensive support needs classes and five mild/moderate classes *76 children totalTwo inclusion classrooms partner with Head Start *9 children total



We are focusing on building a more inclusive model because “children with disabilities in high-quality, inclusive early learning programs make larger gains in their cognitive, communicative, and social-emotional development than their peers with disabilities in segregated settings.”

- *Childrens Equity Project*

Alameda Child Development Center Renaming Event

Friday, April 19, 2024

5:30-7:00 pm

500 Pacific Avenue
Alameda, CA 94501

*Join us for an event to
celebrate the renaming of
our preschool.*



Universal Transitional Kindergarten

[California Assembly Bill \(AB\) 130](#) (2021-22) established an early learning initiative to expand access to classroom-based prekindergarten programs offered by school districts. This expansion increases access to quality early learning programs for 4-year-old children regardless of family income.



School Sites with Transitional Kindergarten

- Ruby Bridges- 2 classes
- Paden- 2 classes
- Love- 2 classes
- Otis- 2 classes
- Earhart- 2 classes
- Bay Farm- 3 classes (one inclusion/co-taught program)



Transitional Kindergarten 3-Year Enrollment Trends

School	2022-23 SY	2023-24 SY	Projected Enrollment 2024-25 SY
Bay Farm	48	48	72
Earhart		48	48
Edison	N/A	N/A	N/A
Franklin	N/A	N/A	N/A
Love	44	48	48
Maya Lin	N/A	N/A	N/A
Otis			48
Paden		48	48
Ruby Bridges	48	48	48
Total	140	240	312

Transition to Full-Day Kindergarten

- November 2022: Decision made by the Board on schedule option and timeline for implementation
- November 2022 - May 2023: Communication to community
- December 2022: Projections for next year enrollment
- January 2023: Kindergarten information nights held
- January 2023: Board identified budget to support full day kindergarten in the 2024-25 school year
- January 31, 2023 - Notified teachers of schedule (Contract)
- January – May, 2023: Began engaging teachers in program transition
- May 2023: Present update to Board
- August 2023: Implementation of new schedule
- August 2023-June 2024: Planning for full-day
- December 2023: Projections for next year enrollment
- January 2024: Kindergarten information nights held
- March 2024: Present update to Board
- August 2024: Implement full-day

Benefits for Full-Day Kindergarten

Research evidence increasingly shows the value of full-day kindergarten as a means of supporting young students with a solid academic and social grounding for success in the primary grades and beyond.



School readiness, academic achievement, student attendance, literacy and language development, and socio-emotional development.

Kindergarten 3-Year Enrollment Trends

School	2022-23 SY	2023-24 SY: Modified-Day	Projected Enrollment 2024-25 SY: Full-Day
Bay Farm	66	75	75
Earhart	75	74	100
Edison	72	75	75
Franklin	50	50	50
Love	50	78	75
Maya Lin	72	75	75
Otis	70	74	75
Paden	49	51	50
Ruby Bridges	50	51	75
Total	554	603	650

P3 Alignment: Highlights and Next Steps

Highlights:

- P-3 alignment included in district strategic planning.
- Early Childhood Education coordinator and P-3 Alignment Coach.
- Renaming of ACDC and Ardella Dailey Preschool Program
- Working to align report cards to the AUSD literacy framework and equitable grading practices.
- Confirmed dates for early literacy family workshops.
- Transition passports from ACDC to TK or Kindergarten.
- Communities of practice dedicated to developmentally appropriate practices and alignment.
- CBM assessments used in Kindergarten and at the end of TK.
- Partnership with Alameda Point Collaborative

Next Steps:

- Refine preschool enrollment process to increase access for inclusion.
- Expand collaboration to include all preschool teachers.
- Include preschool program in district-wide walkthroughs.
- Identify a developmentally appropriate curriculum for preschool.
- Move from P-1 to P-3 alignment.
- Expand family workshops to include school readiness and early numeracy.

Board Discussion

ALAMEDA UNIFIED SCHOOL DISTRICT
BOARD AGENDA ITEM

Item Title: Approval of Declaration of Need for Fully Qualified Educators (5 Mins/Action)

Item Type: Action

Background: The Commission on Teacher Credentialing, with the approval of the Title 5 Regulations, starting July 1, 1994, has granted the right for districts to use general waiver requests. These requests pertain to Educator Preparation and Credentialing, and with the new regulations, districts have the general ability to employ or assign persons who are not within the total legal compliance requirements of the Commission on Teacher Credentialing. This system allows Emergency Permits to be granted in a more expedient manner.

It is the recommendation of the Administration that the Board of Education declare that there may be an insufficient number of certificated persons who meet the District's specified employment criteria (credentials) for the positions listed on the attached exhibit. This takes effect on July 1, 2023 and expires on June 30, 2024.

AUSD LCAP Goals:

Fund Codes:

Fiscal Analysis

Amount (Savings) (Cost): N/A

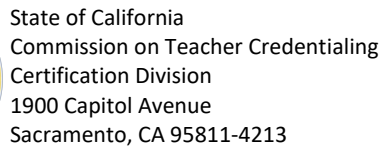
Recommendation: Approve as submitted.

