

**NEW HOPE ELEMENTARY SCHOOL DISTRICT
NEW HOPE ELEMENTARY
26675 N. Sacramento Blvd., Thornton, CA 95686**

**COMPREHENSIVE SCHOOL
SAFETY PLAN
2023-2024**



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SB 187 School Safety Plan Introduction

Individual schools in districts over 2,500 students must adopt a comprehensive school safety plan by March 1, 2000, and must review and update the plan by March 1 of every year thereafter. (Amended Ed. Codes 35294.1 & 35294.6)

Beginning July 1, 2000, each individual school must report on the status of its school safety plan, including a description of its key elements in the school accountability report card, and must continue to do so every July thereafter (Amended Ed. Code 35294.6)

The following guideline may be utilized to support the annual review and evaluation of the individual school safety plan. This guide will also provide a timeline and related administrative tasks to provide a process to ensure compliance with the requirements of Senate Bill 187, Comprehensive School Safety Plan.

The guideline/checklist has been organized into two parts:

1. An assessment by the School Safety Planning Committee of the School Site Council, the School Site Council or equivalent of the school climate in relation to the current status of school crime committed on campus and at school related functions. Based on this assessment, safety goals will be set for the upcoming school year.
2. The annual review and evaluation of the school comprehensive safety plan which is certified by the members of the School Safety Planning Committee, the School Site Council President, and the school Principal before being presented to the Board of Trustees for final review and adoption. This review includes the following mandated components:
 - A. Child Abuse reporting procedures
 - B. Policies pursuant to Education Code 48915(c) and other school-designated serious acts which would lead to suspension, expulsion, or mandatory expulsion recommendations
 - C. Procedures to notify teachers and counselors of dangerous students
 - D. Sexual Harassment Policy

- E. Hate Crime Policies and Procedures
- F. Bullying, Cyber-Bullying, and Cyber-Crime
- G. Suicide Prevention Policy
- H. Dress Code
- I. Safe ingress and egress to and from school
- J. Rules and procedures on school discipline in order to create a ^{[[]]}_{SEP} safe and orderly environment conducive to learning
- K. Routine and emergency disaster procedures including natural disasters, human created disasters or power outages.

School Safety Planning Committee

IMPLEMENTATION OF PLAN

The written plan will be distributed to all departments and will be made available to all staff, students, parents, and the community to review in the main school office.

School Safety Planning Committee

The school site council is responsible for developing the school site safety plan or for delegating the responsibility to a school safety planning committee. Ed. Code 35294.1

The school site safety committee shall be composed of the following members: the principal or designee, one teacher who is a representative of the recognized certificated employee organization; one parent/guardian whose child attends the school; other members if desired. (Ed Code 35294.1)

Local law enforcement has been consulted (Ed. Code 39294,1) Other local agencies, such as health care and emergency services, may be consulted if desired. (Ed Code 39294.2)

Other members of the school or community may provide valuable insights as members of the School Safety Planning Committee. Additional members may include:

- A representative from the local law enforcement agency
- School Resource Officers
- Guidance counselor
- Special Education Department Chairperson
- One or more key community service providers
- Student representative(s)
- Disciplinary team member
- Staff leaders
- Additional parent representatives

New Hope Elementary

School Safety Plan Signature Page

2023- 2024

The undersigned members of the New Hope Elementary School Safety Planning Committee certify that the requirements for the SB 187 Safety Plan have been met.

Principal: _____

President, School Site Council: _____

Teachers Association Representative: _____

Parent Representative: _____

Law Enforcement Representative: _____

Fire Department Representative: _____

Annual Safety Goals

The School Safety Planning Committee shall make an assessment of the current status of school crime committed on campus and at school-related functions and of appropriate strategies and programs that will provide or maintain a high level of school safety. (Ed. Code 35924.2)

While the School Safety Planning Committee reviews school, district and community crime data trends such as the California Safe School Assessment, other data can bring value to the discussions. Such data may include:

- Mental Health Data
- State, District or Site Surveys (Student Survey, and/or CHKS Survey)
- Disciplinary Data
- Community Police Data

Data may be more valuable if disaggregated by gender, age, zip code, ethnicity, etc. Current trends should be reviewed as well.

Based on data analysis, the School Safety Planning Committee identifies one or two safety-related goals for the next school year as well as the strategies and/or programs that will be used to meet those goals. The objective is to provide meaningful goals in order to improve the campus climate.

The goals are reported, with the Safety Plan, to the Board of Trustees and are shared with the school staff and community.

In order to keep the goals as a safety focus for the school year, it is recommended that at least three brief meetings be held to review data and progress. The progress can be reported to the School Site Council, staff, parent groups and the Board of Trustees.

The year-end assessment should be completed in May. Findings can be found in the Local Control Accountability Plan (LCAP).

**New Hope Elementary School District
Safe Schools Committee**

New Hope Elementary School Safety Action Plan 2023/24

1

Goal #1

All students are safe and secure while at school, when traveling, to and from school and when traveling to and from school related activities.

2

Goal #2

All students and staff members are provided a safe teaching and learning environment.

New Hope Elementary School Safety Action Plan 2023- 2024

Goal 1: All students are safe and secure while at school, when traveling to and from school, And when traveling to and from school related activities.

The School's Physical Environment (The physical setting and condition of the school)

Objective 1: New Hope Elementary School shall have visible law enforcement, staff, and parental presence.

Objective 2: Students attending New Hope Elementary School will have strategies in place to be able to respond when they feel threatened or in need of assistance.

New Hope Elementary School Safety Action Plan 2023 - 2024

Goal 1: All students are safe and secure while at school, when traveling to and from school, And when traveling to and from school related activities.

Objective 1: New Hope Elementary School shall have visible law enforcement, staff and parental presence

Action Step	Resources	Validation Criteria	Parties Responsible	Start Date	End Date
1. New Hope Elementary School's administration will encourage local law enforcement, staff members, and parents to be visible at all times during which students are in route to and from school.	Sheriff's Dept.; CHP; Staff; Parents	Visible presence	Site Administration; Sheriff's Dept.; CHP	8/2023	On-going
2. New Hope Elementary School shall conduct regular safety meetings and include invitations to local law enforcement, community agencies and district officials.	Site Administration	Minutes of Meetings	Site Administration	8/2023	On-going
3. New Hope Elementary School shall implement board policies and procedures to secure the school site during school hours.	Board Policies; Sheriff's Dept.	Daily Monitoring	Site Administration; District Maintenance Staff	8/2023	On-going
4. New Hope Elementary School shall work closely with local law enforcement and district administration in responding to potential community threats to the safety of students, staff and parents.	Sheriff's Dept.: Fire Dept.; District Administration	Evaluation of Individual Situation Responses	Site Administration; Sheriff's Dept.	8/2023	On-going

Objective 2: Students attending New Hope Elementary School will have strategies in place to be able to respond when they feel threatened or in need of assistance.

Action Step	Resources	Validation Criteria	Parties Responsible	Start Date	End Date
1. New Hope Elementary School's administration will provide strategies to all staff members. In addition, a portion of the school day will be used to teach these strategies to the students.	Site Administration; Counselors;	Strategies taught	School Staff	8/2023	On-going
2. All students at New Hope Elementary School will identify an adult staff member who they can talk to and share any potential problems or situations that could escalate into a genuine conflict.	Faculty; Staff; Site Administration; Counselor(s)	Annual Evaluation	Site Employees	8/2023	On-going
3. New Hope Elementary School staff will work with students and will engage assistance from other school administrations, and/or local law enforcement agencies for conflict involving non-district schools.	Other schools' administration; Sheriff's Dept.	Record of loitering incidents	Site Administration; Sheriff's Dept.	8/2023	On-going
4. A survey will be distributed to New Hope Elementary School students to solicit their opinions in regards to what is needed to make the school safer and more conducive of learning.	Committee survey instrument	Distribution and results of survey	Administration; Safe School Committee	8/2023	On-going

New Hope Elementary School Safety Action Plan 2023- 2024

Goal 2: All students and staff members are provided a safe teaching and learning environment.

**The School's Physical Environment
(The physical setting and condition of the school)**



Objective 1: New Hope Elementary School has effective strategies to Intervene at the earliest possible point when students exhibit anti-social behavior.

Objective 2: New Hope Elementary School sets a standard for students to interact with each other in a caring and supportive manner.

New Hope Elementary School Safety Action Plan 2023 - 2024

Goal 2: All students and staff members are provided a safe teaching and learning environment.

Objective 1: New Hope Elementary School has effective strategies to intervene at the earliest possible point when students exhibit anti-social behavior.

Action Step	Resources	Validation Criteria	Parties Responsible	Start Date	End Date
1. New Hope Elementary School shall provide to parents/guardian's information of agencies that can provide counseling services.	Current Resource Listing	Completed Directory	<i>Counselors; ASB</i>	8/2023	On-going
2. New Hope Elementary School shall provide to staff identified effective research-based strategies that address anti-social behavior in grades TK-8th.	Research; Conference Material	Completed Material; Documentation	<i>Site Administration; Counselors</i>	8/2023	On-going
3. New Hope Elementary School shall encourage staff to attend workshops/conferences on identifying academic risk factors and applying effective strategies in dealing with anti-social behavior in schools.	County Office; Anger Management Training/Referrals	Staff attending workshops	<i>Site Administration; Staff</i>	8/2023	On-going
4. New Hope Elementary School's staff shall work with parents in identifying maladaptive behaviors and developing strategies to address these behaviors.	County Office; Anger Management Training/Referrals	Number of parent conferences	<i>Site Administration; Staff</i>	8/2023	On-going
5. New Hope Elementary School shall hold regularly scheduled "Student Study Team (SST) Meetings." Students with maladaptive behaviors shall be placed on the agenda. The team shall include a psychologist, administrator, teacher(s), and a counselor. (A member of the Special Education Department, the student, and parent will attend.)	PL94-142; AB1250; CDE Code Part 30 Sections 56000 to 59300	SST Agendas and minutes	<i>Site Administration; Counselors; School Psychologist</i>	8/2023	On-going

Objective 1: New Hope Elementary School has effective strategies to intervene at the earliest possible point when students exhibit anti-social behavior. (cont.)

Action Step	Resources	Validation Criteria	Parties Responsible	Start Date	End Date
6. New Hope Elementary School shall identify students who display gang association, gang membership or are involved in any gang activity.	Sheriff Department	Individual Identifications	Site Administration; Sheriff Department Dept.;	8/2023	On-going
7. New Hope Elementary School's staff shall contact the counselor or the school psychologist when it is reported to a staff member that a student has discussed the possibility of suicide.	Counselor Dept.; School Psychologist; Mental Health Dept.	Individual Referrals	Staff	8/2023	On-going

Objective 2: New Hope Elementary School sets a standard for adults and students to interact with each other in a caring, supportive manner.

Action Step	Resources	Validation Criteria	Parties Responsible	Start Date	End Date
1. New Hope Elementary School shall develop strategies to encourage parents/guardians to become proactively involved in the education of their children.	District sponsored parenting classes; School Newsletter; PAC Meetings	Strategies implemented	Site Administration; Faculty; Counselor PAC	8/2023	On-going
2. New Hope Elementary School shall encourage parents to volunteer for school-related activities.	PAC; Booster Clubs; Parent Volunteer List	Extent of Parent Involvement and Volunteers	Site Administration and Staff; PAC Officers	8/2023	On-going
3. New Hope Elementary School shall encourage all parents to participate on the Parent Advisory Council, its subcommittees, the School Site Council, site Advisory Committees, and the District Advisory Committees.	Superintendent, School Site Council; Site Administration; PAC	Amount of Parent Participation	District/Site Administration; PAC; Site Counselors	8/2023	On-going
4. New Hope Elementary School teachers and/or counselor(s) shall notify parents/guardians immediately when a student begins to exhibit academic or social problems.	School Faculty, Counselors, and Administration	SST minutes; Faculty Logs; SASI documentation	Faculty; Counselors; Administrators	8/2023	On-going
5. New Hope Elementary School shall provide to students, staff, and parents skills to solve problems and resolve conflicts.	Certified Mediators; Marriage/Family Counseling centers	Documentation of participation in available services	Site Administration and Counselors	8/2023	On-going
6. New Hope Elementary School's staff shall promptly return phone calls to parents, students and community leaders.	Existing Communication system	Records of registered complaints	Faculty; Staff; Counselors; Site Administrators	8/2023	On-going
7. New Hope Elementary School shall hold annual events that bring students, parents and staff members together in a positive environment.	Parent Nights; Assemblies	Back-to School; Open House; Assemblies	Site Administration; Site Council		Annual Review

Promulgation

The School Emergency Operations Plan addresses the New Hope Elementary School District school's responsibilities in emergencies associated with natural disaster, human-caused emergencies, and technological incidents. It provides a framework for coordination of response and recovery efforts within the district in coordination and with the county of San Joaquin, California. The Plan establishes an emergency organization to direct and control operations at the school site during a period of emergency by assigning responsibilities to specific personnel. The School Emergency Operations Plan:

- Conforms to the National Incident Management System (NIMS), the Standardized Emergency Management System (SEMS), and effectively restructures emergency response at all levels in compliance with the Incident Command System (ICS).
- Establishes response policies and procedures, providing NHESD clear guidance for planning purposes.
- Describes and details procedural steps necessary to protect lives and property.
- Outlines coordination requirements.
- Provides a basis for training and response exercises to ensure compliance.

Requirements

The Plan meets the requirements of the State of California and the County of San Joaquin policies on Emergency Response and Planning, the National Incident Management System (NIMS), the Standardized Emergency Management System (SEMS), and defines the primary and support roles in after-incident damage assessment and reporting requirements.

Purpose

The Purpose of the School Emergency Operations Plan is to protect the safety and welfare of the employees, visitors, volunteers, and students in the New Hope School District, and to ensure the preservation of public property.

Scope

The Scope encompasses all New Hope school sites and district facilities. It addresses a broad range of major emergencies. Such events include crimes committed on campus, hazardous materials emergencies, weather emergencies, and fire. Also included are procedures for emergencies that may or may not require the full or partial activation of the School Emergency Response Team (SERT).

The objectives of the plan are to:

- Protect the safety and welfare of students, employees, and staff.
- Provide for a safe and coordinated response to emergencies.
- Protect the School's facilities and properties.
- Enable the School to restore normal conditions with minimal confusion in the shortest time possible.
- Provide for interface and coordination between the school, District, City, and/or County Emergency Operation Center (EOC).

Schools are required by both federal statute and state regulation to be available for shelters following a disaster. The American Red Cross (ARC) has access to schools in damaged areas to set up their mass care facilities and local governments have a right to use schools for the same purposes. This requires close cooperation between school officials and ARC or local government representatives and should be planned and arranged for in advance.

Responsibility

School administrators have the responsibility to ensure the safety of their students and staff in an emergency. Law requires developing emergency plans and training staff in all-hazards emergency response procedures.

The principles of NIMS, SEMS and ICS are incorporated in this plan and school personnel must be trained in how the system works. All New Hope Elementary school sites must also have drills and exercises in order to practice using the system. Periodic training will be available to help orient new employees and provide refresher training to current employees on an annual basis.

Emergency Management Resolution

New Hope Elementary School District

26675 N. Sacramento Blvd.

Thornton, California 95686

RESOLUTION # 1920-06

WHEREAS, The New Hope School District has implemented a School Emergency Operations Plan for all school sites and facilities. The objectives of the plan are to: 1) protect the safety and welfare of students, employees and staff, 2) provide a safe and coordinated response to emergencies, 3) protect the district’s facilities and property, and 4) Enable the School to restore normal conditions with minimal confusion in the shortest time possible.

WHEREAS, In an effort to fully implement the School Emergency Operations Plan, the New Hope Elementary School District, supports planning, training and exercising the plan at the school site level.

WHEREAS, The New Hope School District participates with all responding agencies within the State of California and in the National Incident Management System (NIMS) and the Standardized Emergency Management System (SEMS).

NOW, THEREFORE, BE IT RESOLVED, that the Board of New Hope School District does hereby support the School Emergency Operations Plan.

READ AND ADOPTED THIS BY 10th DAY OF MARCH 2024 BY THE GOVERNING BOARD OF THE NEW HOPE ELEMENTARY SCHOOL DISTRICT BY THE FOLLOWING VOTES:

AYES: _____

NOES: _____

ABSTENTIONS: _____

ABSENT: _____

Yvonne Rangel, Secretary to the Governing Board

New Hope Elementary

Dear Parents:

Should an emergency or disaster/crisis situation ever arise in our area while school is in session, we want you to be aware that the school has made preparations to respond effectively to such situations. In fact, New Hope Elementary was built to meet stringent construction standards and they may be safer than your own home in the event of a disaster.

Should we have a major disaster/crisis during school hours, your student(s) will be cared for at the school. Our school has a detailed emergency plan, which has been formulated to respond to major catastrophes and/or crisis situations.

Your cooperation is necessary in any emergency.

1. Do not telephone the school. Telephone lines may be needed for emergency communication.
2. In the event of a serious emergency, students will be kept at school until they are picked up by an identified, responsible adult who has been identified as such on the school emergency card, which is required to be filled out by parents at the beginning of every school year. Please be sure to consider the following criteria when you authorize another person to pick up your child at school:
 - He/she is 18 years of age or older.
 - He/she is usually home during the day.
 - He/she could walk to school if necessary.
 - He/she is known to your child. He/she is both aware and able to assume this responsibility.
3. Turn your radio to KSTN (Stockton) Station 1420 AM or 105.9 FM or KFBK (Sacramento) Station 1530 AM or 93.1 FM and Mobile Radio Trailers 530 AM or 1030 AM for emergency announcements. Recorded announcements may be heard at Lodi Radio 1250 AM. If students are to be kept at school, radio stations will be notified.
4. Impress upon your children the need for them to follow the directions of any school personnel in times of an emergency.

Students will be released only to parents or persons identified on the School Emergency Card. During an extreme emergency, students will be released at designated reunion gates/entrances located on school campuses. Parents should become familiar with the School Emergency Operations Plan and be patient and understanding with the student release process. Please instruct your student to remain at school until you or a designee arrives. Because local telephone service may be disrupted, include an out-of-state contact on the emergency card, as calls may still be made out of the area while incoming calls are affected.

The decision to keep students at school will be based upon whether or not streets in the area are open. If this occurs, radio stations will be notified. In the event that a natural disaster or crisis at school takes place during the time that students are being transported, students will be kept on the bus and the driver will ask for assistance through radio contact with the school district.

In the event a natural disaster occurs in the morning, the driver will make every attempt to continue delivering the students to school. Should road conditions prevent the driver from delivering students to school, the students will be delivered to the nearest school site and that school will communicate with the home school to inform them of the students' whereabouts.

In the event of a lockdown, and the streets are closed, and parents cannot reach the school, students will be kept in a safe location (Church across the street) until they are picked up by an identified, responsible adult who has been identified as such on the school emergency card. The decision to keep students at school will be based upon whether or not it is safe to do so. Should conditions prevent students to be kept at the school site, the students will be gathered at the church or delivered to the nearest school site and that school will communicate with the parents to inform them of the students' whereabouts. If students are relocated to another site, the location will be posted on the front doors of the school.

Please discuss these matters with your immediate family. Planning ahead will help alleviate concern during emergencies.

Sincerely,

Clint Johnson
Superintendent/Principal

Legal Requirements

Legal Requirements: Authorities and References

The following are brief summaries of emergency crisis related Education Codes and Government Codes you should be familiar with. Review the entire citation for specific requirements.

California Emergency Services Act (Chapter 7, Division 1, Title 2, California Government Code)

The Act provides the basic authorities for conducting emergency operations following a proclamation of Local Emergency, State of Emergency, or State of War Emergency by the Governor and/or appropriate local authorities, consistent with the provisions of this Act.

California Government Code (Section 3100, Title 1, Division 4, Chapter 8)

States that public employees are disaster service workers, subject to such disaster service activities as may be assigned to them by their superiors or by law. The term “public employees” includes all persons employed by the state or any other county, city, city and county, state agency or public district, excluding aliens legally employed. The law applies to public school employees in the following cases:

- When a local emergency is proclaimed.
- When a state of emergency is proclaimed.
- When a federal disaster declaration is made.

The law has two ramifications for School District employees:

1. It is likely that public school employees are pressed into service as Disaster Service Workers by their superiors and may be asked to do jobs other than their usual duties for periods exceeding their normal working hours.
2. When pressed into disaster service, employees’ Workers’ Compensation Coverage becomes the responsibility of the state government, Office of Emergency Services, but their overtime pay is paid by the school. These circumstances apply only when a local or state emergency is declared.

States that (the Governor’s Office of Emergency Services has stated) inadequately trained school staff render school officials potentially liable for acts committed or omitted by school staff acting within the scope of their training during or after a disaster. (Sub Sections 835-840.6).

Petris Bill (Section ~ 8607 of the California Government Code)

This law requires that state and local governments including special districts (i.e.: schools) be prepared to respond to emergencies using the Standardized Emergency Management System (SEMS). SEMS must also be used in school planning, training and exercising (California Code of Regulation 2400-2450).

SEMS requires that each organization understands and uses the following:

- The Incident Command System, a method of organizing any emergency response effort into five basic functions: command, planning/intelligence, operations, logistics, and finance/administration.
- An Emergency Operations Center (or Incident Command Post in the field), the staff of which is organized according to the same five functions as the Incident Command System.
- Coordination of the school district Emergency Operations Center with the Operational Area (county) Emergency Operations Center, or with city Emergency Operations Centers and/or county Offices of Education, as needed.
- Incorporation of SEMS into all school plans, training and exercises.
- Documentation of the use of SEMS in planning, training, exercising, and during an actual emergency.

California Civil Code, Chapter 9, Section 1799.102

It provides for “Good Samaritan Liability” for those providing emergency care at the scene of an emergency. (“No person, who, in good faith and not for compensation, renders emergency care at the scene of an emergency, shall be liable for any civil damages resulting from any act or omission. The scene of an emergency shall not include emergency departments and other places where medical care is usually offered.”)

Katz Act (Sections ~ 35295-35297) of the California Education Code

This law applies to the governing boards of public and/or private elementary and high schools that have school buildings with over 50 students or more than one classroom, and to all county school superintendents. In 1988, the legislature amended the law to require that training in earthquake preparedness procedures should be for both certified and classified staff. The law requires that schools do the following:

- Develop a disaster plan to maintain the safety and care of students and staff. The plan should outline emergency roles, procedures for students and staff, and appropriate, ongoing training for all employees and students.

- Conduct periodic drills in “drop and cover” procedures, the evacuation procedure, and other emergency response actions (such as search and rescue, communication, and damage assessment) to train students and staff. Simple drills should be held once a quarter in elementary schools and once a semester in secondary schools; more complicated drills should be held once or twice a year.
- Provide training programs to ensure that staff and students are aware of, and properly trained to follow, your plan and the emergency response procedures.
- Be prepared to have your school serve as a possible public shelter for the community during disasters or emergencies.
- Take mitigation measures now to ensure the safety of students and staff, and the viability of the school facility during and after an earthquake or other emergency.

California Emergency Plan

Promulgated by the Governor, and published in accordance with the California Emergency Services Act, it provides overall statewide authorities and responsibilities, and describes the functions and operations of government at all levels during extraordinary emergencies, including wartime. Section 8568 of the Act states, in part, that “...the State Emergency Plan shall be in effect in each political subdivision of the state, and the governing body of each political subdivision shall take such action as may be necessary to carry out the provisions thereof.” Therefore, local emergency plans are considered extensions of the California Emergency Plan.

Comprehensive School Safety Plan Section ~ 32280 of the California Education Code

This law states that each school district and county office of education is responsible for the overall writing and development of comprehensive school safety plans for its schools operating kindergarten and grades 1-12. Comprehensive plans include strategies and programs designed to maintain a high level of school safety. Plans should address procedures for: disaster response; safe ingress and egress to/from school; reporting child abuse; sexual harassment; school discipline; provision for school-wide dress code; policies related to suspension, expulsion or mandatory expulsion, etc.

No Child Left Behind Act of 2001

This federal law is designed to improve student achievement, facilitate accountability, and ensure a safe and orderly school by implementing programs that protect students and teachers. Under No Child Left Behind, states must report school safety statistics to the public on a school-by-school basis and districts must use federal school-safety funding to establish a plan for keeping schools safe and drug-free. Having a crisis management plan for responding to violent or traumatic incidents on school grounds is a requirement.

Board Policies

1. Certain policies governing emergency preparedness and response within the school are established.

The safety of students is paramount. All actions taken shall bear this in mind as well as the safety and wellbeing of employees.

If a disaster occurs during school hours, school will not be dismissed without the express approval of the Superintendent or designee. Students will remain under the supervision of school authorities until released to parents or their pre-authorized representative. The following entities shall be notified as soon as a closure decision is made through the Superintendent's Office, as needed:

- Board of Education
- Local area media
- Police, fire, and other agencies
- State & Federal legislators and other officials
- California Office of Emergency Services
- California Department of Education
- Local hospitals and County Emergency Medical Services

If parents or guardians come to the school and properly identify themselves, students will be released.

Since school personnel are expected to assist in post-disaster care of students, arrangements for the care of their own family should be prearranged in order to permit discharge of this emergency responsibility. We take these steps to ensure employees are ready to fulfill their disaster responsibilities:

The Principal or designee shall prepare a list of staff to be assigned specific emergency response roles as outlined in this plan.

Each Principal or designee shall conduct a survey of certificated and classified personnel to determine each employee's status in terms of first aid training, disaster preparedness training, and other emergency experience and training. Records will be kept current as changes of personnel occur. Copies of records will be kept on file in the Principal's office.

Solicit cooperation of the PTA and other parent groups in organizing disaster response activities and assignments.

In preparation for the possibility of a long stay at schools, the Principal or designee shall prepare a list of students and staff who have special conditions requiring medications and/or special attention.

CHILD ABUSE

CHILD ABUSE REPORTING PROCEDURES

1. What is Child Abuse?

Any act of omission or commission that endangers or imparts a child's physical or emotional health and development. These acts include:

- Physical abuse and corporal punishment resulting in an injury.
- Emotional abuse
- Emotional deprivation
- Physical neglect and/or inadequate supervision
- Sexual abuse and exploitation

2. Reporting Process:

· **Classified** employees shall report known or reasonable suspected child abuse immediately to the site principal or assistant principal for investigation and required action.

· **Certificated** employees shall report known or reasonable suspected child abuse immediately to: - Department of Children and Family Services at (209) 468-1333

AND SHALL

- Complete a CHILD ABUSE REPORT form online within 24 hours of reporting the suspected child abuse by phone. This form can be found online at:

https: <http://www.sjchsa.org/Assistance/Childrens-Services>

AND SHALL - Immediately inform the Principal regarding the details of such a report. **When is a Certificated Employee Responsible for Reporting?**

Responsibility for reporting arises when in the scope of this or her employment, or if in his or her professional capacity, a certified employee has knowledge of or suspects a student has been the victim of child abuse.

