

# Comprehensive School Safety Plan

**2022-23  
School Year**

**School:** Maya Lin Elementary School  
**CDS Code:** 01611190126656  
**District:** Alameda Unified School District  
**Address:** 825 Taylor St.  
Alameda, CA 94501  
**Date of Adoption:**  
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- with Staff 12/5/22  
- with Law Enforcement  
- with Fire Authority

**Approved by:**

Name	Title	Signature	Date
SSC	SSC	SSC	1/19/2023

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## Comprehensive School Safety Plan Purpose

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

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

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

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

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

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

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

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

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

## 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**

Carrie Berg, Janet McNamee, Michael Kelley, Anne Levy, Tara Yudenfreund, Aiyana Beck, Cory Spells

### **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 2023, 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"> <li>All eligible teachers will ensure students complete Wellness Survey and CHKS, as well as complete Wolf Tags, Uh Ohs, and Office Referrals as needed.</li> <li>Monthly meeting time to discuss student supports and data.</li> </ul>	<ul style="list-style-type: none"> <li>Schoolwide data results</li> <li>Monthly collaboration time to discuss student supports</li> </ul>	<ul style="list-style-type: none"> <li>Principal</li> <li>PBIS Team</li> </ul>	<ul style="list-style-type: none"> <li>California Healthy Kids Survey</li> <li>AUSD Wellness Survey</li> <li>Wolf Tag data</li> <li>Uh-Oh slips and Office Referral data</li> <li>Classroom observations and walkthroughs</li> <li>Chronic absenteeism data</li> </ul>
Use The Restorative Practices Handbook for school schoolwide Restorative Practices framework.	<ul style="list-style-type: none"> <li>(Re)train staff in restorative practices/framework.</li> <li>Staff facilitate 2-3 classroom circles each week.</li> <li>Staff develop a menu of options for logical and restorative ways to repair harm.</li> </ul>	<ul style="list-style-type: none"> <li>Restorative practices trainings</li> <li>The Restorative Practices Handbook</li> </ul>	<ul style="list-style-type: none"> <li>Principal</li> <li>PBIS Team</li> </ul>	<ul style="list-style-type: none"> <li>California Healthy Kids Survey</li> <li>AUSD Wellness Survey</li> <li>Classroom observations and walkthroughs</li> <li>Chronic absenteeism data</li> </ul>

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"> <li>Principal highlight new Toolbox Tool every 2 weeks until all tools have been covered.</li> <li>Staff implement lessons and/or discussion during 2-week period of featured Toolbox Tools at Morning Opening. This may be incorporated into class circles.</li> </ul>	-Toolbox Project materials and year-long scope and sequence	<ul style="list-style-type: none"> <li>Principal</li> <li>PBIS Team</li> </ul>	<ul style="list-style-type: none"> <li>California Healthy Kids Survey</li> <li>AUSD Wellness Survey</li> <li>Classroom observations and walkthroughs</li> <li>Chronic absenteeism data</li> </ul>

**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: Install quick release exit along the gate near the corner of 8th and Taylor Ave.

Objectives	Action Steps	Resources	Lead Person	Evaluation
Install quick release exit along the gate near the corner of 8th and Taylor Ave.	<ul style="list-style-type: none"> <li>Partner with MOF to identify appropriate location and quick release method.</li> <li>Install new emergency exit on gate and train staff accordingly.</li> </ul>	AUSD Safety Review Team	Principal	Installation 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/1YzYC48Eq5WsTycFdS35jhrGP4G3nAlhYghgdznwzuQ/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**

### 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.

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.

### **Procedures for Preventing Acts of Bullying and Cyber-bullying**

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

## Emergency Contact Numbers

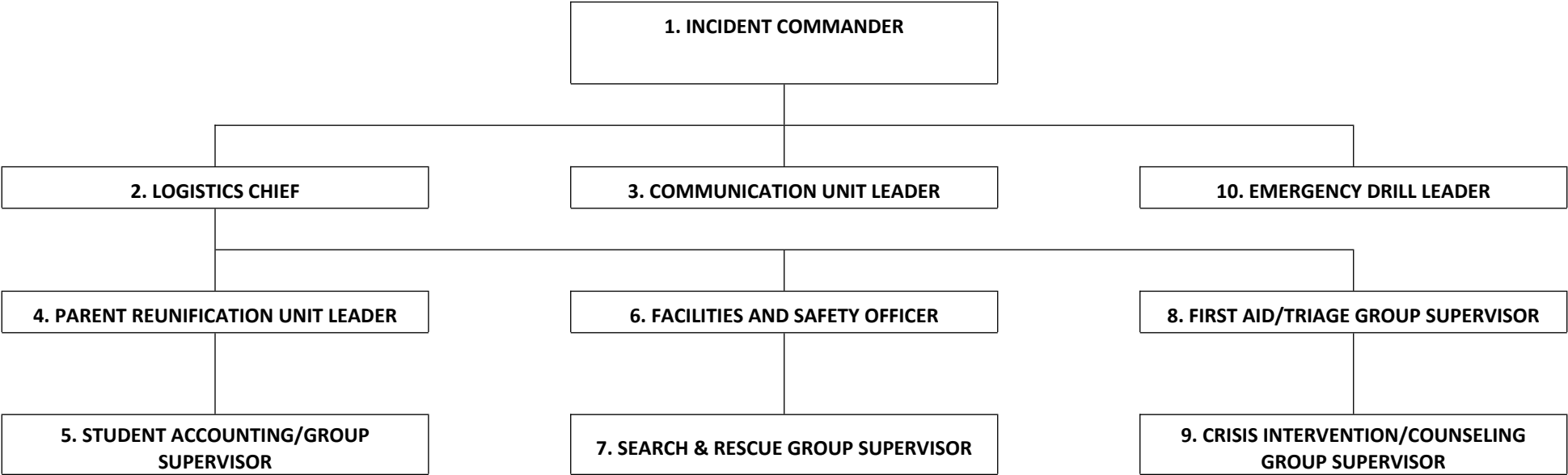
### Utilities, Responders and Communication Resources

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

<b>Activity Description</b> (i.e. review steps, meetings conducted, approvals, etc)	<b>Date and Time</b>	<b>Attached Document</b> (description and location)
Faculty Meeting	9/7/22	Emergency response training with all staff
Safety Committee Meeting	9/1/22	Review of Safety Plan and procedures, roles and responsibilities, maps and evacuation routes
Faculty Meeting	9/19/22	Safety Committee share out
Safety Committee Meeting	9/1/22	Table top drill and training planning
Faculty Meeting	12/5/22	Review of REMS roles and responsibilities
Safety Committee Meeting	9/28/22	Update Safety plan with revisions
Public Hearing	10/6/22	Safety plan review with community
School Community Meeting	1/19/2023	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.

## Emergency Evacuation Map

See attachments

# MAYA LIN SCHOOL EMERGENCY EXIT MAP