AUSD Guiding Principle: #2 - Teachers must challenge and support all students to reach their highest academic and personal potential. | #5 - Accountability, transparency, and trust are necessary at all levels of the organization.

Submitted By: Timothy Erwin, Assistant Superintendent, Human Resources

ATTACHMENTS:

Description	Upload Date	Type
❑ Declaration of Need 2024-2025	3/20/2024	Cover Memo



Email: credentials@ctc.ca.gov
Website: www.ctc.ca.gov

Original Declaration of Need for year: 2024-2025

Revised Declaration of Need for year: _____

Name of District or Charter: _____ District CDS Code: _____

Name of County: _____ County CDS Code: _____

- A diligent search, as defined below, to recruit a fully prepared teacher for the assignment(s) was made
- If a suitable fully prepared teacher is not available to the school district, the district will make a reasonable effort to recruit based on the priority stated below

► ***Enclose a copy of the board agenda item***

Submitted by (Superintendent, Board Secretary, or Designee):

<i>Name</i>	<i>Signature</i>	<i>Title</i>
<i>Fax Number</i>	<i>Telephone Number</i>	<i>Date</i>
<i>Mailing Address</i>		
<i>E-Mail Address</i>		

Name of County _____ County CDS Code _____

Name of State Agency _____

Name of NPS/NPA _____ County of Location _____

The Superintendent of the County Office of Education or the Director of the State Agency or the Director of the NPS/NPA specified above adopted a declaration on ____/____/____, at least 72 hours following his or her public announcement that such a declaration would be made, certifying that there is an insufficient number of certificated persons who meet the county's, agency's or school's specified employment criteria for the position(s) listed on the attached form.

The declaration shall remain in force until June 30, _____.

► **Enclose a copy of the public announcement**

Submitted by Superintendent, Director, or Designee:

_____ <i>Name</i>	_____ <i>Signature</i>	_____ <i>Title</i>
_____ <i>Fax Number</i>	_____ <i>Telephone Number</i>	_____ <i>Date</i>
_____ <i>Mailing Address</i>		
_____ <i>E-Mail Address</i>		

- *This declaration must be on file with the Commission on Teacher Credentialing before any emergency permits will be issued for service with the employing agency*

AREAS OF ANTICIPATED NEED FOR FULLY QUALIFIED EDUCATORS

Based on the previous year's actual needs and projections of enrollment, please indicate the number of emergency permits the employing agency estimates it will need in each of the identified areas during the valid period of this Declaration of Need for Fully Qualified Educators. This declaration shall be valid only for the type(s) and subjects(s) identified below.

This declaration must be revised by the employing agency when the total number of emergency permits applied for exceeds the estimate by ten percent. Board approval is required for a revision.

Type of Emergency Permit

Estimated Number Needed

CLAD/English Learner Authorization (applicant already holds teaching credential)

Bilingual Authorization (applicant already holds teaching credential)

List target language(s) for bilingual authorization:

Resource Specialist

Teacher Librarian Services

Emergency Transitional Kindergarten (ETK)

LIMITED ASSIGNMENT PERMITS

Limited Assignment Permits may only be issued to applicants holding a valid California teaching credential based on a baccalaureate degree and a professional preparation program including student teaching.

Based on the previous year's actual needs and projections of enrollment, please indicate the number of Limited Assignment Permits the employing agency estimates it will need in the following areas. Additionally, for the Single Subject Limited Assignment Permits estimated, please include the authorization(s) which will be requested:

TYPE OF LIMITED ASSIGNMENT PERMIT	ESTIMATED NUMBER NEEDED
Multiple Subject	
Single Subject	
Special Education	
TOTAL	

Authorizations for Single Subject Limited Assignment Permits

SUBJECT	ESTIMATED NUMBER NEEDED	SUBJECT	ESTIMATED NUMBER NEEDED
Agriculture		Mathematics	
Art		Music	
Business		Physical Education	
Dance		Science: Biological Sciences	
English		Science: Chemistry	
Foundational-Level Math		Science: Geoscience	
Foundational-Level Science		Science: Physics	
Health		Social Science	
Home Economics		Theater	
Industrial & Technology Education		World Languages (specify)	

EFFORTS TO RECRUIT CERTIFIED PERSONNEL

The employing agency declares that it has implemented in policy and practices a process for conducting a diligent search that includes, but is not limited to, distributing job announcements, contacting college and university placement centers, advertising in local newspapers, exploring incentives included in the Teaching as a Priority Block Grant (refer to www.cde.ca.gov for details), participating in state and regional recruitment centers and participating in job fairs in California.

If a suitable fully prepared teacher is not available to the school district, the district made reasonable efforts to recruit an individual for the assignment, in the following order:

- A candidate who qualifies and agrees to participate in an approved internship program in the region of the school district
- An individual who is scheduled to complete initial preparation requirements within six months

EFFORTS TO CERTIFY, ASSIGN, AND DEVELOP FULLY QUALIFIED PERSONNEL

Has your agency established a District Intern program?	Yes	No
--	-----	----

If no, explain. _____

Does your agency participate in a Commission-approved college or university internship program?	Yes	No
---	-----	----

If yes, how many interns do you expect to have this year? _____

If yes, list each college or university with which you participate in an internship program.

If no, explain why you do not participate in an internship program.