“Within the scope of employment” encompasses all times and occasions when an individual is performing required job duties, both on or off the school campus. “In his or her professional capacity” conceivably extends this duty to occasions where an individual is not on the job but is present in a situation as a professional educator.

New Hope Elementary School District

Board Policy

Child Abuse Prevention and Reporting

BP 5141.4

Students

The Governing Board is committed to supporting the safety and well-being of district students and desires to facilitate the prevention of and response to child abuse and neglect. The Superintendent or designee shall develop and implement strategies for preventing, recognizing, and promptly reporting known or suspected child abuse and neglect.

The Superintendent or designee may provide a student who is a victim of abuse with school-based mental health services or other support services and/or may refer the student to resources available within the community as needed.

(cf. 1020 - Youth Services)

(cf. 5141.6 - School Health Services)

(cf. 6164.2 - Guidance/Counseling Services)

Child Abuse Prevention

The district's instructional program shall include age-appropriate and culturally sensitive child abuse prevention curriculum. This curriculum shall explain students' right to live free of abuse, include instruction in the skills and techniques needed to identify unsafe situations and react appropriately and promptly, inform students of available support resources, and teach students how to obtain help and disclose incidents of abuse.

(cf. 6142.8 - Comprehensive Health Education)

(cf. 6143 - Courses of Study)

The district's program also may include age-appropriate curriculum in sexual abuse and sexual assault awareness and prevention. Upon written request of a student's parent/guardian, the student shall be excused from taking such instruction. (Education Code 51900.6)

The Superintendent or designee shall, to the extent feasible, seek to incorporate community resources into the district's child abuse prevention programs and may use these resources to provide parents/guardians with instruction in parenting skills and child abuse prevention.

Child Abuse Reporting

The Superintendent or designee shall establish procedures for the identification and reporting of known and suspected child abuse and neglect in accordance with law.

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

(cf. 5145.7 - Sexual Harassment)

Procedures for reporting child abuse shall be included in the district and/or school comprehensive safety plan. (Education Code 32282)
(cf. 0450 - Comprehensive Safety Plan)

District employees who are mandated reporters, as defined by law and administrative regulation, are obligated to report all known or suspected incidents of child abuse and neglect.

The Superintendent or designee shall provide training regarding the duties of mandated reporters.

Legal Reference:

EDUCATION CODE

32280-32288 Comprehensive school safety plans
33195 Heritage schools, mandated reporters
33308.1 Guidelines on procedure for filing child abuse complaints
44252 Teacher credentialing
44691 Staff development in the detection of child abuse and neglect
44807 Duty concerning conduct of students
48906 Notification when student released to peace officer
48987 Dissemination of reporting guidelines to parents
49001 Prohibition of corporal punishment
51220.5 Parenting skills education
51900.6 Sexual abuse and sexual assault awareness and prevention

PENAL CODE

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

WELFARE AND INSTITUTIONS CODE

15630-15637 Dependent adult abuse reporting

CODE OF REGULATIONS, TITLE 5

4650 Filing complaints with CDE, special education students

UNITED STATES CODE, TITLE 42

11434a McKinney-Vento Homeless Assistance Act; definitions

COURT DECISIONS

Camreta v. Greene (2011) 131 S.Ct. 2020

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Health Education Content Standards for California Public Schools, Kindergarten Through Grade Twelve

Health Framework for California Public Schools, Kindergarten Through Grade Twelve

WEB SITES

California Attorney General's Office, Suspected Child Abuse Report Form:

http://www.ag.ca.gov/childabuse/pdf/ss_8572.pdf

California Department of Education, Safe Schools: <http://www.cde.ca.gov/ls/ss/ap>

California Department of Social Services, Children and Family Services Division:

<http://www.childsworld.ca.gov>

U.S. Department of Health and Human Services, Child Welfare Information Gateway:

<https://www.childwelfare.gov/can>

(7/02, 11/04) 12/14
Policy Adopted: 5/11/2015

New Hope Elementary School District

Administrative Regulation

Child Abuse Prevention and Reporting

AR 5141.4

Students

Definitions

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

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

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

(cf. 5145.7 - Sexual Harassment)

Child abuse or neglect does not include:

1. A mutual affray between minors (Penal Code 11165.6)
2. An injury caused by reasonable and necessary force used by a peace officer acting within the course and scope of his/her employment (Penal Code 11165.6)
(cf. 3515.3 - District Police/Security Department)
3. An injury resulting from the exercise by a teacher, vice principal, principal, or other certificated employee of the same degree of physical control over a student that a parent/guardian would be privileged to exercise, not exceeding the amount of physical control reasonably necessary to maintain order, protect property, protect the health and safety of students, or maintain proper and appropriate conditions conducive to learning (Education Code 44807)
4. An injury caused by a school employee's use of force that is reasonable and necessary to quell a disturbance threatening physical injury to persons or damage to property, to protect himself/herself, or to obtain weapons or other dangerous objects within the control of a student(s) (Education Code 49001)

(cf. 5131.7 - Weapons and Dangerous Instruments)
(cf. 5144 - Discipline)
(cf. 6159.4 - Behavioral Interventions for Special Education Students)

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

(cf. 6142.7 - Physical Education and Activity)
(cf. 6145.2 - Athletic Competition)

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

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

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

Reportable Offenses

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

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

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

Responsibility for Reporting

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

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

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

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

(cf. 1240 - Volunteer Assistance)

Reporting Procedures

1. Initial Telephone Report

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

Child Protective Services (CPS)
P.O. Box 201056
Stockton, CA 95201
(209)468-1333 (24 hours a day)

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

2. Written Report

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

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

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

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

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

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

3. Internal Reporting

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

However, employees reporting child abuse or neglect to an appropriate agency are encouraged, but not required, to notify the Superintendent/Principal as soon as possible after the initial telephone report to the appropriate agency.

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

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

Training

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

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

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

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

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

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

Victim Interviews by Social Services

Whenever the Department of Social Services or another government agency is investigating suspected child abuse or neglect that occurred within the child's home or out-of-home care facility, the student may be interviewed by an agency representative during school hours, on school premises. The Superintendent or designee shall give the student the choice of being interviewed in private or in the presence of any adult school employee or volunteer aide selected by the student. (Penal Code 11174.3)

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

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

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

Release of Child to Peace Officer

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

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

Parent/Guardian Complaints

Upon request, the Superintendent or designee shall provide parents/guardians with procedures for reporting suspected child abuse occurring at a school site to appropriate agencies. For parents/guardians whose primary language is not English, such procedures shall be in their primary language and, when communicating orally regarding those procedures, an interpreter shall be provided.

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

(cf. 1312.1 - Complaints Concerning District Employees)

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

(cf. 1312.3 - Uniform Complaint Procedures)

Notifications

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

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

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

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

The Superintendent or designee also shall notify all employees that:

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

(11/10, 12/14) 5/16

Regulation Adopted: 2/16/17

Print

SUSPECTED CHILD ABUSE REPORT

Reset Form

To Be Completed by Mandated Child Abuse Reporters Pursuant to Penal Code Section 11166

CASE NAME: _____

CASE NUMBER: _____

PLEASE PRINT OR TYPE

A. REPORTING PARTY	NAME OF MANDATED REPORTER		TITLE		MANDATED REPORTER CATEGORY	
	REPORTER'S BUSINESS AGENCY NAME AND ADDRESS		Street	City	Zip	DID MANDATED REPORTER WITNESS THE INCIDENT? <input type="checkbox"/> YES <input type="checkbox"/> NO
B. REPORT NOTIFICATION	REPORTER'S TELEPHONE (DAYTIME) ()		SIGNATURE		TODAY'S DATE	
	<input type="checkbox"/> LAW ENFORCEMENT <input type="checkbox"/> COUNTY PROBATION		AGENCY		<input type="checkbox"/> COUNTY WELFARE / CPS (Child Protection Services)	
C. VICTIM <i>One report per victim</i>	ADDRESS		Street	City	Zip	DATE/TIME OF PHONE CALL
	OFFICIAL CONTACTED - TITLE		TELEPHONE ()			
D. INVOLVED PARTIES	NAME (LAST, FIRST, MIDDLE)		BIRTHDATE OR APPROX. AGE		SEX	ETHNICITY
	ADDRESS		Street	City	Zip	TELEPHONE ()
	PRESENT LOCATION OF VICTIM		SCHOOL		CLASS	GRADE
	PHYSICALLY DISABLED? <input type="checkbox"/> YES <input type="checkbox"/> NO	DEVELOPMENTALLY DISABLED? <input type="checkbox"/> YES <input type="checkbox"/> NO	OTHER DISABILITY (SPECIFY)		PRIMARY LANGUAGE SPOKEN IN HOME	
	IN FOSTER CARE? <input type="checkbox"/> YES <input type="checkbox"/> NO	IF VICTIM WAS IN OUT-OF-HOME CARE AT TIME OF INCIDENT, CHECK TYPE OF CARE <input type="checkbox"/> DAY CARE <input type="checkbox"/> CHILD CARE CENTER <input type="checkbox"/> FOSTER FAMILY HOME <input type="checkbox"/> FAMILY FRIEND <input type="checkbox"/> GROUP HOME OR INSTITUTION <input type="checkbox"/> RELATIVES' CARE			TYPE OF ABUSE (CHECK ONE OR MORE) <input type="checkbox"/> PHYSICAL <input type="checkbox"/> MENIAL <input type="checkbox"/> SEXUAL <input type="checkbox"/> NEGLECT <input type="checkbox"/> OTHER (SPECIFY)	
RELATIONSHIP TO SUSPECT		PICTURES TAKEN? <input type="checkbox"/> YES <input type="checkbox"/> NO		DID THE INCIDENT RESULT IN THE VICTIM'S DEATH? <input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> UNK		
E. INCIDENT INFORMATION	VICTIMS		NAME		BIRTHDATE	
	SIBLINGS		NAME		BIRTHDATE	
	NAME (LAST, FIRST, MIDDLE)		BIRTHDATE OR APPROX. AGE		SEX	ETHNICITY
	ADDRESS		Street	City	Zip	HOME PHONE ()
	NAME (LAST, FIRST, MIDDLE)		BIRTHDATE OR APPROX. AGE		SEX	ETHNICITY
	ADDRESS		Street	City	Zip	HOME PHONE ()
	SUSPECT'S NAME (LAST, FIRST, MIDDLE)		BIRTHDATE OR APPROX. AGE		SEX	ETHNICITY
	ADDRESS		Street	City	Zip	TELEPHONE ()
	OTHER RELEVANT INFORMATION					
	DATE/TIME OF INCIDENT		PLACE OF INCIDENT			
NARRATIVE DESCRIPTION (what victim(s) said; what the mandated reporter observed; what person accompanying the victim(s) said; similar or past incidents involving the victim(s) or suspect.						

SS 8572 (Rev. 1/2001)

DEFINITIONS AND INSTRUCTIONS ON REVERSE

DO NOT submit a copy of this form to the Department of Justice (DOJ). The investigating agency is required under Penal Code Section 11169 to submit to DOJ a Child Abuse Investigation Report Form SS 8583 if (1) an active investigation was conducted and (2) the incident was determined not to be unfounded.

WHITE COPY-Police or Sheriff's Department; BLUE COPY-County Welfare or Probation Department; GREEN COPY-District Attorney's Office; YELLOW COPY-Reporting Party

SUSPENSION and/or EXPULSION

New Hope Elementary School District

Board Policy

Suspension and Expulsion/Due Process

BP 5144.1

Students

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

(cf. 5131 - Conduct)

(cf. 5131.1 - Bus Conduct)

(cf. 5131.2 - Bullying)

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

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

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

(cf. 5112.5 - Open/Closed Campus)

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

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

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

Appropriate Use of Suspension Authority

Except when a student's act violates Education Code 48900(a)-(e), as listed in items #1-5 under "Grounds for Suspension and Expulsion: Grades K-12" of the accompanying administrative

regulation, or when his/her presence causes a danger to others, suspension shall be used only when other means of correction have failed to bring about proper conduct. (Education Code 48900.5, 48900.6)

(cf. 1020 - Youth Services)
(cf. 5138 - Conflict Resolution/Peer Mediation)
(cf. 5144 - Discipline)
(cf. 6142.4 - Service Learning/Community Service Classes)
(cf. 6164.2 - Guidance/Counseling Services)
(cf. 6164.5 - Student Success Teams)

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

OPTION 2: No student may be suspended for disruption or willful defiance, except by a teacher pursuant to Education Code 48910. (Education Code 48900)

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

(cf. 5113 - Absences and Excuses)
(cf. 5113.1 - Chronic Absence and Truancy)

On-Campus Suspension

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

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

Authority to Expel

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

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

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

(cf. 5131.7 - Weapons and Dangerous Instruments)

2. Selling or otherwise furnishing a firearm
3. Brandishing a knife at another person
4. Unlawfully selling a controlled substance listed in Health and Safety Code 11053-11058
5. Committing or attempting to commit a sexual assault as defined in Penal Code 261, 266c, 286, 288, 288a, or 289, or committing a sexual battery as defined in Penal Code 243.4
6. Possessing an explosive as defined in 18 USC 921

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

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

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

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

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

Due Process

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

(cf. 5119 - Students Expelled from Other Districts)

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

Maintenance and Monitoring of Outcome Data

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

expulsion, and the disposition of the students after the expulsion period.

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

(cf. 0460 - Local Control and Accountability Plan)

Legal Reference:

EDUCATION CODE

212.5 Sexual harassment

233 Hate violence

1981-1981.5 Enrollment of students in community school

17292.5 Program for expelled students

32261 Interagency School Safety Demonstration Act of 1985

35145 Open board meetings

35146 Closed sessions (regarding suspensions)

35291 Rules (for government and discipline of schools)

35291.5 Rules and procedures on school discipline

48645.5 Readmission; contact with juvenile justice system

48660-48666 Community day schools

48853.5 Foster youth

48900-48927 Suspension and expulsion

48950 Speech and other communication

48980 Parental notifications

49073-49079 Privacy of student records

52060-52077 Local control and accountability plan

CIVIL CODE

47 Privileged communication

48.8 Defamation liability

CODE OF CIVIL PROCEDURE

1985-1997 Subpoenas; means of production

GOVERNMENT CODE

11455.20 Contempt

54950-54963 Ralph M. Brown Act

HEALTH AND SAFETY CODE

11014.5 Drug paraphernalia

11053-11058 Standards and schedules

LABOR CODE

230.7 Discharge or discrimination against employee for taking time off to appear in school on behalf of a child

PENAL CODE

31 Principal of a crime, defined

240 Assault defined

241.2 Assault fines

242 Battery defined
243.2 Battery on school property
243.4 Sexual battery
245 Assault with deadly weapon
245.6 Hazing
261 Rape defined
266c Unlawful sexual intercourse
286 Sodomy defined
288 Lewd or lascivious acts with child under age 14
288a Oral copulation
289 Penetration of genital or anal openings
417.27 Laser pointers
422.55 Hate crime defined
422.6 Interference with exercise of civil rights
422.7 Aggravating factors for punishment
422.75 Enhanced penalties for hate crimes
626.2 Entry upon campus after written notice of suspension or dismissal without permission
626.9 Gun-Free School Zone Act of 1995
626.10 Dirks, daggers, knives, razors, or stun guns
868.5 Supporting person; attendance during testimony of witness

WELFARE AND INSTITUTIONS CODE

729.6 Counseling
UNITED STATES CODE, TITLE 18
921 Definitions, firearm
UNITED STATES CODE, TITLE 20
1415(K) Placement in alternative educational setting
7151 Gun-free schools
UNITED STATES CODE, TITLE 42
11432-11435 Education of homeless children and youths

COURT DECISIONS

T.H. v. San Diego Unified School District (2004) 122 Cal. App. 4th 1267
Woodbury v. Dempsey (2003) 108 Cal. App. 4th 421
Board of Education of Sacramento City Unified School District v. Sacramento County Board of Education and Kenneth H. (2001) 85 Cal.App.4th 1321
Garcia v. Los Angeles Board of Education (1991) 123 Cal. App. 3d 807
Fremont Union High School District v. Santa Clara County Board (1991) 235 Cal. App. 3d 1182
John A. v. San Bernardino School District (1982) 33 Cal. 3d 301

ATTORNEY GENERAL OPINIONS

84 Ops.Cal.Atty.Gen. 146 (2001)
80 Ops.Cal.Atty.Gen. 348 (1997)
80 Ops.Cal.Atty.Gen. 91 (1997)
80 Ops.Cal.Atty.Gen. 85 (1997)

Management Resources:

CSBA PUBLICATIONS

Safe Schools: Strategies for Governing Boards to Ensure Student Success, 2011

U.S. DEPARTMENT OF EDUCATION, OFFICE FOR CIVIL RIGHTS PUBLICATIONS

Dear Colleague Letter on the Nondiscriminatory Administration of School Discipline, January 2014

WEB SITES

CSBA: <http://www.csba.org>

California Attorney General's Office: <http://www.oag.ca.gov>

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

U.S. Department of Education, Office for Civil Rights:

<http://www.ed.gov/about/offices/list/ocr/docs/crdc-2012-data-summary.pdf>

U.S. Department of Education, Office of Safe and Drug-Free Schools:

<http://www.ed.gov/about/offices/list/osdfs>

(11/12, 4/14) 12/14

Policy Adopted: 5/11/2015

New Hope Elementary School District

Administrative Regulation

Suspension and Expulsion/Due Process

AR 5144.1
Students

Definitions

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

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

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

Notice of Regulations

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

(cf. 5144 - Discipline)

(cf. 5145.6 - Parental Notifications)

Grounds for Suspension and Expulsion: Grades K-12

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

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

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

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

(cf. 5131 - Conduct)

(cf. 5131.7 - Weapons and Dangerous Instruments)

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

(cf. 5131.6 - Alcohol and Other Drugs)

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

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

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

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

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

(cf. 5131.62 - Tobacco)

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

- (cf. 1114 - District-Sponsored Social Media)
- (cf. 5131.2 - Bullying)
- (cf. 6163.4 - Student Use of Technology)
- (cf. 6164.4 - Identification and Evaluation of Individuals for Special Education)
- (cf. 6164.6 - Identification and Education under Section 504)

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

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

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

Additional Grounds for Suspension and Expulsion: Grades 4-12

Any student in grades 4-12 may be suspended, but not expelled, for disrupting school activities or otherwise willfully defying the valid authority of supervisors, teachers, administrators, other school officials, or other school personnel engaged in the performance of their duties. (Education Code 48900(k))

(cf. 5131.4 - Student Disturbances)

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

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

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

(cf. 5145.7 - Sexual Harassment)

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

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

group with one or more of those actual or perceived characteristics. (Education Code 233; Penal Code 422.55)

(cf. 5145.9 - Hate-Motivated Behavior)

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

(cf. 5145.3 - Nondiscrimination/Harassment)

Suspension from Class by a Teacher

A teacher may suspend a student, including a grade K-3 student, from class for the remainder of the day and the following day for disruption, willful defiance, or any of the other acts specified in Education Code 48900 and listed as items #1-18 under "Grounds for Suspension and Expulsion: Grades K-12" above. (Education Code 48910)

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

As soon as possible after the teacher decides to suspend the student, he/she shall ask the student's parent/guardian to attend a parent-teacher conference regarding the suspension. A counselor or psychologist may attend the conference if it is practicable, and a school administrator shall attend if either the parent/guardian or teacher so requests. (Education Code 48910)

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

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

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

Suspension by Superintendent, Principal or Principal's Designee

To implement disciplinary procedures at a school site, the principal may, in writing, designate as the principal's designee another administrator or, if the principal is the only administrator at the school site, a certificated employee. As necessary, the principal may, in writing, also designate

another administrator or certificated employee as the secondary designee to assist with disciplinary procedures when the principal and the principal's primary designee are absent from the school site.

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

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

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

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

(cf. 5125 - Student Records)

Length of Suspension

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

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

(cf. 6184 - Continuation Education)

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

Due Process Procedures for Suspension

Suspensions shall be imposed in accordance with the following procedures:

1. **Informal Conference:** Suspension shall be preceded by an informal conference conducted by the Superintendent, principal, or designee with the student and, whenever practicable, the teacher, supervisor, or school employee who referred the student to the principal. At the

conference, the student shall be informed of the reason for the disciplinary action, presented with the available evidence against him/her, and given the opportunity to present his/her version and evidence in support of his/her defense. (Education Code 48911)

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

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

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

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

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

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

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

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

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

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

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

(cf. 6173.1 - Education for Foster Youth)

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

(cf. 6173 - Education for Homeless Children)

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

Suspension by the Board

The Board may suspend a student for any of the acts listed under "Grounds for Suspension and Expulsion: Grades K-12" and "Additional Grounds for Suspension and Expulsion: Grades 4-12" above and within the limits specified under "Suspension by Superintendent, Principal, or Designee" above. (Education Code 48912)

The Board may suspend a student enrolled in a continuation school or class for a period not longer than the remainder of the semester. The suspension shall meet the requirements of Education Code 48915. (Education Code 48912.5)

When the Board is considering a suspension, disciplinary action, or any other action (except expulsion) against any student, it 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)

(cf. 9321 - Closed Session Purposes and Agendas)

The Board shall provide the student and his/her parent/guardian with written notice of the closed session by registered or certified mail or personal service. Upon receiving this notice, the student or parent/guardian may request a public meeting, and this request shall be granted if made in writing within 48 hours after receipt of the Board's notice. However, any discussion that conflicts with any other student's right to privacy still shall be held in closed session. (Education Code 35146, 48912)

On-Campus Suspension

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

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

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

Superintendent or Principal's Authority to Recommend Expulsion

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

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

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

Student's Right to Expulsion Hearing

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

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

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

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

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

Stipulated Expulsion

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

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

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

Rights of Complaining Witness

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

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

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

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

Written Notice of the Expulsion Hearing

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

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

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

(cf. 5119 - Students Expelled from Other Districts)

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

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

Non-attorney adviser means an individual who is not an attorney or lawyer, but who is

familiar with the facts of the case and has been selected by the student or student's parent/guardian to provide assistance at the hearing.

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

Additional Notice of Expulsion Hearing for Foster Youth and Homeless Students

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

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

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

Conduct of Expulsion Hearing

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

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

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

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

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

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

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

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

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

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

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

- a. Any complaining witness shall be given five days' notice before being called to testify.
- b. Any complaining witness shall be entitled to have up to two adult support persons, including, but not limited to, a parent/guardian or legal counsel, present during his/her testimony.
- c. Before a complaining witness testifies, support persons shall be admonished that the hearing is confidential.

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

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

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

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

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

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

(3) The person conducting the hearing may:

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

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

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

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

Alternative Expulsion Hearing: Hearing Officer or Administrative Panel

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

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

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

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

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

Final Action by the Board

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

(cf. 9321.1 - Closed Session Actions and Reports)

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

Upon ordering an expulsion, the Board shall set a date when the student shall be reviewed for readmission to a school within the district. For a student expelled for any act listed under "Mandatory Recommendation and Mandatory Expulsion" above, this date shall be one year from the date the expulsion occurred, except that the Board may set an earlier date on a case-by-case

basis. For a student expelled for other acts, this date shall be no later than the last day of the semester following the semester in which the expulsion occurred. If an expulsion is ordered during summer session or the intersession period of a year-round program, the Board shall set a date when the student shall be reviewed for readmission not later than the last day of the semester following the summer session or intersession period in which the expulsion occurred. (Education Code 48916)

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

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

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

Written Notice to Expel

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

1. The specific offense committed by the student for any of the causes for suspension or expulsion listed above under "Grounds for Suspension and Expulsion: Grades K-12" or "Additional Grounds for Suspension and Expulsion: Grades 4-12" (Education Code 48900.8)
2. The fact that a description of readmission procedures will be made available to the student and his/her parent/guardian (Education Code 48916)
3. Notice of the right to appeal the expulsion to the County Board (Education Code 48918)
4. Notice of the alternative educational placement to be provided to the student during the time of expulsion (Education Code 48918)
5. Notice of the student's or parent/guardian's obligation to inform any new district in which the student seeks to enroll of the student's status with the expelling district, pursuant to Education Code 48915.1 (Education Code 48918)

Decision to Suspend Expulsion Order

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

1. The student's pattern of behavior

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

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

1. The Board may, as a condition of the suspension of enforcement, assign the student to a school, class, or program appropriate for the student's rehabilitation. This rehabilitation program may provide for the involvement of the student's parent/guardian in the student's education. However, a parent/guardian's refusal to participate in the rehabilitation program shall not be considered in the Board's determination as to whether the student has satisfactorily completed the rehabilitation program. (Education Code 48917)
2. During the period when enforcement of the expulsion order is suspended, the student shall be on probationary status. (Education Code 48917)
3. The suspension of the enforcement of an expulsion order may be revoked by the Board if the student commits any of the acts listed under "Grounds for Suspension and Expulsion: Grades K-12" or "Additional Grounds for Suspension and Expulsion: Grades 4-12" above or violates any of the district's rules and regulations governing student conduct. (Education Code 48917)
4. When the suspension of enforcement of an expulsion order is revoked, a student may be expelled under the terms of the original expulsion order. (Education Code 48917)
5. Upon satisfactory completion of the rehabilitation assignment, the Board shall reinstate the student in a district school. Upon reinstatement, the Board may order the expunging of any or all records of the expulsion proceedings. (Education Code 48917)
6. The Superintendent or designee shall send written notice of any decision to suspend the enforcement of an expulsion order during a period of probation to the student or parent/guardian. The notice shall inform the parent/guardian of the right to appeal the expulsion to the County Board, the alternative educational placement to be provided to the student during the period of expulsion, and the student's or parent/guardian's obligation to inform any new district in which the student seeks to enroll of his/her status with the expelling district, pursuant to Education Code 48915.1(b). (Education Code 48918(j))
7. Suspension of the enforcement of an expulsion order shall not affect the time period and requirements for the filing of an appeal of the expulsion order with the County Board. (Education Code 48917)

Appeal

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

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

Notification to Law Enforcement Authorities

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

The principal or designee also shall notify appropriate city or county law enforcement authorities of any student acts which may involve the possession or sale of narcotics or of a controlled substance. In addition, law enforcement authorities shall be notified regarding any acts by students regarding the possession, sale, or furnishing of firearms, explosives, or other dangerous weapons in violation of Education Code 48915(c)(1) or (5) or Penal Code 626.9 and 626.10. (Education Code 48902)

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

Placement During Expulsion

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

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

(cf. 6158 - Independent Study)
(cf. 6185 - Community Day School)

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

The program for a student expelled from any of grades K-6 shall not be combined or merged

with programs offered to students in any of grades 7-12. (Education Code 48916.1)

Readmission After Expulsion

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

1. The Superintendent or designee shall hold a conference with the parent/guardian and the student. At the conference, the student's rehabilitation plan shall be reviewed and the Superintendent or designee shall verify that the provisions of this plan have been met. School regulations shall be reviewed and the student and parent/guardian shall be asked to indicate in writing their willingness to comply with these regulations.
2. The Superintendent or designee shall transmit to the Board his/her recommendation regarding readmission. The Board shall consider this recommendation in closed session. If a written request for an open session is received from the parent/guardian or adult student, it shall be honored to the extent that privacy rights of other students are not violated.
3. If the readmission is granted, the Superintendent or designee shall notify the student and parent/guardian, by registered mail, of the Board's decision regarding readmission.
4. The Board may deny readmission only if it finds that the student has not satisfied the conditions of the rehabilitation plan or that the student continues to pose a danger to campus safety or to other district students or employees. (Education Code 48916)
5. If the Board denies the readmission of a student, the Board shall determine either to continue the student's placement in the alternative educational program initially selected or to place the student in another program that serves expelled students, including placement in a county community school.
6. The Board shall provide written notice to the expelled student and parent/guardian describing the reasons for denying readmittance into the regular program. This notice shall indicate the Board's determination of the educational program which the Board has chosen. The student shall enroll in that program unless the parent/guardian chooses to enroll the student in another school district. (Education Code 48916)

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

Maintenance of Records

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

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

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

(cf. 5119 - Students Expelled from Other Districts)

(11/12, 4/14) 12/14

Regulation Adopted: 5/11/2015

New Hope Elementary School District

Administrative Regulation

Suspension and Expulsion/Due Process (Students With Disabilities)

AR 5144.2

Students

A student identified as an individual with a disability pursuant to the Individuals with Disabilities Education Act (IDEA), 20 USC 1400-1482, is subject to the same grounds and procedures for suspension and expulsion which apply to students without disabilities, except as otherwise specified in this administrative regulation.

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

Suspension

The Superintendent or designee may suspend a student with a disability for up to 10 consecutive school days for a single incident of misconduct, and for up to 20 school days in a school year, as long as the suspension(s) does not constitute a change in placement pursuant to 34 CFR 300.536. (Education Code 48903; 34 CFR 300.530)

The principal or designee shall monitor the number of days, including portions of days, in which a student with a valid individualized education program (IEP) has been suspended during the school year.

(cf. 6159 - Individualized Education Program)

The Superintendent or designee shall determine, on a case-by-case basis, whether a pattern of removals of a student from his/her current educational placement for disciplinary reasons constitutes a change of placement. A change of placement shall be deemed to have occurred under either of the following circumstances: (34 CFR 300.536)

1. The removal is for more than 10 consecutive school days.
2. The student has been subjected to a series of removals that constitute a pattern because of all of the following:
 - a. The series of removals total more than 10 school days in a school year.
 - b. The student's behavior is substantially similar to his/her behavior in previous incidents that resulted in the series of removals.
 - c. Additional factors, such as the length of each removal, the total amount of time the

student has been removed, and the proximity of the removals to one another, indicate a change of placement.

If a student's removal is determined to be a change of placement as specified in items #1-2 above, or the student is suspended for more than 10 school days in the same school year, the student's IEP team shall determine the appropriate educational services. Such services shall be designed to enable the student to continue to participate in the general education curriculum in another setting, to progress toward meeting the goals set out in his/her IEP, and to address the student's behavior violation so that it does not recur. (20 USC 1412(a)(1)(A); 34 CFR 300.530)

If the IEP of a student with a disability requires the district to provide the student with transportation, the district shall provide the student with an alternative form of transportation at no cost to him/her or to his/her parent/guardian when he/she is to be excluded from school bus transportation. (Education Code 48915.5)

(cf. 3541.2 - Transportation for Students with Disabilities)

Interim Alternative Educational Placement Due to Dangerous Behavior

The district may unilaterally place a student with a disability in an appropriate interim alternative educational setting for up to 45 school days, without regard to whether the behavior is a manifestation of the student's disability, when the student commits one of the following acts while at school, going to or from school, or at a school-related function: (20 USC 1415(k)(1)(G); 34 CFR 300.530)

1. Carries or possesses a weapon, as defined in 18 USC 930
2. Knowingly possesses or uses illegal drugs
3. Sells or solicits the sale of a controlled substance as identified in 21 USC 812(c), Schedules I-V
4. Inflicts serious bodily injury upon another person as defined in 18 USC 1365

The student's interim alternative educational setting shall be determined by his/her IEP team. (20 USC 1415(k)(1)(G); 34 CFR 300.531)

On the date the decision to take disciplinary action is made, the student's parent/guardian shall be notified of the decision and provided the procedural safeguards notice pursuant to 34 CFR 300.504. (20 USC 1415(k)(1)(H); 34 CFR 300.530)

A student who has been removed from his/her current placement because of dangerous behavior shall receive services, although in another setting, to the extent necessary to allow him/her to participate in the general education curriculum and to progress toward meeting the goals set out in his/her IEP. As appropriate, the student shall also receive a functional behavioral assessment and behavioral intervention services and modifications that are designed to address the behavior violation so that it does not recur. (20 USC 1415(k)(1)(D); 34 CFR 300.530)

Manifestation Determination

The following procedural safeguards shall apply when a student with a disability is suspended for more than 10 consecutive school days, when a series of removals of a student constitutes a pattern, or when a change of placement of a student is contemplated due to a violation of the district's code of conduct:

1. Notice: On the date the decision to take disciplinary action is made, the student's parent/guardian shall be notified of the decision and provided the procedural safeguards notice pursuant to 34 CFR 300.504. (20 USC 1415(k)(1)(H); 34 CFR 300.530)

(cf. 5145.6 - Parental Notifications)

(cf. 6159.1 - Procedural Safeguards and Complaints for Special Education)

2. Manifestation Determination Review: Immediately if possible, but in no case later than 10 school days after the date the decision to take disciplinary action is made, a manifestation determination review shall be made of the relationship between the student's disability and the behavior subject to the disciplinary action. (20 USC 1415(k)(1)(E); 34 CFR 300.530)

At the manifestation determination review, the district, the student's parent/guardian, and relevant members of the IEP team (as determined by the district and parent/guardian) shall review all relevant information in the student's file, including the student's IEP, any teacher observations, and any relevant information provided by the parents/guardians, to determine whether the conduct in question was either of the following: (20 USC 1415(k)(1)(E); 34 CFR 300.530)

a. Caused by or had a direct and substantial relationship to the student's disability

b. A direct result of the district's failure to implement the student's IEP, in which case the district shall take immediate steps to remedy those deficiencies

If the manifestation review team determines that either of the above conditions applies, the student's conduct shall then be determined to be a manifestation of his/her disability. (20 USC 1415(k)(1)(E); 34 CFR 300.530)

3. Determination that Behavior is a Manifestation of the Student's Disability: When the student's conduct has been determined to be a manifestation of his/her disability, the IEP team shall conduct a functional behavioral assessment, unless one had been conducted before the occurrence of the behavior that resulted in the change of placement, and shall implement a behavioral intervention plan for the student. If a behavioral intervention plan has already been developed, the IEP team shall review the behavioral intervention plan and modify it as necessary to address the behavior. (20 USC 1415(k)(1)(F); 34 CFR 300.530)

The student shall be returned to the placement from which he/she was removed, unless the parent/guardian and Superintendent or designee agree to a change of placement as part of the modification of the behavioral intervention plan. (20 USC 1415(k)(1)(F); 34 CFR 300.530)

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

4. **Determination that Behavior is Not a Manifestation of the Student's Disability:** When it has been determined that the student's conduct was not a manifestation of his/her disability, the student may be disciplined in accordance with the procedures for students without disabilities. However, the student's IEP team shall determine services necessary to enable him/her to participate in the general education curriculum in another setting and to allow him/her to progress toward meeting the goals set out in his/her IEP. (20 USC 1415(k)(1)(D); 34 CFR 300.530)

As appropriate, the student also shall receive a functional behavioral assessment and behavioral intervention services and modifications that are designed to address the behavior violation so that it does not recur. (20 USC 1415(k)(1)(D); 34 CFR 300.530)

(cf. 6158 - Independent Study)
(cf. 6185 - Community Day School)

Due Process Appeals

If the parent/guardian disagrees with any district decision regarding placement under 34 CFR 300.530 (suspension and removal for dangerous circumstances) or 34 CFR 300.531 (interim alternative placement), or the manifestation determination under 34 CFR 300.530(e), he/she may appeal the decision by requesting a hearing. The district may request a hearing if the district believes that maintaining the student's current placement is substantially likely to result in injury to the student or others. In order to request a due process hearing, the requesting party shall file a complaint pursuant to 34 CFR 300.507 and 300.508(a) and (b). (20 USC 1415(k)(3); 34 CFR 300.532)

Whenever a hearing is requested as specified above, the parent/guardian or the district shall have an opportunity for an expedited due process hearing consistent with requirements specified in 34 CFR 300.507, 300.508 (a)-(c), and 300.510-300.514.

If the student's parent/guardian or the district has initiated a due process hearing under 34 CFR 300.532 as detailed above, the student shall remain in the interim alternative educational setting pending the decision of the hearing officer or until the expiration of the 45-day time period, whichever occurs first, unless the parent/guardian and district agree otherwise. (20 USC 1415(k)(4); 34 CFR 300.533)

Readmission

Readmission procedures for students with disabilities shall be the same as those adopted for students without disabilities. Upon readmission of a student with disabilities, an IEP team meeting shall be convened to review and, as necessary, modify the student's IEP.

Decision Not to Enforce Expulsion Order

The Governing Board's criteria for suspending the enforcement of an expulsion order shall be applied to students with disabilities in the same manner as they are applied to all other students. (Education Code 48917)

Notification to Law Enforcement Authorities

Law enforcement notification requirements involving students with disabilities shall be the same as those specified for all students in AR 5144.1 - Suspension and Expulsion/Due Process.

When giving any required notification concerning a student with disabilities to any law enforcement official, the principal or designee shall require the law enforcement official to certify in writing that he/she will not disclose the student's information or records to any other person without the prior written consent of the student's parent/guardian. (Education Code 49076)

(cf. 5131.7 - Weapons and Dangerous Instruments)

Report to County Superintendent of Schools

The Superintendent or designee shall report to the County Superintendent of Schools when any special education student has been expelled or suspended for more than 10 school days. The report shall include the student's name, last known address, and the reason for the action. (Education Code 48203)

Procedures for Students Not Yet Eligible for Special Education Services

A student who has not been determined to be eligible for special education and related services and who has violated the district's code of student conduct may nevertheless assert any of the protections under IDEA, if the district had knowledge of the student's disability. (20 USC 1415(k)(5); 34 CFR 300.534)

Knowledge means that, before the occurrence of the behavior that precipitated the disciplinary action, one of the following occurred: (20 USC 1415(k)(5); 34 CFR 300.534)

1. The parent/guardian, in writing, has expressed concern to district supervisory or administrative personnel, or to a teacher of the student, that the student is in need of special education or related services.
2. The parent/guardian has requested an evaluation of the student for special education pursuant to 20 USC 1414(a)(1)(B) or 34 CFR 300.300-300.311.

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

3. The teacher of the student or other district personnel has expressed specific concerns directly to the district's director of special education or other supervisory district personnel about a pattern of behavior demonstrated by the student.

However, the district shall not be deemed to have knowledge of a student's disability if the student's parent/guardian has not allowed him/her to be evaluated for special education services or has refused services or, after evaluating the student pursuant to 34 CFR 300.300-300.311, the district determined that he/she was not an individual with a disability.

When the district is deemed to not have knowledge of a student's disability, the student shall be disciplined in accordance with procedures established for students without disabilities who engage in comparable behavior. (20 USC 1415(k)(5); 34 CFR 300.534)

If a request is made for an evaluation of a student during the time period in which the student is subject to disciplinary measures pursuant to 34 CFR 300.530, the evaluation shall be conducted in an expedited manner. Until the evaluation is completed, the student shall remain in the educational placement determined by school authorities. (20 USC 1415(k)(5); 34 CFR 300.534)

Legal Reference:

EDUCATION CODE

35146 Closed sessions re: suspensions
35291 Rules of governing board
48203 Reports of severance of attendance of disabled students
48900-48925 Suspension and expulsion
49076 Access to student records
56000 Special education; legislative findings and declarations
56320 Educational needs; requirements
56321 Development or revision of individualized education program
56329 Independent educational assessment
56340-56347 Individualized education program teams
56505 State hearing

PENAL CODE

245 Assault with deadly weapon
626.2 Entry upon campus after written notice of suspension or dismissal without permission
626.9 Gun-Free School Zone Act
626.10 Dirks, daggers, knives, razors, or stun guns

UNITED STATES CODE, TITLE 18

930 Weapons

1365 Serious bodily injury

UNITED STATES CODE, TITLE 20

1412 State eligibility

1415 Procedural safeguards

UNITED STATES CODE, TITLE 21

812 Controlled substances

UNITED STATES CODE, TITLE 29

706 Definitions

794 Rehabilitation Act of 1973, Section 504

CODE OF FEDERAL REGULATIONS, TITLE 34

104.35 Evaluation and placement

104.36 Procedural safeguards

300.1-300.818 Assistance to states for the education of students with disabilities, especially:

300.530-300.537 Discipline procedures

COURT DECISIONS

Schaffer v. Weast, (2005) 546 U.S. 549

Parents of Student W. v. Puyallup School District, (1994 9th Cir.) 31 F.3d 1489

M.P. v. Governing Board of Grossmont Union High School District, (1994) 858 F.Supp. 1044
Honig v. Doe, (1988) 484 U.S. 305

Management Resources:

FEDERAL REGISTER

Rules and Regulations, August 14, 2006, Vol. 71, Number 156, pages 46539-46845

WEB SITES

California Department of Education, Special Education: <http://www.cde.ca.gov/sp/se>

U.S. Department of Education, Office of Special Education Programs:

<http://www.ed.gov/about/offices/list/osers/osep>

(11/06, 3/10) 3/12 Regulation Adopted: 6/11/12

DANGEROUS STUDENT NOTIFICATION

DANGEROUS STUDENT NOTIFICATION

Per Education Code 48918(k): The governing board shall maintain a record of each expulsion, including the cause therefore. Records of expulsions shall be a non-privileged, disclosable public record. The expulsion order and the causes therefore shall be recorded in the pupil's mandatory interim record and shall be forwarded to any school in which the pupil subsequently enrolls upon receipt of a request from the admitting school for the pupil's school records. To be in compliance with Education Code 49079 and Administrative Regulation 4158(a), the following protocol shall be observed:

In order to enroll at any New Hope Elementary District School, the parent or legal guardian must complete the Hart District's Statement of Expulsion or Not. A sample of this form follows this page. If a student is reported via this form as being on expulsion—from another district or within our district—the Registrar will inform the administrators, their assistants, counselors, and the San Joaquin County Sheriff's Deputy.

If it is reported that a student is on probation, the school official learning of this will inform the administrators, their assistants, counselors, and the San Joaquin County Sheriff's Deputy.

For a student within our district, the Infinite Campus files will contain the pertinent information about any student's suspension and/or expulsion. If the student is from another district, the pertinent information of a student's suspension and/or expulsion will be placed in the student's Infinite Campus discipline file. Regarding a student being on probation, the name of the probation officer and that officer's phone number will be placed in the student's Campus discipline file and the information will be filed in the student's discipline hard file. This information will be available and accessible by all faculty, counselors, and administrators.

Employees will receive a Confidential Notification to contact an administrator when a student has previously been suspended or expelled for being in possession of a weapon or for directing a violent act towards an employee. In order to maintain confidentiality when providing the information about student offenses to employees, the notification shall not name or otherwise identify the student. An administrator will reveal the identity of the student to the employee(s). The employee shall be asked to initial the notification and to return it to the administrator. The employee shall then review the student's file in the administrator's office. After reviewing the student's file, the employee shall initial that the file was reviewed.

An administrator will immediately inform an employee if a threat of potential violence or danger has been made toward that employee—even if the employee is not aware of the threat. An investigation and validation of the alleged threat by an administrator will occur within a 48-hour period at the conclusion of which the employee will be advised of the results.

An employee, who is aware of any threat made by a student, or who is assaulted or battered by a student, shall report it to an administrator.

New Hope Elementary

CONFIDENTIAL NOTIFICATION

DATE: _____

TO: _____, Employee

FROM: _____, Administrator

There is confidential information that you need to know regarding one of our students.

Please stop by my office as soon as possible to review with me the student's file. Sign, date, and return this notification to me today.

Thank You,

Employee Signature

Date

cc: Outreach Consultant

New Hope Elementary

CONFIDENTIAL NOTIFICATION

DATE: _____

TO: _____, Employee

FROM: _____, Administrator

There is confidential information that you need to know regarding one of our students.

Please stop by my office as soon as possible to review with me the student's file. Sign, date, and return this notification to me today.

Thank You,

Employee Signature

Date

cc: Outreach Consultant

NEW HOPE ELEMENTARY SCHOOL DISTRICT

26675 N. SACRAMENTO BLVD./P.O. BOX 238 THORNTON, CA 95686 (209)794-2376 FAX (209)794-2230

STUDENT REGISTRATION FORM

Grade _____

Office: ID# _____ **Teacher** _____ **Meals** _____ **YEAR 20** _____ **-** _____ **EN DATE** _____

Child's Legal Name

Last _____ First _____ Middle _____

Physical

Address _____ City _____ State _____

Zip _____

Birthdate ____/____/____ Age _____ Gender: M F Birth

City/State _____

(P.O.

BOX) _____ City _____ State _____

Zip _____

Home Phone (____) _____ Cell

Phone(____) _____ WorkPhone(____) _____ Ext _____

Special Education: Does your child have a current IEP? Yes No If yes, attach current IEP. Please Initial _____

504 Plan: Does your child have a current 504 Plan? Yes No If yes, attach current 504 Plan. Please Initial _____

Name	Physical Address	Living? Yes/No	Student Lives With? Mother/Father
Mother			
Father			
Guardian			
Mother's Employer	Address		Phone ()
Father's Employer	Address		Phone ()

Other Children Living In The Home Under the Age 18

Name	Relationship to Student	School Name	Grade	Birthdate
1.				
2.				
3.				
4.				

Residence: Where is your student/family currently living? Select one.

- Single Family Permanent Residence (house, apartment, condominium, mobile home)
- Temporary Shelters (transitional housing)
- Hotels/Motels
- Temporarily Doubled Up (sharing the housing of other persons due to the loss of housing or economic hardship)
- Temporarily Unsheltered (car, campsite)

- Foster Family Home or Kinship Placement
- Other _____

Last School Attended _____ Grade Enrolled _____ Start Date ____ / ____ / ____ Exit Date ____ / ____ / ____
 Address _____ City _____ State _____ Zip _____ Phone(____) _____ Fax(____) _____

Has your child been expelled from another district? Yes No
 Date _____ Reason _____

Has your child been SUSPENDED from school in the last three (3) years for any reason? Yes No
 Reason _____

Is your child currently on Juvenile Probation? Yes No

Enrollment History: If your child was born in another country, date first entered the United States. ____ / ____ / ____

Date child first enrolled in a TK-12 school in the United States. ____ / ____ / ____ Grade _____

Date child first enrolled in a TK-12 school in California. ____ / ____ / ____ Grade _____

Has your child advanced a grade earlier than expected? Yes No Grade _____

Has your child repeated a grade? Yes No Grade _____

Has your child participated in the Gifted and Talented Program (GATE) Yes No

Emergency Contacts: List individuals, other than parent/guardians, authorized to pick up your child. Must be 18 years of age or older.

First & Last Name	Relationship	Primary Phone(Select One)
1.		<input type="checkbox"/> Home <input type="checkbox"/> Cell <input type="checkbox"/> Work(____) _____
2.		<input type="checkbox"/> Home <input type="checkbox"/> Cell <input type="checkbox"/> Work(____) _____
3.		<input type="checkbox"/> Home <input type="checkbox"/> Cell <input type="checkbox"/> Work(____) _____

Court Order: Is there a court order regarding custody of this child? Yes No

Is there a restraining order regarding a birth parent or other party? Yes No

If yes to either question above, you must provide the school with a copy of the most current court order within 10 days of registering your child. **Please initial.** _____

If no court order is provided, information will be released to this parent upon request.

Court Orders must be resubmitted to the school at the beginning of each school year or upon newly issued court orders.

The California Education Code requires schools to determine the language(s) spoken at home by each student. This information is essential and will affect your child's language academic program placement and services. (Ed. Code 52164)

Home Language Survey:

1. Which language did your child learn when he/she first began to talk? _____
2. Which language does your child most frequently speak at home? _____
3. Which language do you (the parents or guardian) most frequently use when speaking with your child?

4. Which language is most often spoken by adults in your home? _____

Ethnicity and Race: Please answer both questions.

Part A. Is this student member Hispanic or Latino? (Select one or more) No, not Hispanic or Latino
 Yes, Hispanic or Latino

The above part of the question is about ethnicity, not race. No matter what you selected above, please continue to answer the following by making one or more boxes to indicate what you consider the student's race to be.

Part B. What is this student's member's race? (Select one or more)

- American Indian or Alaska Native
- Asian: Chinese Korean Asian Indian Cambodian Other Asian
 Japanese Vietnamese Laotian Hmong Filipino
- Black or African American
- Native Hawaiian or Other Pacific Islander: Hawaiian Guamanian Samoan Tahitian Other Pacific Islander
- White

Parent Educational Level: Select the highest level completed by either parent/guardian.

- Not a High School Graduate Some College or Associate's Degree Graduate Degree or Higher
 High School Graduate College Graduate Decline to State

Migrant Work: Has a Parent/Guardian recently engaged in migrant work or been engaged in migrant work (moved and worked seasonally in agriculture, lumber, dairy, or fishery related job) in the past three years? Yes No
 Is your child currently receiving migrant services? Yes No

Armed Forces Family: Is at least one parent an Armed Forces member (Army, Navy, Air Force, Marine Corps, or Coast Guard), on active duty or serving on full-time National Guard duty? Yes No

Health Information: (Except Immunizations) Students Will Not Be Enrolled Unless an Immunization record is Submitted and Immunizations are up-to-date. Date of Last Physical Exam _____ Wears Glasses
 Hearing Difficultly Allergies Other (Asthma, Headaches, Nosebleeds, etc.)

Daily Medications: If your child receives daily medication, please list below. Medication cannot be dispensed at the school without a formal request signed by a doctor and parent/guardian. Medication forms are available in the school office.

Medication	Dosage	Time(s) Given
1.		
2.		

As legal custodian of _____, minor, I hereby authorize the principal or his/her designee, into whose care the aforementioned minor pupil has been entrusted, to consent to any X-ray, examination, anesthetic, medical or surgical diagnosis, treatment, and/or hospital care to be rendered to said minor upon the advice of any licensed physician and/or dentist.

I understand that this authorization is given in advance of any required diagnosis, treatment, or hospital care and provides authority and power to the aforementioned agent(s) to give specific consent to any diagnosis, treatment, or hospital care which a licensed physician or dentist may deem necessary.

This authorization shall remain effective for the full school year unless revoked in writing and delivered to said agent(s). I understand New Hope School District, its employees, and its Board assume no liability of any nature in relation to the transportation or treatment of said minor.

I further understand that all costs of paramedic transportation, hospitalization, and any examination, X-ray, or treatment provided in relation to this authorization shall be my responsibility.

Preferred Doctor _____ Phone (____) _____ Preferred Health Insurance Carrier _____

Preferred Hospital _____ Group/Medical Record Number _____ Policy Number _____

- In the event of an accident or emergency, **I give permission** for the school staff or emergency contact to obtain necessary emergency medical care for my child.
- I do not** consent to medical care for my child. (I release the school/district from liability). Please initial. _____

Medical Authorization: Parent/Guardian Signature

Student Registration: By signing below, I authorize the release of all student records and certify the information given on this form is true and correct.

Print Name _____ Date ____/____/____

Parent/Guardian Signature _____

NEWHOPE ELEMENTARY SCHOOL DISTRICT

Dear Parent/Guardian:

One of our Governing Board's highest priorities is to ensure that our schools maintain a safe and orderly learning environment. As a result, our staff is providing you with the information below and request that parents of students new to our district complete this form and return it to the Registrar at the time of enrollment.

Education Code Section 48915.1 requires parents or guardians of students, or the student if over 18 years of age, to inform a school district upon enrollment if the enrolling student was expelled from his/her previous school district. Expulsion means removal from all schools of the district. This information must be divulged, even if the student was expelled and the expulsion was suspended and the student was allowed to return to school.

The New Hope Elementary District shall hold a hearing before admitting any student who has been expelled from another district. If the student has been expelled for certain serious reasons specified in Education Code 48915 (a) or (c), his/her enrollment may occur only after the term of expulsion, and only if he/she has established legal residence in the district or is enrolled pursuant to an inter-district attendance agreement.

I certify that _____ who is enrolling grade, _____

_____ Was expelled from his/her previous school district.

_____ Was NOT expelled from his/her previous school district.

_____ Is NOT on Probation

_____ Is currently on Probation

_____ Probation Officer's Name

_____ Probation Officer's Telephone

Name^[L]_[SEP]Parent/Guardian Signature (or student signature if over 18 years of age) Date

Please Print Parent/Guardian Name

Current Street Address

City

State

Zip Code

Expulsion-probation letter.doc

Revised 3//2014

SEXUAL HARASSMENT

New Hope Elementary School District

Board Policy

Sexual Harassment

BP 4119.11 4219.11, 4319.11

Personnel

The Governing Board prohibits sexual harassment of district employees. The Board also prohibits retaliatory behavior or action against district employees or other persons who complain, testify, or otherwise participate in the complaint process established pursuant to this policy and accompanying administrative regulation. This policy shall apply to all district employees and, when applicable, to interns, volunteers, and job applicants.

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

(cf. 4030 - Nondiscrimination in Employment)

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

1. Providing training to employees in accordance with law and administrative regulation
2. Publicizing and disseminating the district's sexual harassment policy to staff

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

3. Ensuring prompt, thorough, and fair investigation of complaints
4. Taking timely and appropriate corrective/remedial action(s), which may require interim separation of the complainant and the alleged harasser and subsequent monitoring of developments

All complaints and allegations of sexual harassment shall be kept confidential to the extent necessary to carry out the investigation or to take other subsequent necessary actions. (2 CCR 11023)

Any district employee who feels that he/she has been sexually harassed or who has knowledge of any incident of sexual harassment by or against another employee shall immediately report the incident to his/her supervisor, the principal, district administrator, or Superintendent.

A supervisor, principal, or other district administrator who receives a harassment complaint shall promptly notify the Superintendent or designee.

Complaints of sexual harassment shall be filed in accordance with AR 4030 - Nondiscrimination in Employment. An employee may bypass his/her supervisor in filing a complaint where the supervisor is the subject of the complaint.

Any district employee who engages or participates in sexual harassment or who aids, abets,

incites, compels, or coerces another to commit sexual harassment in violation of this policy is subject to disciplinary action, up to and including dismissal.
(cf. 4118 - Dismissal/Suspension/Disciplinary Action)
(cf. 4218 - Dismissal/Suspension/Disciplinary Action)

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination on the basis of sex

GOVERNMENT CODE

12900-12996 Fair Employment and Housing Act, especially:

12940 Prohibited discrimination

12950.1 Sexual harassment training

LABOR CODE

1101 Political activities of employees

1102.1 Discrimination: sexual orientation

CODE OF REGULATIONS, TITLE 2

11009 Employment discrimination

11021 Retaliation

11023 Harassment and discrimination prevention and correction

11024 Sexual harassment training and education

11034 Terms, conditions, and privileges of employment

CODE OF REGULATIONS, TITLE 5

4900-4965 Nondiscrimination in elementary and secondary education programs receiving state financial assistance

UNITED STATES CODE, TITLE 42

2000d-2000d-7 Title VI, Civil Rights Act of 1964

2000e-2000e-17 Title VII, Civil Rights Act of 1964, as amended

2000h-2-2000h-6 Title IX, 1972 Education Act Amendments

CODE OF FEDERAL REGULATIONS, TITLE 34

106.9 Dissemination of policy

COURT DECISIONS

Department of Health Services v. Superior Court of California, (2003) 31 Cal.4th 1026

Faragher v. City of Boca Raton, (1998) 118 S.Ct. 2275

Burlington Industries v. Ellreth, (1998) 118 S.Ct. 2257

Gebser v. Lago Vista Independent School District, (1998) 118 S.Ct. 1989

Oncale v. Sundowner Offshore Serv. Inc., (1998) 118 S.Ct. 998

Meritor Savings Bank, FSB v. Vinson et al., (1986) 447 U.S. 57

Management Resources:

OFFICE OF CIVIL RIGHTS AND NATIONAL ASSOCIATION OF ATTORNEYS

GENERAL

Protecting Students from Harassment and Hate Crime, January 1999

WEB SITES

California Department of Fair Employment and Housing: <http://www.dfeh.ca.gov>

Equal Employment Opportunity Commission: <http://www.eeoc.gov>

U.S. Department of Education, Office for Civil Rights:

<http://www.ed.gov/about/offices/list/ocr/index.html>

(7/05, 12/15) 12/16

Policy Adopted: 9/12/17

New Hope Elementary School District

Administrative Regulation

Sexual Harassment

AR 4119.11 4219.11, 4319.11

Personnel

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

Definitions

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

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

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

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

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

Training

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

(cf. 1312.3 - Uniform Complaint Procedures)
(cf. 4030 - Nondiscrimination in Employment)
(cf. 5145.7 - Sexual Harassment)

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

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

(cf. 4300 - Administrative and Supervisory Personnel)

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

1. Information and practical guidance regarding federal and state laws on the prohibition, prevention, and correction of sexual harassment, the remedies available to sexual harassment victims in civil actions, and potential district and/or individual exposure or liability
2. The types of conduct that constitute sexual harassment and practical examples which illustrate sexual harassment, discrimination, and retaliation using training modalities such as role plays, case studies, and group discussions, based on factual scenarios taken from case law, news and media accounts, and hypotheticals based on workplace situations and other sources
3. A supervisor's obligation to report sexual harassment, discrimination, and retaliation of which he/she becomes aware and what to do if the supervisor himself/herself is personally accused of harassment
4. Strategies for preventing harassment, discrimination, and retaliation and appropriate steps to ensure that remedial measures are taken to correct harassing behavior, including an effective process for investigation of a complaint

5. The essential elements of the district's anti-harassment policy, including the limited confidentiality of the complaint process and resources for victims of unlawful sexual harassment, such as to whom they should report any alleged sexual harassment, and how to use the policy if a harassment complaint is filed

6. A copy of the district's sexual harassment policy and administrative regulation, which each participant shall acknowledge in writing that he/she has received

7. The definition and prevention of abusive conduct that addresses the use of derogatory remarks, insults, or epithets, other verbal or physical conduct that a reasonable person would find threatening, intimidating, or humiliating, and the gratuitous sabotage or undermining of a person's work performance

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

Notifications

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

1. Be displayed in a prominent location in the main administrative building, district office, or other area of the school where notices of district rules, regulations, procedures, and standards of conduct are posted

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

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

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

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

1. The illegality of sexual harassment

2. The definition of sexual harassment under applicable state and federal law

3. A description of sexual harassment, with examples

4. The district's complaint process available to the employee

5. The legal remedies and complaint process available through DFEH and the Equal Employment Opportunity Commission (EEOC)

6. Directions on how to contact DFEH and the EEOC

7. The protection against retaliation provided by 2 CCR 11021 for opposing harassment prohibited by law or for filing a complaint with or otherwise participating in an investigation, proceeding, or hearing conducted by DFEH and the EEOC

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

(3/08, 10/15) 12/16

Regulation Adopted: 9/12/17

New Hope Elementary School District

Board Policy

Nondiscrimination/Harassment

BP 5145.3

Students

The Governing Board desires to provide a safe school environment that allows all students equal access and opportunities in the district's academic, extracurricular, and other educational support programs, services, and activities. The Board prohibits, at any district school or school activity, unlawful discrimination, including discriminatory harassment, intimidation, and bullying, targeted at any student by anyone, based on the student's actual or perceived race, color, ancestry, national origin, nationality, ethnicity, ethnic group identification, age, religion, marital or parental status, physical or mental disability, sex, sexual orientation, gender, gender identity, or gender expression or association with a person or group with one or more of these actual or perceived characteristics.

This policy shall apply to all acts related to school activity or to school attendance occurring within a district school, and to acts which occur off campus or outside of school-related or school-sponsored activities but which may have an impact or create a hostile environment at school.

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

(cf. 5131 - Conduct)

(cf. 5131.2 - Bullying)

(cf. 5137 - Positive School Climate)

(cf. 5145.9 - Hate-Motivated Behavior)

(cf. 5146 - Married/Pregnant/Parenting Students)

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

Unlawful discrimination, including discriminatory harassment, intimidation, or bullying, may result from physical, verbal, nonverbal, or written conduct based on any of the categories listed above. Unlawful discrimination also includes the creation of a hostile environment through prohibited conduct that is so severe, persistent, or pervasive that it affects a student's ability to participate in or benefit from an educational program or activity; creates an intimidating, threatening, hostile, or offensive educational environment; has the effect of substantially or unreasonably interfering with a student's academic performance; or otherwise adversely affects a student's educational opportunities.

Unlawful discrimination also includes disparate treatment of students based on one of the categories above with respect to the provision of opportunities to participate in school programs or activities or the provision or receipt of educational benefits or services.

The Board also prohibits any form of retaliation against any individual who reports or participates in the reporting of unlawful discrimination, files or participates in the filing of a complaint, or investigates or participates in the investigation of a complaint or report alleging unlawful discrimination. Retaliation complaints shall be investigated and resolved in the same manner as a discrimination complaint.

The Superintendent or designee shall facilitate students' access to the educational program by publicizing the district's nondiscrimination policy and related complaint procedures to students, parents/guardians, and employees. He/she shall provide training and information on the scope and use of the policy and complaint procedures and take other measures designed to increase the school community's understanding of the requirements of law related to discrimination. The Superintendent or designee shall regularly review the implementation of the district's nondiscrimination policies and practices and, as necessary, shall take action to remove any identified barrier to student access to or participation in the district's educational program. He/she shall report his/her findings and recommendations to the Board after each review.

- (cf. 1312.3 - Uniform Complaint Procedures)
- (cf. 1330 - Use of Facilities)
- (cf. 4131 - Staff Development)
- (cf. 4231 - Staff Development)
- (cf. 4331 - Staff Development)
- (cf. 6145 - Extracurricular and Cocurricular Activities)
- (cf. 6145.2 - Athletic Competition)
- (cf. 6164.2 - Guidance/Counseling Services)

Regardless of whether a complainant complies with the writing, timeline, and/or other formal filing requirements, all complaints alleging unlawful discrimination, including discriminatory harassment, intimidation, or bullying, shall be investigated and prompt action taken to stop the discrimination, prevent recurrence, and address any continuing effect on students.

Students who engage in unlawful discrimination, including discriminatory harassment, intimidation, retaliation, or bullying, in violation of law, Board policy, or administrative regulation shall be subject to appropriate consequence or discipline, which may include suspension or expulsion when the behavior is severe or pervasive as defined in Education Code 48900.4. Any employee who permits or engages in prohibited discrimination, including discriminatory harassment, intimidation, retaliation, or bullying, shall be subject to disciplinary action, up to and including dismissal.

- (cf. 4118 - Suspension/Disciplinary Action)
- (cf. 4119.21/4219.21/4319.21 - Professional Standards)
- (cf. 4218 - Dismissal/Suspension/Disciplinary Action)
- (cf. 5144 - Discipline)
- (cf. 5144.1 - Suspension and Expulsion/Due Process)
- (cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))
- (cf. 5145.2 - Freedom of Speech/Expression)

Record-Keeping

The Superintendent or designee shall maintain a record of all reported cases of unlawful discrimination, including discriminatory harassment, intimidation, or bullying, to enable the district to monitor, address, and prevent repetitive prohibited behavior in district schools.

- (cf. 3580 - District Records)

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination
48900.3 Suspension or expulsion for act of hate violence
48900.4 Suspension or expulsion for threats or harassment
48904 Liability of parent/guardian for willful student misconduct
48907 Student exercise of free expression
48950 Freedom of speech
48985 Translation of notices
49020-49023 Athletic programs
51500 Prohibited instruction or activity
51501 Prohibited means of instruction
60044 Prohibited instructional materials

CIVIL CODE

1714.1 Liability of parents/guardians for willful misconduct of minor

PENAL CODE

422.55 Definition of hate crime
422.6 Crimes, harassment

CODE OF REGULATIONS, TITLE 5

432 Student record
4600-4687 Uniform complaint procedures
4900-4965 Nondiscrimination in elementary and secondary education programs

UNITED STATES CODE, TITLE 20

1681-1688 Title IX of the Education Amendments of 1972
12101-12213 Title II equal opportunity for individuals with disabilities

UNITED STATES CODE, TITLE 29

794 Section 504 of Rehabilitation Act of 1973

UNITED STATES CODE, TITLE 42

2000d-2000e-17 Title VI and Title VII Civil Rights Act of 1964, as amended
2000h-2-2000h-6 Title IX of the Civil Rights Act of 1964
6101-6107 Age Discrimination Act of 1975

CODE OF FEDERAL REGULATIONS, TITLE 28

35.107 Nondiscrimination on basis of disability; complaints

CODE OF FEDERAL REGULATIONS, TITLE 34

99.31 Disclosure of personally identifiable information
100.3 Prohibition of discrimination on basis of race, color or national origin
104.7 Designation of responsible employee for Section 504
106.8 Designation of responsible employee for Title IX
106.9 Notification of nondiscrimination on basis of sex

COURT DECISIONS

Donovan v. Poway Unified School District, (2008) 167 Cal.App.4th 567
Flores v. Morgan Hill Unified School District, (2003) 324 F.3d 1130

Management Resources:

CSBA PUBLICATIONS

Providing a Safe, Nondiscriminatory School Environment for Transgender and Gender-Nonconforming Students, Policy Brief, February 2014

Final Guidance Regarding Transgender Students, Privacy, and Facilities, March 2014

Safe Schools: Strategies for Governing Boards to Ensure Student Success, 2011

FIRST AMENDMENT CENTER PUBLICATIONS

Public Schools and Sexual Orientation: A First Amendment Framework for Finding Common Ground, 2006

NATIONAL SCHOOL BOARDS ASSOCIATION PUBLICATIONS

Dealing with Legal Matters Surrounding Students' Sexual Orientation and Gender Identity, 2004

U.S. DEPARTMENT OF EDUCATION, OFFICE FOR CIVIL RIGHTS PUBLICATIONS

Examples of Policies and Emerging Practices for Supporting Transgender Students, May 2016

Dear Colleague Letter: Title IX Coordinators, April 2015

Dear Colleague Letter: Harassment and Bullying, October 2010

Notice of Non-Discrimination, January 1999

WEB SITES

CSBA: <http://www.csba.org>

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

California Safe Schools Coalition: <http://www.casafeschools.org>

First Amendment Center: <http://www.firstamendmentcenter.org>

National School Boards Association: <http://www.nsba.org>

U.S. Department of Education, Office for Civil Rights: <http://www.ed.gov/about/offices/list/ocr>

(2/14,10/14) 9/16

Policy Adopted: 6/19/17

New Hope Elementary School District

Administrative Regulation

Nondiscrimination/Harassment

AR 5145.3

Students

The district designates the individual(s) identified below as the employee(s) responsible for coordinating the district's efforts to comply with applicable state and federal civil rights laws, including Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, Title II of the Americans with Disabilities Act, and the Age Discrimination Act of 1975, and to answer inquiries regarding the district's nondiscrimination policies. The individual(s) shall also serve as the compliance officer(s) specified in AR 1312.3 - Uniform Complaint Procedures as the responsible employee to handle complaints alleging unlawful discrimination targeting a student, including discriminatory harassment, intimidation, or bullying, based on the student's actual or perceived race, color, ancestry, national origin, nationality, ethnicity, ethnic group identification, age, religion, marital or parental status, pregnancy, physical or mental disability, sex, sexual orientation, gender, gender identity, gender expression, or any other legally protected status or association with a person or group with one or more of these actual or perceived characteristics. The coordinator/compliance officer(s) may be contacted at: (Education Code 234.1; 5 CCR 4621)

Superintendent/Principal

(title or position)

26675 N. Sacramento Blvd./P.O. Box 238

(address)

(209)794-2376

(telephone number)

cljohnson@nhesd.net

(email)

(cf. 1312.1 - Complaints Concerning District Employees)

(cf. 1312.3 - Uniform Complaint Procedures)

Measures to Prevent Discrimination

To prevent unlawful discrimination, including discriminatory harassment, intimidation, retaliation, and bullying, of students at district schools or in school activities and to ensure equal access of all students to the educational program, the Superintendent or designee shall implement the following measures:

1. Publicize the district's nondiscrimination policy and related complaint procedures, including the coordinator/compliance officer's contact information, to students,

parents/guardians, employees, volunteers, and the general public by posting them on the district's web site and other prominent locations and providing easy access to them through district-supported social media, when available.

2. Post in a prominent and conspicuous location on the district and school web sites information regarding Title IX prohibitions against discrimination based on a student's sex, gender, gender identity, pregnancy, and parental status, including the following: (Education Code 221.61)

a. The name and contact information of the district's Title IX coordinator, including the phone number and email address

b. The rights of students and the public and the responsibilities of the district under Title IX, including a list of rights as specified in Education Code 221.8 and web links to information about those rights and responsibilities located on the web sites of the Office for Equal Opportunity and the U.S. Department of Education's Office for Civil Rights (OCR)

c. A description of how to file a complaint of noncompliance with Title IX in accordance with AR 1312.3 - Uniform Complaint Procedures, which shall include:

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

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

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

(cf. 1113 - District and School Web Sites)

(cf. 1114 - District-Sponsored Social Media)

3. Provide to students a handbook that contains age-appropriate information that clearly describes the district's nondiscrimination policy, procedures for filing a complaint, and resources available to students who feel that they have been the victim of any such behavior. (Education Code 234.1)

4. Annually notify all students and parents/guardians of the district's nondiscrimination policy, including its responsibility to provide a safe, nondiscriminatory school environment for all students, including transgender and gender-nonconforming students. The notice shall inform students and parents/guardians that they may request to meet with the compliance officer to determine how best to accommodate or resolve concerns that may arise from the district's implementation of its nondiscrimination policies. The notice shall also inform all students and parents/guardians that, to the extent possible, the district will address any individual student's interests and concerns in private.

(cf. 5145.6 - Parental Notifications)

5. The Superintendent or designee shall ensure that students and parents/guardians, including those with limited English proficiency, are notified of how to access the relevant information provided in the district's nondiscrimination policy and related complaint procedures, notices, and forms in a language they can understand.

If 15 percent or more of students enrolled in a particular district school speak a single primary language other than English, the district's policy, regulation, forms, and notices concerning nondiscrimination shall be translated into that language in accordance with Education Code 234.1 and 48985. In all other instances, the district shall ensure meaningful access to all relevant information for parents/guardians with limited English proficiency.

6. Provide to students, employees, volunteers, and parents/guardians age-appropriate training and information regarding the district's nondiscrimination policy; what constitutes prohibited discrimination, including discriminatory harassment, intimidation, retaliation, or bullying; how and to whom a report of an incident should be made; and how to guard against segregating or stereotyping students when providing instruction, guidance, supervision, or other services to them. Such training and information shall include details of guidelines the district may use to provide a discrimination-free environment for all district students, including transgender and gender-nonconforming students.

(cf. 1240 - Volunteer Assistance)

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

7. At the beginning of each school year, inform school employees that any employee who witnesses any act of unlawful discrimination, including discriminatory harassment, intimidation, or bullying, against a student is required to intervene if it is safe to do so. (Education Code 234.1)

8. At the beginning of each school year, inform each principal or designee of the district's responsibility to provide appropriate assistance or resources to protect students' privacy rights and ensure their safety from threatened or potentially discriminatory behavior.

Enforcement of District Policy

The Superintendent or designee shall take appropriate actions to reinforce BP 5145.3 - Nondiscrimination/Harassment. As needed, these actions may include any of the following:

1. Removing vulgar or offending graffiti

(cf. 5131.5 - Vandalism and Graffiti)

2. Providing training to students, staff, and parents/guardians about how to recognize unlawful discrimination, how to report it or file a complaint, and how to respond

3. Disseminating and/or summarizing the district's policy and regulation regarding unlawful discrimination

4. Consistent with the laws regarding the confidentiality of student and personnel records, communicating the school's response to students, parents/guardians, and the community

(cf. 4112.6/4212.6/4312.6 - Personnel Files)

(cf. 4119.23/4219.23/4319.23 - Unauthorized Release of Confidential/Privileged Information)

(cf. 5125 - Student Records)

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

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

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

(cf. 5144 - Discipline)

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

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

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

Process for Initiating and Responding to Complaints

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

Any school employee who observes an incident of unlawful discrimination, including discriminatory harassment, intimidation, retaliation, or bullying, or to whom such an incident is reported shall report the incident to the compliance officer or principal within a school day, whether or not the alleged victim files a complaint.

Any school employee who witnesses an incident of unlawful discrimination, including discriminatory harassment, intimidation, retaliation, or bullying, shall immediately intervene to stop the incident when it is safe to do so. (Education Code 234.1)

When a verbal report of unlawful discrimination, including discriminatory harassment, intimidation, retaliation, or bullying, is made to or received by the principal or compliance officer, he/she shall make a note of the report and encourage the student or parent/guardian to file the complaint in writing, pursuant to the provisions in AR 1312.3 - Uniform Complaint Procedures. Once notified verbally or in writing, the principal or compliance officer shall begin the investigation and shall implement immediate measures necessary to stop the discrimination and ensure that all students have access to the educational program and a safe school environment. Any interim measures adopted to address unlawful discrimination shall, to the extent possible, not disadvantage the complainant or a student who is the victim of the alleged unlawful discrimination.

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

(cf. 5141.4 - Child Abuse Prevention and Reporting)

Transgender and Gender-Nonconforming Students

Gender identity of a student means the student's gender-related identity, appearance, or behavior as determined from the student's internal sense of his/her gender, whether or not that gender-related identity, appearance, or behavior is different from that traditionally associated with the student's physiology or assigned sex at birth.

Gender expression means a student's gender-related appearance and behavior, whether stereotypically associated with the student's assigned sex at birth. (Education Code 210.7)

Gender transition refers to the process in which a student changes from living and identifying as the sex assigned to the student at birth to living and identifying as the sex that corresponds to the student's gender identity.

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

Transgender student means a student whose gender identity is different from the gender he/she was assigned at birth.

Regardless of whether they are sexual in nature, acts of verbal, nonverbal, or physical aggression, intimidation, or hostility that are based on sex, gender identity, or gender expression, or that have the purpose or effect of producing a negative impact on the student's academic performance or of creating an intimidating, hostile, or offensive educational environment are prohibited. Examples of the types of conduct which are prohibited in the district and which may constitute gender-based harassment include, but are not limited to:

1. Refusing to address a student by a name and the pronouns consistent with his/her gender identity
2. Disciplining or disparaging a student or excluding him/her from participating in activities for behavior or appearance that is consistent with his/her gender identity or that does not conform to stereotypical notions of masculinity or femininity, as applicable
3. Blocking a student's entry to the bathroom that corresponds to his/her gender identity
4. Taunting a student because he/she participates in an athletic activity more typically favored by a student of the other sex
5. Revealing a student's transgender status to individuals who do not have a legitimate need for the information, without the student's consent

6. Use of gender-specific slurs
7. Physical assault of a student motivated by hostility toward him/her because of his/her gender, gender identity, or gender expression

The district's uniform complaint procedures (AR 1312.3) shall be used to report and resolve complaints alleging discrimination against transgender and gender-nonconforming students.

Examples of bases for complaints include, but are not limited to, the above list, as well as improper rejection by the district of a student's asserted gender identity, denial of access to facilities that correspond with a student's gender identity, improper disclosure of a student's transgender status, discriminatory enforcement of a dress code, and other instances of gender-based harassment.

To ensure that transgender and gender-nonconforming students are afforded the same rights, benefits, and protections provided to all students by law and Board policy, the district shall address each situation on a case-by-case basis, in accordance with the following guidelines:

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

As appropriate given the student's need for support, the compliance officer may discuss with the student any need to disclose the student's transgender or gender-nonconformity status or gender identity or gender expression to his/her parents/guardians and/or others, including other students, teacher(s), or other adults on campus. The district shall offer support services, such as counseling, to students who wish to inform their parents/guardians of their status and desire assistance in doing so.

(cf. 1340 - Access to District Records)
(cf. 3580 - District Records)

2. **Determining a Student's Gender Identity:** The compliance officer shall accept the student's assertion of his/her gender identity and begin to treat the student consistent with his/her gender identity unless district personnel present a credible and supportable basis for believing

that the student's assertion is for an improper purpose.

3. Addressing a Student's Transition Needs: The compliance officer shall arrange a meeting with the student and, if appropriate, his/her parents/guardians to identify and develop strategies for ensuring that the student's access to education programs and activities is maintained. The meeting shall discuss the transgender or gender-nonconforming student's rights and how those rights may affect and be affected by the rights of other students and shall address specific subjects related to the student's access to facilities and to academic or educational support programs, services, or activities, including, but not limited to, sports and other competitive endeavors. In addition, the compliance officer shall identify specific school site employee(s) to whom the student may report any problem related to his/her status as a transgender or gender-nonconforming individual, so that prompt action could be taken to address it. Alternatively, if appropriate and desired by the student, the school may form a support team for the student that will meet periodically to assess whether the arrangements for the student are meeting his/her educational needs and providing equal access to programs and activities, educate appropriate staff about the student's transition, and serve as a resource to the student to better protect the student from gender-based discrimination.

4. Accessibility to Sex-Segregated Facilities, Programs, and Activities: When the district maintains sex-segregated facilities, such as restrooms and locker rooms, or offers sex-segregated programs and activities, such as physical education classes, intermural sports, and interscholastic athletic programs, students shall be permitted to access facilities and participate in programs and activities consistent with their gender identity. To address any student's privacy concerns in using sex-segregated facilities, the district shall offer available options such as a gender-neutral or single-use restroom or changing area, a bathroom stall with a door, an area in the locker room separated by a curtain or screen, access to a staff member's office, or use of the locker room before or after the other students. However, the district shall not require a student to utilize these options because he/she is transgender or gender-nonconforming. In addition, a student shall be permitted to participate in accordance with his/her gender identity in other circumstances where students are separated by gender, such as for class discussions, yearbook pictures, and field trips. A student's right to participate in a sex-segregated activity in accordance with his/her gender identity shall not render invalid or inapplicable any other eligibility rule established for participation in the activity.

(cf. 6145 - Extracurricular and Cocurricular Activities)

(cf. 6145.2 - Athletic Competition)

(cf. 6153 - School-Sponsored Trips)

(cf. 7110 - Facilities Master Plan)

5. Student Records: A student's legal name or gender as entered on the mandatory student record required pursuant to 5 CCR 432 shall only be changed pursuant to a court order. However, at the written request of a student or, if appropriate, his/her parents/guardians, the district shall use the student's preferred name and pronouns consistent with his/her gender identity on all other district-related documents. Such preferred name may be added to the student's record and official documents as permitted by law.

(cf. 5125 - Student Records)

(cf. 5125.1 - Release of Directory Information)

6. Names and Pronouns: If a student so chooses, district personnel shall be required to address the student by a name and the pronouns consistent with his/her gender identity, without the necessity of a court order or a change to his/her official district record. However, inadvertent slips or honest mistakes by district personnel in the use of the student's name and/or consistent pronouns will, in general, not constitute a violation of this administrative regulation or the accompanying district policy.

7. Uniforms/Dress Code: A student has the right to dress in a manner consistent with his/her gender identity, subject to any dress code adopted on a school site.

(cf. 5132 - Dress Code)

(10/14, 9/16) 5/17

Regulation Adopted: 1/9/18

New Hope Elementary School District

Board Policy

Sexual Harassment

BP 5145.7

Students

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

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

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

(cf. 1312.1 - Complaints Concerning District Employees)

(cf. 5131 - Conduct)

(cf. 5131.2 - Bullying)

(cf. 5137 - Positive School Climate)

(cf. 5141.4 - Child Abuse Prevention and Reporting)

(cf. 5145.3 - Nondiscrimination/Harassment)

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

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

Instruction/Information

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

1. What acts and behavior constitute sexual harassment, including the fact that sexual harassment could occur between people of the same sex and could involve sexual violence
2. A clear message that students do not have to endure sexual harassment under any circumstance
3. Encouragement to report observed incidents of sexual harassment even where the alleged victim of the harassment has not complained

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

Complaint Process and Disciplinary Actions

Sexual harassment complaints by and against students shall be investigated and resolved in accordance with law and district procedures specified in AR 1312.3 - Uniform Complaint Procedures. Principals are responsible for notifying students and parents/guardians that complaints of sexual harassment can be filed under AR 1312.3 and where to obtain a copy of the procedures.

(cf. 1312.3 - Uniform Complaint Procedures)

Upon investigation of a sexual harassment complaint, any student found to have engaged in sexual harassment or sexual violence in violation of this policy shall be subject to disciplinary action. For students in grades 4-12, disciplinary action may include suspension and/or expulsion, provided that, in imposing such discipline, the entire circumstances of the incident(s) shall be taken into account.

(cf. 5144 - Discipline)

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

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

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

(cf. 4117.7 - Employment Status Report)
(cf. 4118 - Dismissal/Suspension/Disciplinary Action)
(cf. 4218 - Dismissal/Suspension/Disciplinary Action)
(cf. 4119.11/4219.11/4319.11 - Sexual Harassment)

Record-Keeping

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

(cf. 3580 - District Records)

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination on the basis of sex
48900 Grounds for suspension or expulsion
48900.2 Additional grounds for suspension or expulsion; sexual harassment
48904 Liability of parent/guardian for willful student misconduct
48980 Notice at beginning of term

CIVIL CODE

51.9 Liability for sexual harassment; business, service and professional relationships
1714.1 Liability of parents/guardians for willful misconduct of minor

GOVERNMENT CODE

12950.1 Sexual harassment training
CODE OF REGULATIONS, TITLE 5
4600-4687 Uniform complaint procedures
4900-4965 Nondiscrimination in elementary and secondary education programs

UNITED STATES CODE, TITLE 20

1221 Application of laws
1232g Family Educational Rights and Privacy Act
1681-1688 Title IX, discrimination

UNITED STATES CODE, TITLE 42

1983 Civil action for deprivation of rights
2000d-2000d-7 Title VI, Civil Rights Act of 1964
2000e-2000e-17 Title VII, Civil Rights Act of 1964 as amended

CODE OF FEDERAL REGULATIONS, TITLE 34

99.1-99.67 Family Educational Rights and Privacy
106.1-106.71 Nondiscrimination on the basis of sex in education programs

COURT DECISIONS

Donovan v. Poway Unified School District, (2008) 167 Cal.App.4th 567
Flores v. Morgan Hill Unified School District, (2003, 9th Cir.) 324 F.3d 1130
Reese v. Jefferson School District, (2001, 9th Cir.) 208 F.3d 736
Davis v. Monroe County Board of Education, (1999) 526 U.S. 629
Gebser v. Lago Vista Independent School District, (1998) 524 U.S. 274

Oona by Kate S. v. McCaffrey, (1998, 9th Cir.) 143 F.3d 473
Doe v. Petaluma City School District, (1995, 9th Cir.) 54 F.3d 1447

Management Resources:

CSBA PUBLICATIONS

Providing a Safe, Nondiscriminatory School Environment for Transgender and Gender-Nonconforming Students, Policy Brief, February 2014

Safe Schools: Strategies for Governing Boards to Ensure Student Success, 2011

U.S. DEPARTMENT OF EDUCATION, OFFICE FOR CIVIL RIGHTS PUBLICATIONS

Examples of Policies and Emerging Practices for Supporting Transgender Students, May 2016

Dear Colleague Letter: Title IX Coordinators, April 2015

Questions and Answers on Title IX and Sexual Violence, April 2014

Dear Colleague Letter: Sexual Violence, April 4, 2011

Sexual Harassment: It's Not Academic, September 2008

Revised Sexual Harassment Guidance: Harassment of Students by School Employees, Other Students, or Third Parties, January 2001

WEB SITES

CSBA: <http://www.csba.org>

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

U.S. Department of Education, Office for Civil Rights: <http://www.ed.gov/about/offices/list/ocr>

(3/12, 10/14) 9/16

Policy Adopted: 6/19/17

New Hope Elementary School District

Administrative Regulation

Sexual Harassment

AR 5145.7

Students

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 and California Education Code 234.1, as well as to investigate and resolve sexual harassment complaints under AR 1312.3 - Uniform Complaint Procedures. The coordinator/compliance officer(s) may be contacted at:

Clint Johnson, Superintendent/Principal
26675 N. Sacramento Blvd./P.O. Box 238
Thornton, CA 95686
(209)794-2376
cljohnson@nhesd.net

(cf. 1312.3 - Uniform Complaint Procedures)

Prohibited sexual harassment includes, but is not limited to, unwelcome sexual advances, unwanted requests for sexual favors, or other unwanted verbal, visual, or physical conduct of a sexual nature made against another person of the same or opposite sex in the educational setting, under any of the following conditions: (Education Code 212.5; 5 CCR 4916)

1. Submission to the conduct is explicitly or implicitly made a term or condition of a student's academic status or progress.
2. Submission to or rejection of the conduct by a student is used as the basis for academic decisions affecting the student.
3. The conduct has the purpose or effect of having a negative impact on the student's academic performance or of creating an intimidating, hostile, or offensive educational environment.
4. Submission to or rejection of the conduct by the student is used as the basis for any decision affecting the student regarding benefits and services, honors, programs, or activities available at or through any district program or activity.

(cf. 5131 - Conduct)

(cf. 5131.2 - Bullying)

(cf. 5137 - Positive School Climate)

(cf. 5145.3 - Nondiscrimination/Harassment)

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

Examples of types of conduct which are prohibited in the district and which may constitute sexual harassment include, but are not limited to:

1. Unwelcome leering, sexual flirtations, or propositions
2. Unwelcome sexual slurs, epithets, threats, verbal abuse, derogatory comments, or sexually degrading descriptions
3. Graphic verbal comments about an individual's body or overly personal conversation
4. Sexual jokes, derogatory posters, notes, stories, cartoons, drawings, pictures, obscene gestures, or computer-generated images of a sexual nature
5. Spreading sexual rumors
6. Teasing or sexual remarks about students enrolled in a predominantly single-sex class
7. Massaging, grabbing, fondling, stroking, or brushing the body
8. Touching an individual's body or clothes in a sexual way
9. Impeding or blocking movements or any physical interference with school activities when directed at an individual on the basis of sex
10. Displaying sexually suggestive objects
11. Sexual assault, sexual battery, or sexual coercion
12. Electronic communications containing comments, words, or images described above

Any prohibited conduct that occurs off campus or outside of school-related or school-sponsored programs or activities will be regarded as sexual harassment in violation of district policy if it has a continuing effect on or creates a hostile school environment for the complainant or victim of the conduct.

Reporting Process and Complaint Investigation and Resolution

Any student who believes that he/she has been subjected to sexual harassment by another student, an employee, or a third party or who has witnessed sexual harassment is strongly encouraged to report the incident to his/her teacher, the principal, or any other available school employee. Within one school day of receiving such a report, the school employee shall forward the report to the principal or the district's compliance officer identified in AR 1312.3. In addition, any school employee who observes an incident of sexual harassment involving a student shall, within one school day, report his/her observation to the principal or a district compliance officer. The employee shall take these actions, whether or not the alleged victim files a complaint.

When a report or complaint of sexual harassment involves off-campus conduct, the principal shall assess whether the conduct may create or contribute to the creation of a hostile school environment. If he/she determines that a hostile environment may be created, the complaint shall be investigated and resolved in the same manner as if the prohibited conduct occurred at school.

When a verbal or informal report of sexual harassment is submitted, the principal or compliance officer shall inform the student or parent/guardian of the right to file a formal written complaint in accordance with the district's uniform complaint procedures. Regardless of whether a formal complaint is filed, the principal or compliance officer shall take steps to investigate the allegations and, if sexual harassment is found, shall take prompt action to stop it, prevent recurrence, and address any continuing effects.

If a complaint of sexual harassment is initially submitted to the principal, he/she shall, within two school days, forward the report to the compliance officer to initiate investigation of the complaint. The compliance officer shall contact the complainant and investigate and resolve the complaint in accordance with law and district procedures specified in AR 1312.3.

In investigating a sexual harassment complaint, evidence of past sexual relationships of the victim shall not be considered, except to the extent that such evidence may relate to the victim's prior relationship with the respondent.

In any case of sexual harassment involving the principal, compliance officer, or any other person to whom the incident would ordinarily be reported or filed, the report may instead be submitted to the Superintendent or designee who shall determine who will investigate the complaint.

(cf. 5141.4 - Child Abuse Prevention and Reporting)

Confidentiality

All complaints and allegations of sexual harassment shall be kept confidential except as necessary to carry out the investigation or take other subsequent necessary action. (5 CCR 4964)

However, when a complainant or victim of sexual harassment notifies the district of the harassment but requests confidentiality, the compliance officer shall inform him/her that the request may limit the district's ability to investigate the harassment or take other necessary action. When honoring a request for confidentiality, the district will nevertheless take all reasonable steps to investigate and respond to the complaint consistent with the request.

When a complainant or victim of sexual harassment notifies the district of the harassment but requests that the district not pursue an investigation, the district will determine whether or not it can honor such a request while still providing a safe and nondiscriminatory environment for all students.

(cf. 4119.23/4219.23/4319.23 - Unauthorized Release of Confidential/Privileged Information)

(cf. 5125 - Student Records)

Response Pending Investigation

When an incident of sexual harassment is reported, the principal or designee, in consultation with the compliance officer, shall determine whether interim measures are necessary pending the results of the investigation. The principal/designee or compliance officer shall take immediate measures necessary to stop the harassment and protect students and/or ensure their access to the educational program. To the extent possible, such interim measures shall not disadvantage the complainant or victim of the alleged harassment. Interim measures may include placing the

individuals involved in separate classes or transferring a student to a class taught by a different teacher, in accordance with law and Board policy. The school should notify the individual who was harassed of his/her options to avoid contact with the alleged harasser and allow the complainant to change academic and extracurricular arrangements as appropriate. The school should also ensure that the complainant is aware of the resources and assistance, such as counseling, that are available to him/her. As appropriate, such actions shall be considered even when a student chooses to not file a formal complaint or the sexual harassment occurs off school grounds or outside school-sponsored or school-related programs or activities.

Notifications

A copy of the district's sexual harassment policy and regulation shall:

1. Be included in the notifications that are sent to parents/guardians at the beginning of each school year (Education Code 48980; 5 CCR 4917)

(cf. 5145.6 - Parental Notifications)

2. Be displayed in a prominent location in the main administrative building or other area where notices of district rules, regulations, procedures, and standards of conduct are posted (Education Code 231.5)

A copy of the district's sexual harassment policy and regulation shall be posted on district and school web sites and, when available, on district-supported social media.

(cf. 1113 - District and School Websites)

(cf. 1114 - District-Sponsored Social Media)

3. Be provided as part of any orientation program conducted for new students at the beginning of each quarter, semester, or summer session (Education Code 231.5)
4. 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)
5. Be included in the student handbook
6. Be provided to employees and employee organizations (10/14, 7/15) 9/16

Regulation Adopted: 6/19/17

**HATE CRIME
POLICIES AND PROCEDURES**

HATE CRIME REPORTING

The Governing Board prohibits unlawful harassment of or by any student, which includes hate motivated acts. Teachers are to discuss this policy with their students in age appropriate ways and should assure them that they need not endure any form of harassment. Any student who engages in the harassment of anyone in or from the District is subject to disciplinary action up to and including expulsion. Any employee who permits or engages in harassment may be subject to disciplinary action up to and including dismissal. The Board expects students and staff to immediately report incidents of harassment to the principal or other administrator. Any student who feels that she/he is being harassed should immediately contact the principal or designee or another district administrator in order to obtain a copy of AR 1312.3—Uniform Complaint Procedure. Complaints of harassment can be filed in accordance with these procedures.

The District prohibits retaliatory behavior against any complainant or any participant in the complaint process. Each complaint of harassment shall be promptly investigated in a way that respects the privacy of all parties concerned.

The principal or designee shall take appropriate actions to reinforce the district's harassment policy. These actions may include, but are not limited to:

1. Removing hateful, vulgar, or offending graffiti.
2. Providing staff in-service and student instruction or counseling.
3. Taking appropriate disciplinary action as needed.

New Hope Elementary School District

Board Policy

Concepts And Roles

BP 5000

Students

The Governing Board shall make every effort to maintain a safe, positive school environment and student services that promote student welfare and academic achievement. The Board expects students to make good use of learning opportunities by demonstrating regular attendance, appropriate conduct and respect for others.

(cf. 5113 - Absences and Excuses)

(cf. 5131 - Conduct)

(cf. 5137 - Positive School Climate)

The Board is fully committed to providing equal educational opportunities and keeping the schools free from discriminatory practices. The Board shall not tolerate the intimidation or harassment of any student for any reason.

(cf. 5145.3 - Nondiscrimination/Harassment)

The Superintendent or designee shall establish and keep parents/guardians and students well informed about school and district rules and regulations related to attendance, health examinations, records, grades and student conduct. When conducting hearings related to discipline, attendance and other student matters, the Board shall afford students their due process rights in accordance with law.

(cf. 5125 - Student Records)

(cf. 5144 - Discipline)

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

(cf. 5145.6 - Parental Notifications)

(cf. 9000 - Role of the Board)

Legal Reference:

EDUCATION CODE

35160 Authority of governing boards

35160.1 Broad authority of school districts

35291-35291.5 Rules

(5/85) 10/96

Policy Adopted: 1/22/2002

New Hope Elementary School District

Board Policy

Hate-Motivated Behavior

BP 5145.9

Students

In order to create a safe learning environment for all students, the Governing Board desires to protect the right of every student to be free from hate-motivated behavior and will promote harmonious relationships among students so as to enable them to gain a true understanding of the civil rights and social responsibilities of people in society. The district prohibits discriminatory behavior or statements that degrade an individual on the basis of his/her actual or perceived race, ethnicity, culture, heritage, gender, sex, sexual orientation, physical/mental attributes, or religious beliefs or practices.

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

(cf. 0450 - Comprehensive Safety Plan)

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

(cf. 5131.5 - Vandalism and Graffiti)

(cf. 5136 - Gangs)

(cf. 5137 - Positive School Climate)

(cf. 5141.52 - Suicide Prevention)

(cf. 5145.3 - Nondiscrimination/Harassment)

(cf. 5147 - Dropout Prevention)

(cf. 5149 - At-Risk Students)

The following optional paragraph should be revised to reflect district practice.

The Superintendent or designee shall collaborate with regional programs and community organizations to promote safe environments for youth. These efforts shall be focused on providing an efficient use of district and community resources.

(cf. 1020 - Youth Services)

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

(cf. 1700 - Relations Between Private Industry and the Schools)

(cf. 5148.2 - Before/After School Programs)

(cf. 5148.3 - Preschool/Early Childhood Education)

(cf. 6020 - Parent Involvement)

The district shall provide age-appropriate instruction to help promote an understanding of and respect for human rights, diversity, and tolerance in a multicultural society and to provide strategies to manage conflicts constructively.

(cf. 5138 - Conflict Resolution/Peer Mediation)

(cf. 6142.3 - Civic Education)

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

(cf. 6141.94 - History-Social Science Instruction)

The Superintendent or designee shall ensure that staff receive training on recognizing hate-motivated behavior and on strategies to help respond appropriately to such behavior.

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

Grievance Procedures

Any student who believes he/she is a victim of hate-motivated behavior shall immediately contact the Coordinator for Nondiscrimination/Principal. Upon receiving such a complaint, the Coordinator/Principal shall immediately investigate the complaint in accordance with school-level complaint process/grievance procedures as described in AR 5145.7 - Sexual Harassment. A student who has been found to have demonstrated hate-motivated behavior shall be subject to discipline in accordance with law, Board policy, and administrative regulation.

- (cf. 1312.1 - Complaints Concerning District Employees)
- (cf. 1312.3 - Uniform Complaint Procedures)
- (cf. 5131- Conduct)
- (cf. 5144 - Discipline)
- (cf. 5144.1 - Suspension and Expulsion/Due Process)
- (cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))
- (cf. 5145.7 - Sexual Harassment)

Staff who receive notice of hate-motivated behavior or personally observe such behavior shall notify the Coordinator/Principal, Superintendent or designee, and/or law enforcement, as appropriate.

- (cf. 3515.3 - District Police/Security Department)
- (cf. 4158/4258/4358 - Employee Security)

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.

- (cf. 6164.2 - Guidance/Counseling Services)

Legal Reference:

EDUCATION CODE

- 200-262.4 Prohibition of discrimination
- 32282 School safety plans
- 48900.3 Suspension for hate violence
- 48900.4 Suspension or expulsion for threats or harassment

PENAL CODE

- 422.55 Definition of hate crime
- 422.6 Crimes, harassment

CODE OF REGULATIONS, TITLE 5

- 4600-4687 Uniform Complaint Procedures

4900-4965 Nondiscrimination in elementary and secondary education programs

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION LEGAL ADVISORIES

California Student Safety and Violence Prevention – Laws and Regulations, April 2004

U.S. DEPARTMENT OF EDUCATION, OFFICE FOR CIVIL RIGHTS & NATIONAL
ASSOCIATION OF ATTORNEYS GENERAL PUBLICATIONS

Protecting Students from Harassment and Hate Crime: A Guide for Schools, 1999

U.S. DEPARTMENT OF JUSTICE PUBLICATIONS

Preventing Youth Hate Crimes: A Guide for Schools and Communities, 1997

WEB SITES

CSBA: <http://www.csba.org>

California Association of Human Relations Organizations: <http://www.cahro.org>

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

National Youth Violence Prevention Resource Center: <http://www.safeyouth.org>

U.S. Department of Education, Office for Civil Rights: <http://www.ed.gov/about/offices/list/ocr>

U.S. Department of Justice, Community Relations Service: <http://www.usdoj.gov/crs>

(6/99) 7/09

Policy Adopted: 11/9/2009

New Hope Elementary School District

Administrative Regulation

Comprehensive Safety Plan

AR 0450

Philosophy, Goals, Objectives and Comprehensive Plans

Development and Review of Comprehensive School Safety Plan

The school site council shall consult with local law enforcement in the writing and development of the comprehensive school safety plan. When practical, the school site council also shall consult with other school site councils and safety committees. (Education Code 32281, 32282)

(cf. 0420 - School Plans/Site Councils)

The school site council may delegate the responsibility for developing a comprehensive safety plan to a school safety planning committee composed of the following members: (Education Code 32281)

1. The principal or designee
2. One teacher who is a representative of the recognized certificated employee organization
3. One parent/guardian whose child attends the school
4. One classified employee who is a representative of the recognized classified employee organization
5. Other members, if desired

(cf. 1220 - Citizen Advisory Committees)

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

Before adopting the comprehensive safety plan, the school site council or school safety planning committee shall hold a public meeting at the school in order to allow members of the public the opportunity to express an opinion about the plan. (Education Code 32288)

The school site council or safety planning committee shall notify, in writing, the following persons and entities of the public meeting: (Education Code 32288)

1. The local mayor
2. A representative of the local school employee organization
3. A representative of each parent organization at the school, including the parent teacher

association and parent teacher clubs

(cf. 1230 - School-Connected Organizations)

4. A representative of each teacher organization at the school

(cf. 4140/4240/4340 - Bargaining Units)

5. A representative of the school's student body government

6. All persons who have indicated that they want to be notified

In addition, the school site council or safety planning committee may notify, in writing, the following entities of the public meeting: (Education Code 32288)

1. Representatives of local religious organizations

2. Local civic leaders

3. Local business organizations

(cf. 1700 - Relations Between Private Industry and the Schools)

Content of the Safety Plan

Each comprehensive safety plan shall include an assessment of the current status of any crime committed on campus and at school-related functions. (Education Code 32282)

The assessment may include, but not be limited to, reports of crime, suspension and expulsion rates, and surveys of students, parents/guardians, and staff regarding their perceptions of school safety.

(cf. 0500 - Accountability)

(cf. 0510 - School Accountability Report Card)

The plan also shall identify appropriate strategies and programs that will provide or maintain a high level of school safety and address the school's procedures for complying with existing laws related to school safety, including all of the following: (Education Code 32282)

1. Child abuse reporting procedures consistent with Penal Code 11164

(cf. 5141.4 - Child Abuse Prevention and Reporting)

2. Routine and emergency disaster procedures including, but not limited to:

a. Adaptations for students with disabilities in accordance with the Americans with Disabilities Act

(cf. 6159 - Individualized Education Program)

b. An earthquake emergency procedure system in accordance with Education Code 32282

(cf. 3516 - Emergencies and Disaster Preparedness Plan)

(cf. 3516.3 - Earthquake Emergency Procedure System)

c. A procedure to allow public agencies, including the American Red Cross, to use school buildings, grounds, and equipment for mass care and welfare shelters during disasters or other emergencies affecting the public health and welfare

(cf. 1330 - Use of School Facilities)

(cf. 3516.1 - Fire Drills and Fires)

(cf. 3516.2 - Bomb Threats)

(cf. 3516.5 - Emergency Schedules)

(cf. 3543 - Transportation Safety and Emergencies)

3. Policies pursuant to Education Code 48915(d) for students who commit an act listed in Education Code 48915(c) and other school-designated serious acts which would lead to suspension, expulsion, or mandatory expulsion recommendations

(cf. 5131.7 - Weapons and Dangerous Instruments)

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

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

4. Procedures to notify teachers of dangerous students pursuant to Education Code 49079

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

5. A policy consistent with the prohibition against discrimination, harassment, intimidation, and bullying pursuant to Education Code 200-262.4

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

(cf. 1312.3 - Uniform Complaint Procedures)

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

(cf. 5131.2 - Bullying)

(cf. 5145.3 - Nondiscrimination/Harassment)

(cf. 5145.7 - Sexual Harassment)

(cf. 5145.9 - Hate-Motivated Behavior)

6. If the school has adopted a dress code prohibiting students from wearing "gang-related apparel" pursuant to Education Code 35183, the provisions of that dress code and the definition of "gang-related apparel"

(cf. 5132 - Dress and Grooming)

7. Procedures for safe ingress and egress of students, parents/guardians, and employees to and from school

(cf. 5142 - Safety)

8. A safe and orderly school environment conducive to learning

(cf. 5137 - Positive School Climate)

9. The rules and procedures on school discipline adopted pursuant to Education Code 35291 and 35291.5

(cf. 5144 - Discipline)

Among the strategies for providing a safe environment, the school safety plan may also include:

1. Development of a positive school climate that promotes respect for diversity, personal and social responsibility, effective interpersonal and communication skills, self-esteem, anger management, and conflict resolution

(cf. 5138 - Conflict Resolution/Peer Mediation)

(cf. 6141.2 - Recognition of Religious Beliefs and Customs)

2. Disciplinary policies and procedures that contain prevention strategies, such as strategies to prevent bullying, hazing, and cyberbullying, as well as behavioral expectations and consequences for violations

(cf. 5113 - Absences and Excuses)

(cf. 5113.1 - Chronic Absence and Truancy)

(cf. 5131 - Conduct)

3. Curriculum that emphasizes prevention and alternatives to violence, such as multicultural education, character/values education, media analysis skills, conflict resolution, community service learning, and education related to the prevention of dating violence

(cf. 6142.3 - Civic Education)

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

(cf. 6142.8 - Comprehensive Health Education)

4. Parent involvement strategies, including strategies to help ensure parent/guardian support and reinforcement of the school's rules and increase the number of adults on campus

(cf. 1240 - Volunteer Assistance)

(cf. 5020 - Parent Rights and Responsibilities)

(cf. 6020 - Parent Involvement)

5. Prevention and intervention strategies related to the sale or use of drugs and alcohol which shall reflect expectations for drug-free schools and support for recovering students

(cf. 5131.6 - Alcohol and Other Drugs)

(cf. 5131.61 - Drug Testing)

(cf. 5131.62 - Tobacco)

(cf. 5131.63 - Steroids)

6. Collaborative relationships among the city, county, community agencies, local law enforcement, the judicial system, and the schools that lead to the development of a set of common goals and community strategies for violence prevention instruction

(cf. 1020 - Youth Services)

7. District policy related to possession of firearms and ammunition on school grounds

(cf. 3515.7 - Firearms on School Grounds)

8. Measures to prevent or minimize the influence of gangs on campus

(cf. 5136 - Gangs)

9. Procedures for receiving verification from law enforcement when a violent crime has occurred on school grounds and for promptly notifying parents/guardians and employees of that crime

(cf. 5116.1 - Intradistrict Open Enrollment)

10. Assessment of the school's physical environment, including a risk management analysis and development of ground security measures such as procedures for closing campuses to outsiders, installing surveillance systems, securing the campus perimeter, protecting buildings against vandalism, and providing for a law enforcement presence on campus

(cf. 1250 - Visitors/Outsiders)

(cf. 3515 - Campus Security)

(cf. 3515.3 - District Police/Security Department)

(cf. 3530 - Risk Management/Insurance)

(cf. 5112.5 - Open/Closed Campus)

(cf. 5131.5 - Vandalism and Graffiti)

11. Guidelines for the roles and responsibilities of mental health professionals, community intervention professionals, school counselors, school resource officers, and police officers on school campuses. Guidelines may include, but are not limited to, the following:

a. Strategies to create and maintain a positive school climate, promote school safety, and increase student achievement

b. Strategies to prioritize mental health and intervention services, restorative and transformative justice programs, and positive behavior interventions and support

c. Protocols to address the mental health care of students who have witnessed a violent act at any time, including, but not limited to, while on school grounds, while coming or going from school, during a lunch period whether on or off campus, or during or while going to or coming from a school-sponsored activity

12. Strategies for suicide prevention and intervention
(cf. 5141.52 - Suicide Prevention)

13. Procedures to implement when a person interferes with or disrupts a school activity, remains on campus after having been asked to leave, or creates a disruption with the intent to threaten the immediate physical safety of students or staff

(cf. 3515.2 - Disruptions)

14. Crisis prevention and intervention strategies, which may include the following:

a. Identification of possible crises that may occur, determination of necessary tasks that need to be addressed, and development of procedures relative to each crisis, including the involvement of law enforcement and other public safety agencies as appropriate

(cf. 3515.5 - Sex Offender Notification)
(cf. 5131.4 - Student Disturbances)

b. Threat assessment strategies to determine the credibility and seriousness of a threat and provide appropriate interventions for the potential offender(s)

c. Assignment of staff members responsible for each identified task and procedure

d. Development of an evacuation plan based on an assessment of buildings and grounds and opportunities for students and staff to practice the evacuation plan

e. Coordination of communication to schools, Governing Board members, parents/guardians, and the media

(cf. 1112 - Media Relations)
(cf. 9010 - Public Statements)

f. Development of a method for the reporting of violent incidents

g. Development of follow-up procedures that may be required after a crisis has occurred, such as counseling

15. Staff development in violence prevention and intervention techniques, including preparation to implement the elements of the safety plan

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

16. Environmental safety strategies, including, but not limited to, procedures for preventing and mitigating exposure to toxic pesticides, lead, asbestos, vehicle emissions, and other hazardous substances and contaminants

(cf. 3510 - Green School Operations)
(cf. 3513.3 - Tobacco-Free Schools)
(cf. 3514 - Environmental Safety)
(cf. 3514.1 - Hazardous Substances)
(cf. 3514.2 - Integrated Pest Management)

(3/08 11/11) 7/16 Adopted: 4/3/17

New Hope Elementary School District

Board Policy

Nondiscrimination/Harassment

BP 5145.3

Students

The Governing Board desires to provide a safe school environment that allows all students equal access and opportunities in the district's academic, extracurricular, and other educational support programs, services, and activities. The Board prohibits, at any district school or school activity, unlawful discrimination, including discriminatory harassment, intimidation, and bullying, targeted at any student by anyone, based on the student's actual or perceived race, color, ancestry, national origin, nationality, ethnicity, ethnic group identification, age, religion, marital or parental status, physical or mental disability, sex, sexual orientation, gender, gender identity, or gender expression or association with a person or group with one or more of these actual or perceived characteristics.

This policy shall apply to all acts related to school activity or to school attendance occurring within a district school, and to acts which occur off campus or outside of school-related or school-sponsored activities but which may have an impact or create a hostile environment at school.

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

(cf. 5131 - Conduct)

(cf. 5131.2 - Bullying)

(cf. 5137 - Positive School Climate)

(cf. 5145.9 - Hate-Motivated Behavior)

(cf. 5146 - Married/Pregnant/Parenting Students)

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

Unlawful discrimination, including discriminatory harassment, intimidation, or bullying, may result from physical, verbal, nonverbal, or written conduct based on any of the categories listed above. Unlawful discrimination also includes the creation of a hostile environment through prohibited conduct that is so severe, persistent, or pervasive that it affects a student's ability to participate in or benefit from an educational program or activity; creates an intimidating, threatening, hostile, or offensive educational environment; has the effect of substantially or unreasonably interfering with a student's academic performance; or otherwise adversely affects a student's educational opportunities.

Unlawful discrimination also includes disparate treatment of students based on one of the categories above with respect to the provision of opportunities to participate in school programs or activities or the provision or receipt of educational benefits or services.

The Board also prohibits any form of retaliation against any individual who reports or participates in the reporting of unlawful discrimination, files or participates in the filing of a complaint, or

investigates or participates in the investigation of a complaint or report alleging unlawful discrimination. Retaliation complaints shall be investigated and resolved in the same manner as a discrimination complaint.

The Superintendent or designee shall facilitate students' access to the educational program by publicizing the district's nondiscrimination policy and related complaint procedures to students, parents/guardians, and employees. He/she shall provide training and information on the scope and use of the policy and complaint procedures and take other measures designed to increase the school community's understanding of the requirements of law related to discrimination. The Superintendent or designee shall regularly review the implementation of the district's nondiscrimination policies and practices and, as necessary, shall take action to remove any identified barrier to student access to or participation in the district's educational program. He/she shall report his/her findings and recommendations to the Board after each review.

- (cf. 1312.3 - Uniform Complaint Procedures)
- (cf. 1330 - Use of Facilities)
- (cf. 4131 - Staff Development)
- (cf. 4231 - Staff Development)
- (cf. 4331 - Staff Development)
- (cf. 6145 - Extracurricular and Cocurricular Activities)
- (cf. 6145.2 - Athletic Competition)
- (cf. 6164.2 - Guidance/Counseling Services)

Regardless of whether a complainant complies with the writing, timeline, and/or other formal filing requirements, all complaints alleging unlawful discrimination, including discriminatory harassment, intimidation, or bullying, shall be investigated and prompt action taken to stop the discrimination, prevent recurrence, and address any continuing effect on students.

Students who engage in unlawful discrimination, including discriminatory harassment, intimidation, retaliation, or bullying, in violation of law, Board policy, or administrative regulation shall be subject to appropriate consequence or discipline, which may include suspension or expulsion when the behavior is severe or pervasive as defined in Education Code 48900.4. Any employee who permits or engages in prohibited discrimination, including discriminatory harassment, intimidation, retaliation, or bullying, shall be subject to disciplinary action, up to and including dismissal.

- (cf. 4118 - Suspension/Disciplinary Action)
- (cf. 4119.21/4219.21/4319.21 - Professional Standards)
- (cf. 4218 - Dismissal/Suspension/Disciplinary Action)
- (cf. 5144 - Discipline)
- (cf. 5144.1 - Suspension and Expulsion/Due Process)
- (cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))
- (cf. 5145.2 - Freedom of Speech/Expression)

Record-Keeping

The Superintendent or designee shall maintain a record of all reported cases of unlawful

discrimination, including discriminatory harassment, intimidation, or bullying, to enable the district to monitor, address, and prevent repetitive prohibited behavior in district schools. (cf. 3580 - District Records)

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination
48900.3 Suspension or expulsion for act of hate violence
48900.4 Suspension or expulsion for threats or harassment
48904 Liability of parent/guardian for willful student misconduct
48907 Student exercise of free expression
48950 Freedom of speech
48985 Translation of notices
49020-49023 Athletic programs
51500 Prohibited instruction or activity
51501 Prohibited means of instruction
60044 Prohibited instructional materials

CIVIL CODE

1714.1 Liability of parents/guardians for willful misconduct of minor

PENAL CODE

422.55 Definition of hate crime
422.6 Crimes, harassment

CODE OF REGULATIONS, TITLE 5

432 Student record
4600-4687 Uniform complaint procedures
4900-4965 Nondiscrimination in elementary and secondary education programs

UNITED STATES CODE, TITLE 20

1681-1688 Title IX of the Education Amendments of 1972
12101-12213 Title II equal opportunity for individuals with disabilities

UNITED STATES CODE, TITLE 29

794 Section 504 of Rehabilitation Act of 1973

UNITED STATES CODE, TITLE 42

2000d-2000e-17 Title VI and Title VII Civil Rights Act of 1964, as amended
2000h-2-2000h-6 Title IX of the Civil Rights Act of 1964

6101-6107 Age Discrimination Act of 1975

CODE OF FEDERAL REGULATIONS, TITLE 28

35.107 Nondiscrimination on basis of disability; complaints

CODE OF FEDERAL REGULATIONS, TITLE 34

99.31 Disclosure of personally identifiable information
100.3 Prohibition of discrimination on basis of race, color or national origin
104.7 Designation of responsible employee for Section 504
106.8 Designation of responsible employee for Title IX
106.9 Notification of nondiscrimination on basis of sex

COURT DECISIONS

Donovan v. Poway Unified School District, (2008) 167 Cal.App.4th 567

Flores v. Morgan Hill Unified School District, (2003) 324 F.3d 1130

Management Resources:

CSBA PUBLICATIONS

Providing a Safe, Nondiscriminatory School Environment for Transgender and Gender-Nonconforming Students, Policy Brief, February 2014

Final Guidance Regarding Transgender Students, Privacy, and Facilities, March 2014

Safe Schools: Strategies for Governing Boards to Ensure Student Success, 2011

FIRST AMENDMENT CENTER PUBLICATIONS

Public Schools and Sexual Orientation: A First Amendment Framework for Finding Common Ground, 2006

NATIONAL SCHOOL BOARDS ASSOCIATION PUBLICATIONS

Dealing with Legal Matters Surrounding Students' Sexual Orientation and Gender Identity, 2004

U.S. DEPARTMENT OF EDUCATION, OFFICE FOR CIVIL RIGHTS PUBLICATIONS

Examples of Policies and Emerging Practices for Supporting Transgender Students, May 2016

Dear Colleague Letter: Title IX Coordinators, April 2015

Dear Colleague Letter: Harassment and Bullying, October 2010

Notice of Non-Discrimination, January 1999

WEB SITES

CSBA: <http://www.csba.org>

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

California Safe Schools Coalition: <http://www.casafeschools.org>

First Amendment Center: <http://www.firstamendmentcenter.org>

National School Boards Association: <http://www.nsba.org>

U.S. Department of Education, Office for Civil Rights: <http://www.ed.gov/about/offices/list/ocr>

(2/14, 10/14) 9/16

Policy Adopted: 6/19/17

New Hope Elementary School District

Board Policy

Nondiscrimination In Employment

BP 4030

Personnel

The Governing Board is determined to provide district employees, interns, volunteers, and job applicants a safe, positive environment where they are assured of full and equal employment access and opportunities, protection from harassment or intimidation, and freedom from any fear of reprisal or retribution for asserting their employment rights in accordance with law. This policy shall apply to all district employees and, to the extent required by law, to interns, volunteers, and job applicants.

(cf. 1240 - Volunteer Assistance)

(cf. 4111/4211/4311 - Recruitment and Selection)

No district employee shall be discriminated against or harassed by any coworker, supervisor, manager, or other person with whom the employee comes in contact in the course of employment, on the basis of the employee's actual or perceived race, religious creed, color, national origin, ancestry, age, marital status, pregnancy, physical or mental disability, medical condition, genetic information, military and veteran status, gender, gender identity, gender expression, sex, or sexual orientation or his/her association with a person or group with one or more of these actual or perceived characteristics.

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

Discrimination in employment based on the characteristics listed above is prohibited in all areas of employment and in all employment-related practices, including the following:

1. Discrimination in hiring, compensation, terms, conditions, and other privileges of employment
2. Taking of an adverse employment action, such as termination or the denial of employment, promotion, job assignment, or training

(cf. 4151/4251/4351 - Employee Compensation)

(cf. 4154/4254/4354 - Health and Welfare Benefits)

3. Unwelcome conduct, whether verbal, physical, or visual, that is so severe or pervasive as to adversely affect an employee's employment opportunities, or that has the purpose or effect of unreasonably interfering with the individual's work performance or creating an intimidating, hostile, or offensive work environment

4. Actions and practices identified as unlawful or discriminatory pursuant to Government Code 12940 or 2 CCR 11006-11086, such as:

a. Sex discrimination based on an employee's pregnancy, childbirth, breastfeeding, or any related medical condition or on an employee's gender, gender expression, or gender identity, including transgender status

(cf. 4033 - Lactation Accommodation)

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

b. Religious creed discrimination based on an employee's religious belief or observance, including his/her religious dress or grooming practices, or based on the district's failure or refusal to use reasonable means to accommodate an employee's religious belief, observance, or practice which conflicts with an employment requirement.

c. Disability discrimination based on a district requirement for a medical or psychological examination of a job applicant, or an inquiry into whether a job applicant has a mental or physical disability or a medical condition or as to the severity of any such disability or condition, without the showing of a job-related need or business necessity

(cf. 4119.41/4219.41/4319.41 - Employees with Infectious Disease)

d. Disability discrimination based on the district's failure to make reasonable accommodation for the known physical or mental disability of an employee or to engage in a timely, good faith, interactive process with an employee, to determine effective reasonable accommodations for the employee, when he/she has requested reasonable accommodation for a known physical or mental disability or medical condition

(cf. 4032 - Reasonable Accommodation)

The Board also prohibits retaliation against any district employee who opposes any discriminatory employment practice by the district or its employees, agents, or representatives or who complains, testifies, assists, or in any way participates in the district's complaint process pursuant to this policy. No employee who requests an accommodation for any protected characteristic listed in this policy shall be subjected to any punishment or sanction, regardless of whether the request was granted. (Government Code 12940)

Complaints concerning employment discrimination, harassment, or retaliation shall immediately be investigated in accordance with procedures specified in the accompanying administrative regulation.

Any supervisory or management employee who observes or has knowledge of an incident of prohibited discrimination or harassment shall report the incident to the Superintendent or designated district coordinator as soon as practical after the incident. All other employees are encouraged to report such incidents to their supervisor immediately. The district shall protect any

employee who reports such incidents from retaliation.

The Superintendent or designee shall use all appropriate means to reinforce the district's nondiscrimination policy. He/she shall provide training and information to employees about how to recognize harassment, discrimination, or other related conduct, how to respond appropriately, and components of the district's policies and regulations regarding discrimination. The Superintendent or designee shall regularly review the district's employment practices and, as necessary, shall take action to ensure district compliance with the nondiscrimination laws.

In addition, the Superintendent or designee shall post, in a conspicuous place on district premises, the California Department of Fair Employment and Housing publication on workplace discrimination and harassment issued pursuant to 2 CCR 11013.

Any district employee who engages in prohibited discrimination, harassment, or retaliation or who aids, abets, incites, compels, or coerces another to engage or attempt to engage in such behavior in violation of this policy shall be subject to disciplinary action, up to and including dismissal.

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

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

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination

CIVIL CODE

51.7 Freedom from violence or intimidation

GOVERNMENT CODE

11135 Unlawful discrimination

11138 Rules and regulations

12900-12996 Fair Employment and Housing Act

PENAL CODE

422.56 Definitions, hate crimes

CODE OF REGULATIONS, TITLE 2

11006-11086 Discrimination in employment

11013 Recordkeeping

11019 Terms, conditions and privileges of employment

11023 Harassment and discrimination prevention and correction

11024 Sexual harassment training and education

CODE OF REGULATIONS, TITLE 5

4900-4965 Nondiscrimination in elementary and secondary education programs

UNITED STATES CODE, TITLE 20

1681-1688 Title IX of the Education Amendments of 1972

UNITED STATES CODE, TITLE 29

621-634 Age Discrimination in Employment Act

794 Section 504 of the Rehabilitation Act of 1973

UNITED STATES CODE, TITLE 42

2000d-2000d-7 Title VI, Civil Rights Act of 1964, as amended

2000e-2000e-17 Title VII, Civil Rights Act of 1964, as amended
2000ff-2000ff-11 Genetic Information Nondiscrimination Act of 2008
2000h-2-2000h-6 Title IX of the Civil Rights Act of 1964
6101-6107 Age discrimination in federally assisted programs
12101-12213 Americans with Disabilities Act
CODE OF FEDERAL REGULATIONS, TITLE 28
35.101-35.190 Americans with Disabilities Act
CODE OF FEDERAL REGULATIONS, TITLE 34
100.6 Compliance information
104.7 Designation of responsible employee for Section 504
104.8 Notice
106.8 Designation of responsible employee and adoption of grievance procedures
106.9 Dissemination of policy
110.1-110.39 Nondiscrimination on the basis of age
COURT DECISIONS
Thompson v. North American Stainless LP, (2011) 131 S.Ct. 863
Shephard v. Loyola Marymount, (2002) 102 Cal.App.4th 837

Management Resources:

CALIFORNIA DEPARTMENT OF FAIR EMPLOYMENT AND HOUSING PUBLICATIONS
California Law Prohibits Workplace Discrimination and Harassment, December 2014
U.S. DEPARTMENT OF EDUCATION, OFFICE FOR CIVIL RIGHTS PUBLICATIONS
Notice of Non-Discrimination, August 2010
U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION PUBLICATIONS
Questions and Answers: Religious Discrimination in the Workplace, 2008
New Compliance Manual Section 15: Race and Color Discrimination, April 2006
Enforcement Guidance: Vicarious Employer Liability for Unlawful Harassment by Supervisors,
June 1999
WEB SITES
California Department of Fair Employment and Housing: <http://www.dfeh.ca.gov>
U.S. Department of Education, Office for Civil Rights: <http://www.ed.gov/about/offices/list/ocr>
U.S. Equal Employment Opportunity Commission: <http://www.eeoc.gov>

(12/14, 5/16) 12/16
Policy Adopted: 9/12/17

New Hope Elementary School District

Board Policy

Conduct

BP 5131

Students

The Governing Board believes that all students have the right to be educated in a positive learning environment free from disruptions. Students shall be expected to exhibit appropriate conduct that does not infringe upon the rights of others or interfere with the school program while on school grounds, going to or coming from school, at school activities, or using district transportation.

(cf. 0450 - Comprehensive Safety Plan)

(cf. 5131.1 - Bus Conduct)

(cf. 5137 - Positive School Climate)

(cf. 6145.2 - Athletic Competition)

The Superintendent or designee shall ensure that each school develops standards of conduct and discipline consistent with Board policies and administrative regulations. Students and parents/guardians shall be notified of district and school rules related to conduct.

Prohibited student conduct includes, but is not limited to:

1. Conduct that endangers students, staff, or others, including, but not limited to, physical violence, possession of a firearm or other weapon, and terrorist threats

(cf. 5131.7 - Weapons and Dangerous Instruments)

(cf. 5142 - Safety)

2. Discrimination, harassment, intimidation, or bullying of students or staff, including sexual harassment, hate-motivated behavior, cyberbullying, hazing or initiation activity, extortion, or any other verbal, written, or physical conduct that causes or threatens to cause violence, bodily harm, or substantial disruption

(cf. 5131.2 - Bullying)

(cf. 5145.3 - Nondiscrimination/Harassment)

(cf. 5145.7 - Sexual Harassment)

(cf. 5145.9 - Hate-Motivated Behavior)

3. Conduct that disrupts the orderly classroom or school environment

(cf. 5131.4 - Student Disturbances)

Harassment or bullying of students or staff, including, but not limited to, cyberbullying, intimidation, hazing or initiation activity, extortion, or any other verbal, written, or physical conduct that causes or threatens to cause violence, bodily harm, or substantial disruption, in accordance with the section entitled “Bullying/Cyberbullying” below

Cyberbullying includes the transmission of communications, posting of harassing messages, direct threats, or other harmful texts, sounds, or images on the Internet, social networking sites, or other digital technologies using a telephone, computer, or any wireless communication device. Cyberbullying also includes breaking into another person’s electronic account and assuming that person’s identity in order to damage that person’s reputation.

- (cf. 5145.3 - Nondiscrimination/Harassment)
- (cf. 5145.7 - Sexual Harassment)
- (cf. 5145.9 – Hate-Motivated Behavior)

4. Willful defiance of staff’s authority
5. Damage to or theft of property belonging to students, staff, or the district

- (cf. 3515.4 - Recovery for Property Loss or Damage)
- (cf. 5131.5 - Vandalism and Graffiti)

The district shall not be responsible for students' personal belongings which are brought on campus or to a school activity and are lost, stolen, or damaged.

6. Obscene acts or use of profane, vulgar, or abusive language
 - (cf. 5145.2 - Freedom of Speech/Expression)
7. Possession, use, or being under the influence of tobacco, alcohol, or other prohibited drugs
 - (cf. 5131.6 - Alcohol and Other Drugs)
 - (cf. 5131.62 - Tobacco)
 - (cf. 5131.63 - Steroids)
8. Possession or use of a laser pointer, unless for a valid instructional or other school-related purpose (Penal Code 417.27)

Prior to bringing a laser pointer on school premises for a valid instructional or school-related purpose, a student shall obtain permission from the principal or designee.

9. Use of a cellular/digital telephone, pager, or other mobile communications device during instructional time

Such devices shall be turned off in class, except when being used for a valid instructional or other school-related purpose as determined by the teacher or other district employee, and at any other

time directed by a district employee. Any device with camera, video, or voice recording function shall not be used in any manner which infringes on the privacy rights of any other person.

No student shall be prohibited from possessing or using an electronic signaling device that is determined by a licensed physician or surgeon to be essential for the student's health and the use of which is limited to purposes related to the student's health. (Education Code 48901.5)

10. Plagiarism or dishonesty on school work or tests

(cf. 5131.9 - Academic Honesty)
(cf. 6162.54 - Test Integrity/Test Preparation)
(cf. 6162.6 - Use of Copyrighted Materials)

11. Inappropriate attire

(cf. 5132 - Dress and Grooming)

12. Tardiness or unexcused absence from school

(cf. 5113 - Absences and Excuses)
(cf. 5113.1 - Chronic Absence and Truancy)

13. Failure to remain on school premises in accordance with school rules

(cf. 5112.5 - Open/Closed Campus)

Employees are expected to provide appropriate supervision to enforce standards of conduct and, if they observe or receive a report of a violation of these standards, to immediately intervene or call for assistance. If an employee believes a matter has not been resolved, he/she shall refer the matter to his/her supervisor or an administrator for further investigation.

When a school official suspects that a search of a student or his/her belongings will turn up evidence of the student's violation of the law or school rules, such a search shall be conducted in accordance with BP/AR 5145.12 - Search and Seizure.

(cf. 5145.12 - Search and Seizure)

Students shall not use mobile communications devices, even in hands-free mode, while driving on school grounds or to and from a school-related activity.

A student who violates this policy may be prohibited from possessing a mobile communications device at school or school-related events and/or may be subject to further discipline in accordance with Board policy and administrative regulation.

Bullying/Cyberbullying

The Board desires to prevent bullying by establishing a positive, collaborative school climate and clear rules for student conduct.

(cf. 5137- Positive School Climate)
(cf. 5138 – Conflict Resolution/Peer Mediation)
(cf. 6164.2 – Guidance/Counseling Services)

The district may provide students with instruction, in the classroom or other educational settings, that promotes communication, social skills, and assertiveness skills and educates students about appropriate online behavior and strategies to prevent and respond to bullying and cyberbullying.

(cf. 1220 – Citizen Advisory Committees)
(cf. 6163.4 – Student Use of Technology)

School staff shall receive related professional development, including information about early warnings, signs of harassing/intimidating behaviors and effective prevention and intervention strategies. Parents/guardians, students and community members also may be provided with similar information.

(cf. 4131 – Staff Development)
(cf. 4231 – Staff Development)
(cf. 4331 – Staff Development)
(cf. 5136 – Gangs)

Students may submit a verbal or written complaint of conduct they consider to be bullying to a teacher or administrator. Complaints of bullying shall be investigated and resolved in accordance with site-level grievance procedures specified in AR 5145.7 Sexual Harassment.

When a student is suspected of or reported to be using electronic or digital communications to engage in cyberbullying against other students or staff, or to threaten district property, the investigation shall include documentation of the activity, identification of the source, and specific facts or circumstances that explain the impact or potential impact on school activity, school attendance, or the targeted student's educational performance.

Students shall be encouraged to save and print any messages sent to them that they feel constitute cyberbullying and to notify a teacher, the principal, or other employee so that the matter may be investigated.

Any student who engages in cyberbullying on school premises, or off campus in a manner that causes or is likely to cause a substantial disruption of a school activity or school attendance, shall be subject to discipline in accordance with district policies and regulations. If the student is using a social networking site or service that has terms of use that prohibit posting of harmful material, the Superintendent or designee also may file a complaint with the Internet site or services to have the material removed.

When a student uses any prohibited device, or uses a permitted device in any unethical or illegal activity, a district employee may confiscate the device. The employee shall store the item in a secure manner until an appropriate time.

Students who violate district or school rules and regulations may be subject to discipline including,

but not limited to, suspension, expulsion, transfer to alternative programs, referral to a student success team or counseling services, or denial of participation in extracurricular or co-curricular activities or other privileges in accordance with Board policy and administrative regulation. The Superintendent or designee shall notify local law enforcement as appropriate.

- (cf. 1020 - Youth Services)
- (cf. 1400 - Relations Between Other Governmental Agencies and the Schools)
- (cf. 5020 - Parent Rights and Responsibilities)
- (cf. 5127 - Graduation Ceremonies and Activities)
- (cf. 5138 - Conflict Resolution/Peer Mediation)
- (cf. 5144 - Discipline)
- (cf. 5144.1 - Suspension and Expulsion/Due Process)
- (cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))
- (cf. 6020 - Parent Involvement)
- (cf. 6145 - Extracurricular and Cocurricular Activities)
- (cf. 6159.4 - Behavioral Interventions for Special Education Students)
- (cf. 6164.2 - Guidance/Counseling Services)
- (cf. 6164.5 - Student Success Teams)
- (cf. 6184 - Continuation Education)
- (cf. 6185 - Community Day School)

Students also may be subject to discipline, in accordance with law, Board policy, or administrative regulation, for any off-campus conduct during nonschool hours which poses a threat or danger to the safety of students, staff, or district property, or substantially disrupts school activities.

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination

32261 Bullying

32280-32289 Comprehensive safety plan

35181 Governing board authority to set policy on responsibilities of students

35291-35291.5 Rules

44807 Duty concerning conduct of students

48900-48925 Suspension and expulsion

48908 Duties of students

51512 Prohibition against electronic listening or recording device in classroom without permission

CIVIL CODE

1714.1 Liability of parents and guardians for willful misconduct of minor

PENAL CODE

288.2 Harmful matter with intent to seduce

313 Harmful matter

417.25-417.27 Laser scope or laser pointer

647 Use of camera or other instrument to invade person's privacy; misdemeanor

647.7 Use of camera or other instrument to invade person's privacy; punishment
653.2 Electronic communication devices, threats to safety

VEHICLE CODE

23123-23124 Prohibitions against use of electronic devices while driving

CODE OF REGULATIONS, TITLE 5

300-307 Duties of students

UNITED STATES CODE, TITLE 42

2000h-2000h6 Title IX, 1972 Education Act Amendments

UNITED STATES CODE, TITLE 47

254 Universal service discounts(e-rate)

COURT DECISIONS

J.C. v. Beverly Hills Unified School District, (2010) 711 F.Supp.2d 1094

LaVine v. Blaine School District, (2000, 9th Cir.) 257 F.3d 981

Emmett v. Kent School District No. 415, (2000) 92 F.Supp. 1088

Bethel School District No. 403 v. Fraser, (1986) 478 U.S. 675

New Jersey v. T.L.O., (1985) 469 U.S. 325

Tinker v. Des Moines Independent Community School District, (1969) 393 U.S. 503

Management Resources:

CSBA PUBLICATIONS

Safe Schools: Strategies for Governing Boards to Ensure Student Success, 2011

Providing a Safe, Nondiscriminatory School Environment for All Students, Policy Brief, April 2010

Cyberbullying: Policy Considerations for Boards, Policy Brief, July 2007

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Bullying at School, 2003

WEB SITES

CSBA: <http://www.csba.org>

California Department of Education, Safe Schools Office: <http://www.cde.ca.gov/ls/ss>

Center for Safe and Responsible Internet Use: <http://cyberbully.org>

National School Boards Association: <http://www.nsba.org>

National School Safety Center: <http://www.schoolsafety.us>

U.S. Department of Education: <http://www.ed.gov>

(11/08, 3/10) 3/12

Policy Adopted: 6/11/12

New Hope Elementary School District

Board Policy

Discipline

BP 5144

Students

The Governing Board is committed to providing a safe, supportive, and positive school environment which is conducive to student learning and to preparing students for responsible citizenship by fostering self-discipline and personal responsibility. The Board believes that high expectations for student behavior, use of effective school and classroom management strategies, provision of appropriate intervention and support, and parent involvement can minimize the need for disciplinary measures that exclude students from instruction as a means for correcting student misbehavior.

(cf. 5131 - Conduct)

(cf. 5131.1 - Bus Conduct)

(cf. 5131.2 - Bullying)

(cf. 5137 - Positive School Climate)

(cf. 5138 - Conflict Resolution/Peer Mediation)

(cf. 5145.9 - Hate-Motivated Behavior)

(cf. 6020 - Parent Involvement)

The Superintendent or designee shall design a complement of effective, age-appropriate strategies for maintaining a positive school climate and correcting student misbehavior at district schools. The strategies shall focus on providing students with needed supports; communicating clear, appropriate, and consistent expectations and consequences for student conduct; and ensuring equity and continuous improvement in the implementation of district discipline policies and practices.

In addition, the Superintendent or designee's strategies shall reflect the Board's preference for the use of positive interventions and alternative disciplinary measures over exclusionary discipline measures as a means for correcting student misbehavior.

Disciplinary measures that may result in loss of instructional time or cause students to be disengaged from school, such as detention, suspension, and expulsion, shall be imposed only when required by law or when other means of correction have been documented to have failed.

(Education Code 48900.5)

(cf. 5020 - Parent Rights and Responsibilities)

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

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

(cf. 6159.4 - Behavioral Interventions for Special Education Students)
(cf. 6164.5 - Student Success Teams)

The administrative staff at each school may develop disciplinary rules to meet the school's particular needs consistent with law, Board policy, and district regulations. The Board, at an open meeting, shall review the approved school discipline rules for consistency with Board policy and state law. Site-level disciplinary rules shall be included in the district's comprehensive safety plan. (Education Code 35291.5, 32282)

(cf. 0450 - Comprehensive Safety Plan)
(cf. 9320 - Meetings and Notices)

At all times, the safety of students and staff and the maintenance of an orderly school environment shall be priorities in determining appropriate discipline. When misconduct occurs, staff shall attempt to identify the causes of the student's behavior and implement appropriate discipline. When choosing between different disciplinary strategies, staff shall consider the effect of each option on the student's health, well-being, and opportunity to learn.

Staff shall enforce disciplinary rules fairly, consistently, and in accordance with the district's nondiscrimination policies.

(cf. 0410 - Nondiscrimination in District Programs and Activities)
(cf. 5145.3 - Nondiscrimination/Harassment)
(cf. 5145.7 - Sexual Harassment)

The Superintendent or designee shall provide professional development as necessary to assist staff in developing the skills needed to effectively implement the disciplinary strategies adopted for district schools, including, but not limited to, consistent school and classroom management skills, effective accountability and positive intervention techniques, and development of strong, cooperative relationships with parents/guardians.

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

District goals for improving school climate, based on suspension and expulsion rates, surveys of students, staff, and parents/guardians regarding their sense of school safety, and other local measures, shall be included in the district's local control and accountability plan, as required by law.

(cf. 0460 - Local Control and Accountability Plan)
(cf. 3100 - Budget)

At the beginning of each school year, the Superintendent or designee shall report to the Board regarding disciplinary strategies used in district schools in the immediately preceding school year and their effect on student learning.

Legal Reference:

EDUCATION CODE

32280-32288 School safety plans

35146 Closed sessions

35291 Rules

35291.5-35291.7 School-adopted discipline rules

37223 Weekend classes

44807.5 Restriction from recess

48900-48926 Suspension and expulsion

48980-48985 Notification of parent/guardian

49330-49335 Injurious objects

52060-52077 Local control and accountability plan

CIVIL CODE

1714.1 Parental liability for child's misconduct

CODE OF REGULATIONS, TITLE 5

307 Participation in school activities until departure of bus

353 Detention after school

Management Resources:

CSBA PUBLICATIONS

Providing a Safe, Nondiscriminatory School Environment for Transgender and Gender-Nonconforming Students, Policy Brief, February 2014

Safe Schools: Strategies for Governing Boards to Ensure Student Success, 2011

Maximizing Opportunities for Physical Activity during the School Day, Fact Sheet, 2009

CALIFORNIA DEPARTMENT OF EDUCATION PROGRAM ADVISORIES

Classroom Management: A California Resource Guide for Teachers and Administrators of Elementary and Secondary Schools, 2000

STATE BOARD OF EDUCATION POLICIES

01-02 School Safety, Discipline, and Attendance, March 2001

U.S. DEPARTMENT OF EDUCATION, OFFICE FOR CIVIL RIGHTS PUBLICATIONS

Dear Colleague Letter on the Nondiscriminatory Administration of School Discipline, January 2014

WEB SITES

CSBA: <http://www.csba.org>

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

Public Counsel: <http://www.fixschooldiscipline.org>

U.S. Department of Education, Office for Civil Rights: <http://www.ed.gov/about/offices/list/ocr>

(3/11, 11/12) 4/14

Policy Adopted: 8/11/14

New Hope Elementary School District

Board Policy

Uniform Complaint Procedures

BP 1312.3

Community Relations

The Governing Board recognizes that the district has the primary responsibility to ensure compliance with applicable state and federal laws and regulations governing educational programs. The Board encourages early resolution of complaints whenever possible. To resolve complaints which may require a more formal process, the Board adopts the uniform system of complaint processes specified in 5 CCR 4600-4670 and the accompanying administrative regulation.

The district's uniform complaint procedures (UCP) shall be used to investigate and resolve the following complaints:

1. Any complaint alleging district violation of applicable state or federal law or regulations governing adult education programs, after school education and safety programs, migrant education, career technical and technical education and training programs, child care and development programs, child nutrition programs, special education programs, consolidated categorical aid programs, and any other district-implemented program which is listed in Education Code 64000(a) (5 CCR 4610)

(cf. 3553 - Free and Reduced Price Meals)
(cf. 3555 - Nutrition Program Compliance)
(cf. 5141.4 - Child Abuse Prevention and Reporting)
(cf. 5148 - Child Care and Development)
(cf. 5148.2 - Before/After School Programs)
(cf. 6159 - Individualized Education Program)
(cf. 6171 - Title I Programs)
(cf. 6174 - Education for English Learners)
(cf. 6175 - Migrant Education Program)
(cf. 6178 - Career Technical Education)
(cf. 6178.1 - Work-Based Learning)
(cf. 6178.2 - Regional Occupational Center/Program)
(cf. 6200 - Adult Education)

2. Any complaint alleging the occurrence of unlawful discrimination (such as discriminatory harassment, intimidation, or bullying) against any student, employee, or other person participating in district programs and activities, including, but not limited to, those programs or activities funded directly by or that receive or benefit from any state financial assistance, based on the person's actual or perceived characteristics of race or ethnicity, color, ancestry, nationality, national origin,

ethnic group identification, age, religion, marital, pregnancy, or parental status, physical or mental disability, 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, or based on his/her association with a person or group with one or more of these actual or perceived characteristics (5 CCR 4610)

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

(cf. 5145.3 - Nondiscrimination/Harassment)

(cf. 5145.7 - Sexual Harassment)

3. Any complaint alleging district noncompliance with the requirement to provide reasonable accommodation to a lactating student on school campus to express breast milk, breastfeed an infant child, or address other breastfeeding-related needs of the student (Education Code 222)

(cf. 5146 - Married/Pregnant/Parenting Students)

4. Any complaint alleging district noncompliance with the prohibition against requiring students to pay fees, deposits, or other charges for participation in educational activities (5 CCR 4610)

(cf. 3260 - Fees and Charges)

(cf. 3320 - Claims and Actions Against the District)

5. Any complaint alleging district noncompliance with legal requirements related to the implementation of the local control and accountability plan (Education Code 52075)

(cf. 0460 - Local Control and Accountability Plan)

6. Any complaint, by or on behalf of any student who is a foster youth, alleging district noncompliance with any legal requirement applicable to the student regarding placement decisions, the responsibilities of the district's educational liaison to the student, the award of credit for coursework satisfactorily completed in another school or district, school transfer, or the grant of an exemption from Board-imposed graduation requirements (Education Code 48853, 48853.5, 49069.5, 51225.1, 51225.2)

(cf. 6173.1 - Education for Foster Youth)

7. Any complaint, by or on behalf of a homeless student as defined in 42 USC 11434a, alleging district noncompliance with any requirement applicable to the student regarding the award of credit for coursework satisfactorily completed in another school or district or the grant of an exemption from Board-imposed graduation requirements (Education Code 51225.1, 51225.2)

(cf. 6173 - Education for Homeless Children)

8. Any complaint, by or on behalf of a former juvenile court school student who transfers into the district after his/her second year of high school, alleging district noncompliance with any

requirement applicable to the student regarding the award of credit for coursework satisfactorily completed in the juvenile court school or the grant of an exemption from Board-imposed graduation requirements (Education Code 51225.1, 51225.2)

(cf. 6173.3 - Education for Juvenile Court School Students)

9. Any complaint alleging district noncompliance with the requirements of Education Code 51228.1 and 51228.2 that prohibit the assignment of a student to a course without educational content for more than one week in any semester or to a course the student has previously satisfactorily completed, without meeting specified conditions (Education Code 51228.3)

(cf. 6152 - Class Assignment)

10. Any complaint alleging district noncompliance with the physical education instructional minute requirement for students in elementary school (Education Code 51210, 51223)

(cf. 6142.7 - Physical Education and Activity)

11. Any complaint alleging retaliation against a complainant or other participant in the complaint process or anyone who has acted to uncover or report a violation subject to this policy

12. Any other complaint as specified in a district policy

The Board recognizes that alternative dispute resolution (ADR) can, depending on the nature of the allegations, offer a process to reach a resolution to the complaint that is acceptable to all parties. ADR such as mediation may be offered to resolve complaints that involve more than one student and no adult. However, mediation shall not be offered or used to resolve any complaint involving sexual assault or where there is a reasonable risk that a party to the mediation would feel compelled to participate. The Superintendent or designee shall ensure that the use of ADR is consistent with state and federal laws and regulations.

The district shall protect all complainants from retaliation. In investigating complaints, the confidentiality of the parties involved shall be protected as required by law. For any complaint alleging retaliation or unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), the Superintendent or designee shall keep the identity of the complainant, and/or the subject of the complaint if he/she is different from the complainant, confidential when appropriate and as long as the integrity of the complaint process is maintained.

(cf. 4119.23/4219.23/4319.23 - Unauthorized Release of Confidential/Privileged Information)

(cf. 5125 - Student Records)

(cf. 9011 - Disclosure of Confidential/Privileged Information)

When an allegation that is not subject to the UCP is included in a UCP complaint, the district shall refer the non-UCP allegation to the appropriate staff or agency and shall investigate and, if appropriate, resolve the UCP-related allegation(s) through the district's UCP.

The Superintendent or designee shall provide training to district staff to ensure awareness and

knowledge of current law and related requirements, including the steps and timelines specified in this policy and the accompanying administrative regulation.

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

The Superintendent or designee shall maintain records of all UCP complaints and the investigations of those complaints in accordance with applicable law and district policy.

(cf. 3580 - District Records)

Non-UCP Complaints

The following complaints shall not be subject to the district's UCP but shall be referred to the specified agency: (5 CCR 4611)

1. Any complaint alleging child abuse or neglect shall be referred to the County Department of Social Services, the County Protective Services Division, and the appropriate law enforcement agency.
2. Any complaint alleging health and safety violations by a child development program shall, for licensed facilities, be referred to Department of Social Services and shall, for licensing-exempt facilities, be referred to the appropriate Child Development regional administrator.
3. Any complaint alleging employment discrimination shall be sent to the California Department of Fair Employment and Housing and the compliance officer shall notify the complainant by first class mail of the transfer.
4. Any complaint alleging fraud shall be referred to the California Department of Education.

In addition, the district's Williams Uniform Complaint Procedures, AR 1312.4, shall be used to investigate and resolve any complaint related to sufficiency of textbooks or instructional materials, emergency or urgent facilities conditions that pose a threat to the health or safety of students or staff, or teacher vacancies and misassignments. (Education Code 35186)

(cf. 1312.4 - Williams Uniform Complaint Procedures)

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination

222 Reasonable accommodations; lactating students

8200-8498 Child care and development programs

8500-8538 Adult basic education
 18100-18203 School libraries
 32289 School safety plan, uniform complaint procedures
 35186 Williams uniform complaint procedures
 48853-48853.5 Foster youth
 48985 Notices in language other than English
 49010-49013 Student fees
 49060-49079 Student records
 49069.5 Rights of parents
 49490-49590 Child nutrition programs
 51210 Courses of study grades 1-6
 51223 Physical education, elementary schools
 51225.1-51225.2 Foster youth, homeless children, and former juvenile court school students;
 course credits; graduation requirements
 51228.1-51228.3 Course periods without educational content
 52060-52077 Local control and accountability plan, especially:
 52075 Complaint for lack of compliance with local control and accountability plan requirements
 52160-52178 Bilingual education programs
 52300-52490 Career technical education
 52500-52616.24 Adult schools
 54400-54425 Compensatory education programs
 54440-54445 Migrant education
 54460-54529 Compensatory education programs
 56000-56867 Special education programs
 59000-59300 Special schools and centers
 64000-64001 Consolidated application process
 GOVERNMENT CODE
 11135 Nondiscrimination in programs or activities funded by state
 12900-12996 Fair Employment and Housing Act
 PENAL CODE
 422.55 Hate crime; definition
 422.6 Interference with constitutional right or privilege
 CODE OF REGULATIONS, TITLE 2
 11023 Harassment and discrimination prevention and correction
 CODE OF REGULATIONS, TITLE 5
 3080 Application of section
 4600-4687 Uniform complaint procedures
 4900-4965 Nondiscrimination in elementary and secondary education programs
 UNITED STATES CODE, TITLE 20
 1221 Application of laws
 1232g Family Educational Rights and Privacy Act
 1681-1688 Title IX of the Education Amendments of 1972
 6301-6577 Title I basic programs
 6801-7014 Title III language instruction for limited English proficient and immigrant students
 7101-7184 Safe and Drug-Free Schools and Communities Act
 7201-7283g Title V promoting informed parental choice and innovative programs
 7301-7372 Title V rural and low-income school programs

12101-12213 Title II equal opportunity for individuals with disabilities
UNITED STATES CODE, TITLE 29
794 Section 504 of Rehabilitation Act of 1973
UNITED STATES CODE, TITLE 42
2000d-2000e-17 Title VI and Title VII Civil Rights Act of 1964, as amended
2000h-2-2000h-6 Title IX of the Civil Rights Act of 1964
6101-6107 Age Discrimination Act of 1975
CODE OF FEDERAL REGULATIONS, TITLE 28
35.107 Nondiscrimination on basis of disability; complaints
CODE OF FEDERAL REGULATIONS, TITLE 34
99.1-99.67 Family Educational Rights and Privacy Act
100.3 Prohibition of discrimination on basis of race, color or national origin
104.7 Designation of responsible employee for Section 504
CODE OF FEDERAL REGULATIONS, TITLE 34
106.8 Designation of responsible employee for Title IX
106.9 Notification of nondiscrimination on basis of sex
110.25 Notification of nondiscrimination on the basis of age

Management Resources:

U.S. DEPARTMENT OF EDUCATION, OFFICE FOR CIVIL RIGHTS PUBLICATIONS

Dear Colleague Letter: Title IX Coordinators, April 2015

Questions and Answers on Title IX and Sexual Violence, April 2014

Dear Colleague Letter: Bullying of Students with Disabilities, August 2013

Dear Colleague Letter: Sexual Violence, April 2011

Dear Colleague Letter: Harassment and Bullying, October 2010

Revised Sexual Harassment Guidance: Harassment of Students by School Employees, Other Students, or Third Parties, January 2001

U.S. DEPARTMENT OF JUSTICE PUBLICATIONS

Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons, 2002

WEB SITES

CSBA: <http://www.csba.org>

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

Family Policy Compliance Office: <http://familypolicy.ed.gov>

U.S. Department of Education, Office for Civil Rights: <http://www.ed.gov/ocr>

U.S. Department of Justice: <http://www.justice.gov>

(3/16, 9/16) 5/17

Policy Adopted: 1/9/18

New Hope Elementary School District

Administrative Regulation

Uniform Complaint Procedures

AR 1312.3

Community Relations

Except as the Governing Board may otherwise specifically provide in other district policies, these uniform complaint procedures (UCP) shall be used to investigate and resolve only the complaints specified in BP 1312.3.

(cf. 1312.1 - Complaints Concerning District Employees)

(cf. 1312.2 - Complaints Concerning Instructional Materials)

(cf. 1312.4 - Williams Uniform Complaint Procedures)

(cf. 4030 - Nondiscrimination in Employment)

Compliance Officers

The district designates the individual(s) identified below as the employee(s) responsible for coordinating the district's response to complaints and for complying with state and federal civil rights laws. The individual(s) also serve as the compliance officer(s) specified in AR 5145.3 - Nondiscrimination/Harassment as the responsible employee(s) to handle complaints regarding unlawful discrimination (such as discriminatory harassment, intimidation, or bullying). The individual(s) shall receive and coordinate the investigation of complaints and shall ensure district compliance with law.

(cf. 5145.3 - Nondiscrimination/Harassment)

(cf. 5145.7 - Sexual Harassment)

Superintendent/Principal

(title or position)

26675 N. Sacramento Blvd./P.O. Box 238

(address)

(209)794-2376

(telephone number)

cljohnson@nhesd.net

(email)

The compliance officer who receives a complaint may assign another compliance officer to investigate and resolve the complaint. The compliance officer shall promptly notify the

complainant and respondent, if applicable, if another compliance officer is assigned to the complaint.

In no instance shall a compliance officer be assigned to a complaint in which he/she has a bias or conflict of interest that would prohibit him/her from fairly investigating or resolving the complaint. Any complaint against a compliance officer or that raises a concern about the compliance officer's ability to investigate the complaint fairly and without bias shall be filed with the Superintendent or designee who shall determine how the complaint will be investigated.

The Superintendent or designee shall ensure that employees assigned to investigate and resolve complaints receive training and are knowledgeable about the laws and programs at issue in the complaints to which they are assigned. Training provided to such employees shall cover current state and federal laws and regulations governing the program, applicable processes for investigating and resolving complaints, including those alleging unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), applicable standards for reaching decisions on complaints, and appropriate corrective measures. Assigned employees may have access to legal counsel as determined by the Superintendent or designee.

(cf. 4331 - Staff Development)

(cf. 9124 - Attorney)

The compliance officer or, if necessary, any appropriate administrator shall determine whether interim measures are necessary during and pending the result of an investigation. If interim measures are determined to be necessary, the compliance officer or the administrator shall consult with the Superintendent, the Superintendent's designee, or, if appropriate, the site principal to implement one or more interim measures. The interim measures shall remain in place until the compliance officer determines that they are no longer necessary or until the district issues its final written decision, whichever occurs first.

Notifications

The district's UCP policy and administrative regulation shall be posted in all district schools and offices, including staff lounges and student government meeting rooms. (Education Code 234.1)

The Superintendent or designee shall annually provide written notification of the district's UCP, including information regarding unlawful student fees, local control and accountability plan (LCAP) requirements, and requirements related to the educational rights of foster youth, homeless students, and former juvenile court school students to students, employees, parents/guardians, the district advisory committee, school advisory committees, appropriate private school officials or representatives, and other interested parties. (Education Code 262.3, 48853, 48853.5, 49013, 49069.5, 51225.1, 51225.2, 52075; 5 CCR 4622)

(cf. 0420 - School Plans/Site Councils)

(cf. 0460 - Local Control and Accountability Plan)

(cf. 1220 - Citizen Advisory Committees)

(cf. 3260 - Fees and Charges)

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

(cf. 5145.6 - Parental Notifications)

(cf. 6173 - Education for Homeless Children)
(cf. 6173.1 - Education for Foster Youth)
(cf. 6173.3 - Education for Juvenile Court School Students)

The annual notification, complete contact information of the compliance officer(s), and information related to Title IX as required pursuant to Education Code 221.61 shall be posted on the district web site and may be provided through district-supported social media, if available.

(cf. 1113 - District and School Web Sites)
(cf. 1114 - District-Sponsored Social Media)

The Superintendent or designee shall ensure that all students and parents/guardians, including students and parents/guardians with limited English proficiency, have access to the relevant information provided in the district's policy, regulation, forms, and notices concerning the UCP.

If 15 percent or more of students enrolled in a particular district school speak a single primary language other than English, the district's policy, regulation, forms, and notices concerning the UCP shall be translated into that language, in accordance with Education Code 234.1 and 48985. In all other instances, the district shall ensure meaningful access to all relevant UCP information for parents/guardians with limited English proficiency.

The notice shall:

1. Identify the person(s), position(s), or unit(s) responsible for receiving complaints
2. Advise the complainant of any civil law remedies that may be available to him/her under state or federal antidiscrimination laws, if applicable
3. Advise the complainant of the appeal process, including, if applicable, the complainant's right to take a complaint directly to the California Department of Education (CDE) or to pursue remedies before civil courts or other public agencies, such as the U.S. Department of Education's Office for Civil Rights (OCR) in cases involving unlawful discrimination (such as discriminatory harassment, intimidation, or bullying).
4. Include statements that:
 - a. The district has the primary responsibility to ensure compliance with applicable state and federal laws and regulations governing educational programs.
 - b. The complaint review shall be completed within 60 calendar days from the date of receipt of the complaint unless the complainant agrees in writing to an extension of the timeline.
 - c. A complaint alleging retaliation or unlawful discrimination (such as discriminatory harassment, intimidation, or bullying) must be filed not later than six months from the date it occurred, or six months from the date the complainant first obtained knowledge of the facts of the alleged unlawful discrimination. The time for filing may be extended for up to 90 days by the Superintendent or designee for good cause upon written request by the complainant setting forth

the reasons for the extension.

d. Complaints should be filed in writing and signed by the complainant. If a complainant is unable to put his/her complaint in writing, for example, due to conditions such as a disability or illiteracy, district staff shall assist him/her in the filing of the complaint.

e. If a complaint is not filed in writing but the district receives notice of any allegation that is subject to the UCP, the district shall take affirmative steps to investigate and address the allegations, in a manner appropriate to the particular circumstances.

If the allegation involves retaliation or unlawful discrimination (such as discriminatory harassment, intimidation, or bullying) and the investigation confirms that discrimination has occurred, the district will take steps to prevent recurrence of discrimination and correct its discriminatory effects on the complainant, and on others, if appropriate.

f. A student enrolled in a public school shall not be required to pay a fee for his/her participation in an educational activity that constitutes an integral fundamental part of the district's educational program, including curricular and extracurricular activities.

g. The Board is required to adopt and annually update the LCAP in a manner that includes meaningful engagement of parents/guardians, students, and other stakeholders in the development and/or review of the LCAP.

h. A foster youth shall receive information about educational rights related to his/her educational placement, enrollment in and checkout from school, as well as the responsibilities of the district liaison for foster youth to ensure and facilitate these requirements and to assist the student in ensuring proper transfer of his/her credits, records, and grades when he/she transfers between schools or between the district and another district.

i. A foster youth, homeless student, or former juvenile court school student who transfers into a district high school or between district high schools as applicable shall be notified of the district's responsibility to:

(1) Accept any coursework or part of the coursework that the student has satisfactorily completed in another public school, juvenile court school, or a nonpublic, nonsectarian school or agency, and to issue full or partial credit for the coursework completed

(2) Not require the student to retake any course or a portion of a course which he/she has satisfactorily completed in another public school, juvenile court school, or a nonpublic, nonsectarian school or agency

(3) If the student has completed his/her second year of high school before the transfer, provide the student information about district-adopted coursework and Board-imposed graduation requirements from which he/she may be exempted pursuant to Education Code 51225.1

j. The complainant has a right to appeal the district's decision to the CDE by filing a written appeal within 15 calendar days of receiving the district's decision.

In any complaint alleging unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), the respondent also shall have the right to file an appeal with the CDE in the same manner as the complainant, if he/she is dissatisfied with the district's decision.

k. The appeal to the CDE must include a copy of the complaint filed with the district and a copy of the district's decision.

l. Copies of the district's UCP are available free of charge.

District Responsibilities

All UCP-related complaints shall be investigated and resolved within 60 calendar days of the district's receipt of the complaint unless the complainant agrees in writing to an extension of the timeline. (5 CCR 4631)

For complaints alleging unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), the district shall inform the respondent when the complainant agrees to an extension of the timeline for investigating and resolving the complaint.

The compliance officer shall maintain a record of each complaint and subsequent related actions, including steps taken during the investigation and all information required for compliance with 5 CCR 4631 and 4633.

All parties involved in the allegations shall be notified when a complaint is filed and when a decision or ruling is made. However, the compliance officer shall keep all complaints or allegations of retaliation or unlawful discrimination (such as discriminatory harassment, intimidation, or bullying) confidential except when disclosure is necessary to carry out the investigation, take subsequent corrective action, conduct ongoing monitoring, or maintain the integrity of the process. (5 CCR 4630, 4964)

Filing of Complaints

The complaint shall be presented to the compliance officer who shall maintain a log of complaints received, providing each with a code number and a date stamp.

All complaints shall be filed in writing and signed by the complainant. If a complainant is unable to put a complaint in writing due to conditions such as a disability or illiteracy, district staff shall assist him/her in the filing of the complaint. (5 CCR 4600)

Complaints shall also be filed in accordance with the following rules, as applicable:

1. A complaint alleging district violation of applicable state or federal law or regulations governing adult education programs, consolidated categorical aid programs, migrant education, career technical and technical education and training programs, child care and development programs, child nutrition programs, and special education programs may be filed by any individual, public agency, or organization. (5 CCR 4630)

2. Any complaint alleging noncompliance with law regarding the prohibition against requiring students to pay student fees, deposits, and charges or any requirement related to the LCAP may be filed anonymously if the complaint provides evidence, or information leading to evidence, to support an allegation of noncompliance. A complaint about a violation of the prohibition against the charging of unlawful student fees may be filed with the principal of the school or with the Superintendent or designee. However, any such complaint shall be filed no later than one year from the date the alleged violation occurred. (Education Code 49013, 52075; 5 CCR 4630)

3. A complaint alleging unlawful discrimination (such as discriminatory harassment, intimidation, or bullying) may be filed only by a person who alleges that he/she personally suffered the unlawful discrimination or by a person who believes that an individual or any specific class of individuals has been subjected to it. The complaint shall be initiated no later than six months from the date when the alleged unlawful discrimination occurred, or six months from the date when the complainant first obtained knowledge of the facts of the alleged unlawful discrimination. The time for filing may be extended for up to 90 days by the Superintendent or designee for good cause upon written request by the complainant setting forth the reasons for the extension. (5 CCR 4630)

4. When a complaint alleging unlawful discrimination (such as discriminatory harassment, intimidation, or bullying) is filed anonymously, the compliance officer shall pursue an investigation or other response as appropriate, depending on the specificity and reliability of the information provided and the seriousness of the allegation.

5. When the complainant of unlawful discrimination (such as discriminatory harassment, intimidation, or bullying) or the alleged victim, when he/she is not the complainant, requests confidentiality, the compliance officer shall inform him/her that the request may limit the district's ability to investigate the conduct or take other necessary action. When honoring a request for confidentiality, the district shall nevertheless take all reasonable steps to investigate and resolve/respond to the complaint consistent with the request.

Mediation

Within three business days after the compliance officer receives the complaint, he/she may informally discuss with all the parties the possibility of using mediation. Mediation shall be offered to resolve complaints that involve more than one student and no adult. However, mediation shall not be offered or used to resolve any complaint involving an allegation of sexual assault or where there is a reasonable risk that a party to the mediation would feel compelled to participate. If the parties agree to mediation, the compliance officer shall make all arrangements for this process.

Before initiating the mediation of a complaint alleging retaliation or unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), the compliance officer shall ensure that all parties agree to make the mediator a party to relevant confidential information. The compliance officer shall also notify all parties of the right to end the informal process at any time.

If the mediation process does not resolve the problem within the parameters of law, the compliance

officer shall proceed with his/her investigation of the complaint.

The use of mediation shall not extend the district's timelines for investigating and resolving the complaint unless the complainant agrees in writing to such an extension of time. If mediation is successful and the complaint is withdrawn, then the district shall take only the actions agreed to through the mediation. If mediation is unsuccessful, the district shall then continue with subsequent steps specified in this administrative regulation.

Investigation of Complaint

Within 10 business days after the compliance officer receives the complaint, the compliance officer shall begin an investigation into the complaint.

Within one business day of initiating the investigation, the compliance officer shall provide the complainant and/or his/her representative with the opportunity to present the information contained in the complaint to the compliance officer and shall notify the complainant and/or his/her representative of the opportunity to present the compliance officer with any evidence, or information leading to evidence, to support the allegations in the complaint. Such evidence or information may be presented at any time during the investigation.

In conducting the investigation, the compliance officer shall collect all available documents and review all available records, notes, or statements related to the complaint, including any additional evidence or information received from the parties during the course of the investigation. He/she shall individually interview all available witnesses with information pertinent to the complaint, and may visit any reasonably accessible location where the relevant actions are alleged to have taken place. At appropriate intervals, the compliance officer shall inform both parties of the status of the investigation.

To investigate a complaint alleging retaliation or unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), the compliance officer shall interview the alleged victim(s), any alleged offenders, and other relevant witnesses privately, separately, and in a confidential manner. As necessary, additional staff or legal counsel may conduct or support the investigation.

A complainant's refusal to provide the district's investigator with documents or other evidence related to the allegations in the complaint, failure or refusal to cooperate in the investigation, or engagement in any other obstruction of the investigation may result in the dismissal of the complaint because of a lack of evidence to support the allegation. Similarly, a respondent's refusal to provide the district's investigator with documents or other evidence related to the allegations in the complaint, failure or refusal to cooperate in the investigation, or engagement in any other obstruction of the investigation may result in a finding, based on evidence collected, that a violation has occurred and in the imposition of a remedy in favor of the complainant. (5 CCR 4631)

In accordance with law, the district shall provide the investigator with access to records and other information related to the allegation in the complaint and shall not in any way obstruct the investigation. Failure or refusal of the district to cooperate in the investigation may result in a finding based on evidence collected that a violation has occurred and in the imposition of a remedy in favor of the complainant. (5 CCR 4631)

The compliance officer shall apply a "preponderance of the evidence" standard in determining the veracity of the factual allegations in a complaint. This standard is met if the allegation is more likely to be true than not.

Report of Findings

OPTION 1:

Unless extended by written agreement with the complainant, the compliance officer shall prepare and send to the complainant, and respondent if there is one, a written report, as described in the section "Final Written Decision" below, within 60 calendar days of the district's receipt of the complaint. (5 CCR 4631)

In resolving any complaint alleging unlawful discrimination (such as discriminatory harassment, intimidation, and bullying), the respondent also shall be sent the district's decision.

Final Written Decision

The district's decision on how it will resolve the complaint shall be in writing and shall be sent to the complainant and respondent. (5 CCR 4631)

In consultation with district legal counsel, information about the relevant part of a decision may be communicated to a victim who is not the complainant and to other parties who may be involved in implementing the decision or are affected by the complaint, as long as the privacy of the parties is protected. In a complaint alleging unlawful discrimination (such as discriminatory harassment, intimidation, and bullying), notice of the district's decision to the alleged victim shall include information about any sanction to be imposed upon the respondent that relates directly to the alleged victim.

If the complaint involves a Limited-English-proficient student or parent/guardian and the student involved attends a school at which 15 percent or more of the students speak a single primary language other than English, then the decision shall also be translated into that language. In all other instances, the district shall ensure meaningful access to all relevant information for parents/guardians with limited English proficiency.

For all complaints, the decision shall include: (5 CCR 4631)

1. The findings of fact based on the evidence gathered. In reaching a factual determination, the following factors may be taken into account:
 - a. Statements made by any witnesses
 - b. The relative credibility of the individuals involved
 - c. How the complaining individual reacted to the incident

- d. Any documentary or other evidence relating to the alleged conduct
 - e. Past instances of similar conduct by any alleged offenders
 - f. Past false allegations made by the complainant
2. The conclusion(s) of law
 3. Disposition of the complaint
 4. Rationale for such disposition

For complaints of retaliation or unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), the disposition of the complaint shall include a determination for each allegation as to whether retaliation or unlawful discrimination has occurred.

The determination of whether a hostile environment exists may involve consideration of the following:

- a. How the misconduct affected one or more students' education
 - b. The type, frequency, and duration of the misconduct
 - c. The relationship between the alleged victim(s) and offender(s)
 - d. The number of persons engaged in the conduct and at whom the conduct was directed
 - e. The size of the school, location of the incidents, and context in which they occurred
 - f. Other incidents at the school involving different individuals
5. Corrective action(s), including any actions that have been taken or will be taken to address the allegations in the complaint and including, with respect to a student fees complaint, a remedy that comports with Education Code 49013 and 5 CCR 4600

For complaints of unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), the decision may, as required by law, include:

- a. The corrective actions imposed on the respondent
 - b. Individual remedies offered or provided to the complainant or another person who was the subject of the complaint, but this information should not be shared with the respondent.
 - c. Systemic measures the school has taken to eliminate a hostile environment and prevent recurrence
6. Notice of the complainant's and respondent's right to appeal the district's decision to the CDE within 15 calendar days, and procedures to be followed for initiating such an appeal

The decision may also include follow-up procedures to prevent recurrence or retaliation and for reporting any subsequent problems.

For complaints alleging unlawful discrimination based on state law (such as discriminatory harassment, intimidation, and bullying), the decision shall also include a notice to the complainant that:

1. He/she may pursue available civil law remedies outside of the district's complaint procedures, including seeking assistance from mediation centers or public/private interest attorneys, 60 calendar days after the filing of an appeal with the CDE. (Education Code 262.3)
2. The 60 day moratorium does not apply to complaints seeking injunctive relief in state courts or to discrimination complaints based on federal law. (Education Code 262.3)
3. Complaints alleging discrimination based on race, color, national origin, sex, gender, disability, or age may also be filed with the U.S. Department of Education, Office for Civil Rights at www.ed.gov/ocr within 180 days of the alleged discrimination.

Corrective Actions

When a complaint is found to have merit, the compliance officer shall adopt any appropriate corrective action permitted by law. Appropriate corrective actions that focus on the larger school or district environment may include, but are not limited to, actions to reinforce district policies; training for faculty, staff, and students; updates to school policies; or school climate surveys.

For complaints involving retaliation or unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), appropriate remedies that may be offered to the victim but not communicated to the respondent may include, but are not limited to, the following:

1. Counseling
2. Academic support
3. Health services
4. Assignment of an escort to allow the victim to move safely about campus
5. Information regarding available resources and how to report similar incidents or retaliation
6. Separation of the victim from any other individuals involved, provided the separation does not penalize the victim
7. Restorative justice
8. Follow-up inquiries to ensure that the conduct has stopped and there has been no retaliation
9. Determination of whether any past actions of the victim that resulted in discipline were

related to the treatment the victim received and described in the complaint

For complaints involving retaliation or unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), appropriate corrective actions that focus on a student offender may include, but are not limited to, the following:

1. Transfer from a class or school as permitted by law
2. Parent/guardian conference
3. Education regarding the impact of the conduct on others
4. Positive behavior support
5. Referral to a student success team
6. Denial of participation in extracurricular or co-curricular activities or other privileges as permitted by law
7. Disciplinary action, such as suspension or expulsion, as permitted by law

When an employee is found to have committed retaliation or unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), the district shall take appropriate disciplinary action, up to and including dismissal, in accordance with applicable law and collective bargaining agreement.

The district may also consider training and other interventions for the larger school community to ensure that students, staff, and parents/guardians understand the types of behavior that constitute unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), that the district does not tolerate it, and how to report and respond to it.

If a complaint alleging noncompliance with the laws regarding student fees, deposits, and other charges, physical education instructional minutes for students in elementary schools, or any requirement related to the LCAP is found to have merit, the district shall provide a remedy to all affected students and parents/guardians subject to procedures established by regulation of the State Board of Education. (Education Code 49013, 51223, 52075)

For complaints alleging noncompliance with the laws regarding student fees, the district shall attempt in good faith, by engaging in reasonable efforts, to identify and fully reimburse all affected students and parents/guardians who paid the unlawful student fees within one year prior to the filing of the complaint. (Education Code 49013; 5 CCR 4600)

Appeals to the California Department of Education

Any complainant who is dissatisfied with the district's final written decision may file an appeal in writing with the CDE within 15 calendar days of receiving the district's decision. (Education Code 222, 48853, 48853.5, 49013, 49069.5, 51223, 51225.1, 51225.2, 51228.3, 52075; 5 CCR 4632)

When a respondent in any complaint alleging unlawful discrimination (such as discriminatory harassment, intimidation, and bullying) is dissatisfied with the district's final written decision, he/she, in the same manner as the complainant, may file an appeal with the CDE.

The complainant or respondent shall specify the basis for the appeal of the decision and whether the facts are incorrect and/or the law has been misapplied. The appeal shall be accompanied by a copy of the locally filed complaint and a copy of the district's decision. (5 CCR 4632)

Upon notification by the CDE that the complainant or respondent has appealed the district's decision, the Superintendent or designee shall forward the following documents to the CDE: (5 CCR 4633)

1. A copy of the original complaint
2. A copy of the written decision
3. A summary of the nature and extent of the investigation conducted by the district, if not covered by the decision
4. A copy of the investigation file including, but not limited to, all notes, interviews, and documents submitted by the parties and gathered by the investigator
5. A report of any action taken to resolve the complaint
6. A copy of the district's uniform complaint procedures
7. Other relevant information requested by the CDE

(3/16, 9/16) 5/17

Regulation Adopted: 1/9/18

New Hope Elementary School District

Administrative Regulation

Suspension and Expulsion/Due Process

AR 5144.1

Students

Definitions

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

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

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

Notice of Regulations

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

(cf. 5144 - Discipline)

(cf. 5145.6 - Parental Notifications)

Grounds for Suspension and Expulsion: Grades K-12

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

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

1. Caused, attempted to cause, or threatened to cause physical injury to another person; willfully used force or violence upon another person, except in self-defense; or committed as an

aider or abettor, as adjudged by a juvenile court, a crime of physical violence in which the victim suffered great or serious bodily injury (Education Code 48900(a) and (t))

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

(cf. 5131 - Conduct)

(cf. 5131.7 - Weapons and Dangerous Instruments)

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

(cf. 5131.6 - Alcohol and Other Drugs)

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

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

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

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

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

(cf. 5131.62 - Tobacco)

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

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

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

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

Imitation firearm means a replica of a firearm that is so substantially similar in physical

properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm. (Education Code 48900(m))

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

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

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

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

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

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

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

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

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

Reasonable student means a student, including, but not limited to, a student who has been

identified as a student with a disability, who exercises average care, skill, and judgment in conduct for a person of his/her age, or for a person of his/her age with his/her disability. (Education Code 48900(r))

(cf. 1114 - District-Sponsored Social Media)

(cf. 5131.2 - Bullying)

(cf. 6163.4 - Student Use of Technology)

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

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

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

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

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

Additional Grounds for Suspension and Expulsion: Grades 4-12

Any student in grades 4-12 may be suspended, but not expelled, for disrupting school activities or otherwise willfully defying the valid authority of supervisors, teachers, administrators, other school officials, or other school personnel engaged in the performance of their duties. (Education Code 48900(k))

(cf. 5131.4 - Student Disturbances)

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

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

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

(cf. 5145.7 - Sexual Harassment)

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

Hate violence means any act punishable under Penal Code 422.6, 422.7, or 422.75. Such acts include injuring or intimidating a victim, interfering with the exercise of a victim's civil rights, or

damaging a victim's property because of the victim's race, ethnicity, religion, nationality, disability, gender, gender identity, gender expression, or sexual orientation; a perception of the presence of any of those characteristics in the victim; or the victim's association with a person or group with one or more of those actual or perceived characteristics. (Education Code 233; Penal Code 422.55)

(cf. 5145.9 - Hate-Motivated Behavior)

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

(cf. 5145.3 - Nondiscrimination/Harassment)

Suspension from Class by a Teacher

A teacher may suspend a student, including a grade K-3 student, from class for the remainder of the day and the following day for disruption, willful defiance, or any of the other acts specified in Education Code 48900 and listed as items #1-18 under "Grounds for Suspension and Expulsion: Grades K-12" above. (Education Code 48910)

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

As soon as possible after the teacher decides to suspend the student, he/she shall ask the student's parent/guardian to attend a parent-teacher conference regarding the suspension. A counselor or psychologist may attend the conference if it is practicable, and a school administrator shall attend if either the parent/guardian or teacher so requests. (Education Code 48910)

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

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

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

Suspension by Superintendent, Principal or Principal's Designee

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

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

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

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

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

(cf. 5125 - Student Records)

Length of Suspension

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

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

(cf. 6184 - Continuation Education)

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

Due Process Procedures for Suspension

Suspensions shall be imposed in accordance with the following procedures:

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

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

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

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

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

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

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

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

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

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

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

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

(cf. 6173.1 - Education for Foster Youth)

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

(cf. 6173 - Education for Homeless Children)

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

Suspension by the Board

The Board may suspend a student for any of the acts listed under "Grounds for Suspension and Expulsion: Grades K-12" and "Additional Grounds for Suspension and Expulsion: Grades 4-12" above and within the limits specified under "Suspension by Superintendent, Principal, or Designee" above. (Education Code 48912)

The Board may suspend a student enrolled in a continuation school or class for a period not longer than the remainder of the semester. The suspension shall meet the requirements of Education Code 48915. (Education Code 48912.5)

When the Board is considering a suspension, disciplinary action, or any other action (except expulsion) against any student, it 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)

(cf. 9321 - Closed Session Purposes and Agendas)

The Board shall provide the student and his/her parent/guardian with written notice of the closed session by registered or certified mail or personal service. Upon receiving this notice, the student

or parent/guardian may request a public meeting, and this request shall be granted if made in writing within 48 hours after receipt of the Board's notice. However, any discussion that conflicts with any other student's right to privacy still shall be held in closed session. (Education Code 35146, 48912)

On-Campus Suspension

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

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

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

Superintendent or Principal's Authority to Recommend Expulsion

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

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

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

Student's Right to Expulsion Hearing

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

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

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

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

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

Stipulated Expulsion

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

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

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

Rights of Complaining Witness

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

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

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

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

Written Notice of the Expulsion Hearing

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

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

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

(cf. 5119 - Students Expelled from Other Districts)

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

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

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

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

Additional Notice of Expulsion Hearing for Foster Youth and Homeless Students

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

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

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

Conduct of Expulsion Hearing

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

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

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

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

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

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

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

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

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

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

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

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

- b. Any complaining witness shall be entitled to have up to two adult support persons, including, but not limited to, a parent/guardian or legal counsel, present during his/her testimony.
- c. Before a complaining witness testifies, support persons shall be admonished that the hearing is confidential.
- d. The person presiding over the hearing may remove a support person whom he/she finds is disrupting the hearing.
- e. If one or both support persons are also witnesses, the hearing shall be conducted in accordance with Penal Code 868.5.
- f. Evidence of specific instances of prior sexual conduct of a complaining witness shall be presumed inadmissible and shall not be heard unless the person conducting the hearing determines that extraordinary circumstances require the evidence to be heard. Before such a determination is made, the complaining witness shall be given notice and an opportunity to oppose the introduction of this evidence. In the hearing on the admissibility of this evidence, the complaining witness shall be entitled to be represented by a parent/guardian, legal counsel, or other support person. Reputation or opinion evidence regarding the sexual behavior of a complaining witness shall not be admissible for any purpose.
- g. In order to facilitate a free and accurate statement of the experiences of the complaining witness and to prevent discouragement of complaints, the district shall provide a non-threatening environment.
 - (1) The district shall provide a room separate from the hearing room for the use of the complaining witness before and during breaks in testimony.
 - (2) At the discretion of the person conducting the hearing, the complaining witness shall be allowed reasonable periods of relief from examination and cross-examination during which he/she may leave the hearing room.
 - (3) The person conducting the hearing may:
 - (a) Arrange the seating within the hearing room so as to facilitate a less intimidating environment for the complaining witness
 - (b) Limit the time for taking the testimony of a complaining witness to the hours he/she is normally in school, if there is no good cause to take the testimony during other hours
 - (c) Permit one of the support persons to accompany the complaining witness to the witness stand
- 6. Decision: The Board's decision as to whether to expel a student shall be made within 40 school days after the student is removed from his/her school of attendance, unless the student requests in writing that the decision be postponed. (Education Code 48918(a))

Alternative Expulsion Hearing: Hearing Officer or Administrative Panel

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

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

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

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

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

Final Action by the Board

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

(cf. 9321.1 - Closed Session Actions and Reports)

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

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

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

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

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

Written Notice to Expel

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

1. The specific offense committed by the student for any of the causes for suspension or expulsion listed above under "Grounds for Suspension and Expulsion: Grades K-12" or "Additional Grounds for Suspension and Expulsion: Grades 4-12" (Education Code 48900.8)
2. The fact that a description of readmission procedures will be made available to the student and his/her parent/guardian (Education Code 48916)
3. Notice of the right to appeal the expulsion to the County Board (Education Code 48918)
4. Notice of the alternative educational placement to be provided to the student during the time of expulsion (Education Code 48918)

5. Notice of the student's or parent/guardian's obligation to inform any new district in which the student seeks to enroll of the student's status with the expelling district, pursuant to Education Code 48915.1 (Education Code 48918)

Decision to Suspend Expulsion Order

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

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

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

1. The Board may, as a condition of the suspension of enforcement, assign the student to a school, class, or program appropriate for the student's rehabilitation. This rehabilitation program may provide for the involvement of the student's parent/guardian in the student's education. However, a parent/guardian's refusal to participate in the rehabilitation program shall not be considered in the Board's determination as to whether the student has satisfactorily completed the rehabilitation program. (Education Code 48917)
2. During the period when enforcement of the expulsion order is suspended, the student shall be on probationary status. (Education Code 48917)
3. The suspension of the enforcement of an expulsion order may be revoked by the Board if the student commits any of the acts listed under "Grounds for Suspension and Expulsion: Grades K-12" or "Additional Grounds for Suspension and Expulsion: Grades 4-12" above or violates any of the district's rules and regulations governing student conduct. (Education Code 48917)
4. When the suspension of enforcement of an expulsion order is revoked, a student may be expelled under the terms of the original expulsion order. (Education Code 48917)
5. Upon satisfactory completion of the rehabilitation assignment, the Board shall reinstate the student in a district school. Upon reinstatement, the Board may order the expunging of any or all records of the expulsion proceedings. (Education Code 48917)
6. The Superintendent or designee shall send written notice of any decision to suspend the enforcement of an expulsion order during a period of probation to the student or parent/guardian. The notice shall inform the parent/guardian of the right to appeal the expulsion to the County Board, the alternative educational placement to be provided to the student during the period of expulsion, and the student's or parent/guardian's obligation to inform any new district in which the student seeks to enroll of his/her status with the expelling district, pursuant to Education Code 48915.1(b). (Education Code 48918(j))

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

Appeal

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

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

Notification to Law Enforcement Authorities

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

The principal or designee also shall notify appropriate city or county law enforcement authorities of any student acts which may involve the possession or sale of narcotics or of a controlled substance. In addition, law enforcement authorities shall be notified regarding any acts by students regarding the possession, sale, or furnishing of firearms, explosives, or other dangerous weapons in violation of Education Code 48915(c)(1) or (5) or Penal Code 626.9 and 626.10. (Education Code 48902)

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

Placement During Expulsion

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

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

(cf. 6158 - Independent Study)
(cf. 6185 - Community Day School)

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

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

Readmission After Expulsion

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

1. The Superintendent or designee shall hold a conference with the parent/guardian and the student. At the conference, the student's rehabilitation plan shall be reviewed and the Superintendent or designee shall verify that the provisions of this plan have been met. School regulations shall be reviewed and the student and parent/guardian shall be asked to indicate in writing their willingness to comply with these regulations.
2. The Superintendent or designee shall transmit to the Board his/her recommendation regarding readmission. The Board shall consider this recommendation in closed session. If a written request for open session is received from the parent/guardian or adult student, it shall be honored to the extent that privacy rights of other students are not violated.
3. If the readmission is granted, the Superintendent or designee shall notify the student and parent/guardian, by registered mail, of the Board's decision regarding readmission.
4. The Board may deny readmission only if it finds that the student has not satisfied the conditions of the rehabilitation plan or that the student continues to pose a danger to campus safety or to other district students or employees. (Education Code 48916)
5. If the Board denies the readmission of a student, the Board shall determine either to continue the student's placement in the alternative educational program initially selected or to place the student in another program that serves expelled students, including placement in a county community school.
6. The Board shall provide written notice to the expelled student and parent/guardian describing the reasons for denying readmittance into the regular program. This notice shall indicate the Board's determination of the educational program which the Board has chosen. The student shall enroll in that program unless the parent/guardian chooses to enroll the student in another school district. (Education Code 48916)

No student shall be denied readmission into the district based solely on the student's arrest,

adjudication by a juvenile court, formal or informal supervision by a probation officer, detention in a juvenile facility, enrollment in a juvenile court school, or other such contact with the juvenile justice system. (Education Code 48645.5)

Maintenance of Records

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

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

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

(cf. 5119 - Students Expelled from Other Districts)

(11/12, 4/14) 12/14

Regulation Adopted: 5/11/2015

New Hope Elementary School District

Board Policy

Nondiscrimination/Harassment

BP 5145.3

Students

The Governing Board desires to provide a safe school environment that allows all students equal access and opportunities in the district's academic, extracurricular, and other educational support programs, services, and activities. The Board prohibits, at any district school or school activity, unlawful discrimination, including discriminatory harassment, intimidation, and bullying, targeted at any student by anyone, based on the student's actual or perceived race, color, ancestry, national origin, nationality, ethnicity, ethnic group identification, age, religion, marital or parental status, physical or mental disability, sex, sexual orientation, gender, gender identity, or gender expression or association with a person or group with one or more of these actual or perceived characteristics.

This policy shall apply to all acts related to school activity or to school attendance occurring within a district school, and to acts which occur off campus or outside of school-related or school-sponsored activities but which may have an impact or create a hostile environment at school.

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

(cf. 5131 - Conduct)

(cf. 5131.2 - Bullying)

(cf. 5137 - Positive School Climate)

(cf. 5145.9 - Hate-Motivated Behavior)

(cf. 5146 - Married/Pregnant/Parenting Students)

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

Unlawful discrimination, including discriminatory harassment, intimidation, or bullying, may result from physical, verbal, nonverbal, or written conduct based on any of the categories listed above. Unlawful discrimination also includes the creation of a hostile environment through prohibited conduct that is so severe, persistent, or pervasive that it affects a student's ability to participate in or benefit from an educational program or activity; creates an intimidating, threatening, hostile, or offensive educational environment; has the effect of substantially or unreasonably interfering with a student's academic performance; or otherwise adversely affects a student's educational opportunities.

Unlawful discrimination also includes disparate treatment of students based on one of the categories above with respect to the provision of opportunities to participate in school programs or activities or the provision or receipt of educational benefits or services.

The Board also prohibits any form of retaliation against any individual who reports or participates in the reporting of unlawful discrimination, files or participates in the filing of a complaint, or investigates or participates in the investigation of a complaint or report alleging unlawful discrimination. Retaliation complaints shall be investigated and resolved in the same manner as a discrimination complaint.

The Superintendent or designee shall facilitate students' access to the educational program by publicizing the district's nondiscrimination policy and related complaint procedures to students, parents/guardians, and employees. He/she shall provide training and information on the scope and use of the policy and complaint procedures and take other measures designed to increase the school community's understanding of the requirements of law related to discrimination. The Superintendent or designee shall regularly review the implementation of the district's nondiscrimination policies and practices and, as necessary, shall take action to remove any identified barrier to student access to or participation in the district's educational program. He/she shall report his/her findings and recommendations to the Board after each review.

(cf. 1312.3 - Uniform Complaint Procedures)
(cf. 1330 - Use of Facilities)
(cf. 4131 - Staff Development)
(cf. 4231 - Staff Development)
(cf. 4331 - Staff Development)
(cf. 6145 - Extracurricular and Co-curricular Activities)
(cf. 6145.2 - Athletic Competition)
(cf. 6164.2 - Guidance/Counseling Services)

Regardless of whether a complainant complies with the writing, timeline, and/or other formal filing requirements, all complaints alleging unlawful discrimination, including discriminatory harassment, intimidation, or bullying, shall be investigated and prompt action taken to stop the discrimination, prevent recurrence, and address any continuing effect on students.

Students who engage in unlawful discrimination, including discriminatory harassment, intimidation, retaliation, or bullying, in violation of law, Board policy, or administrative regulation shall be subject to appropriate consequence or discipline, which may include suspension or expulsion when the behavior is severe or pervasive as defined in Education Code 48900.4. Any employee who permits or engages in prohibited discrimination, including discriminatory harassment, intimidation, retaliation, or bullying, shall be subject to disciplinary action, up to and including dismissal.

(cf. 4118 - Suspension/Disciplinary Action)
(cf. 4119.21/4219.21/4319.21 - Professional Standards)
(cf. 4218 - Dismissal/Suspension/Disciplinary Action)
(cf. 5144 - Discipline)
(cf. 5144.1 - Suspension and Expulsion/Due Process)
(cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))
(cf. 5145.2 - Freedom of Speech/Expression)

Record-Keeping

The Superintendent or designee shall maintain a record of all reported cases of unlawful discrimination, including discriminatory harassment, intimidation, or bullying, to enable the district to monitor, address, and prevent repetitive prohibited behavior in district schools. (cf. 3580 - District Records)

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination
48900.3 Suspension or expulsion for act of hate violence
48900.4 Suspension or expulsion for threats or harassment
48904 Liability of parent/guardian for willful student misconduct
48907 Student exercise of free expression
48950 Freedom of speech
48985 Translation of notices
49020-49023 Athletic programs
51500 Prohibited instruction or activity
51501 Prohibited means of instruction
60044 Prohibited instructional materials

CIVIL CODE

1714.1 Liability of parents/guardians for willful misconduct of minor

PENAL CODE

422.55 Definition of hate crime
422.6 Crimes, harassment

CODE OF REGULATIONS, TITLE 5

432 Student record
4600-4687 Uniform complaint procedures
4900-4965 Nondiscrimination in elementary and secondary education programs

UNITED STATES CODE, TITLE 20

1681-1688 Title IX of the Education Amendments of 1972
12101-12213 Title II equal opportunity for individuals with disabilities

UNITED STATES CODE, TITLE 29

794 Section 504 of Rehabilitation Act of 1973

UNITED STATES CODE, TITLE 42

2000d-2000e-17 Title VI and Title VII Civil Rights Act of 1964, as amended
2000h-2-2000h-6 Title IX of the Civil Rights Act of 1964
6101-6107 Age Discrimination Act of 1975

CODE OF FEDERAL REGULATIONS, TITLE 28

35.107 Nondiscrimination on basis of disability; complaints

CODE OF FEDERAL REGULATIONS, TITLE 34

99.31 Disclosure of personally identifiable information
100.3 Prohibition of discrimination on basis of race, color or national origin
104.7 Designation of responsible employee for Section 504
106.8 Designation of responsible employee for Title IX

106.9 Notification of nondiscrimination on basis of sex

COURT DECISIONS

Donovan v. Poway Unified School District, (2008) 167 Cal.App.4th 567

Flores v. Morgan Hill Unified School District, (2003) 324 F.3d 1130

Management Resources:

CSBA PUBLICATIONS

Providing a Safe, Nondiscriminatory School Environment for Transgender and Gender-Nonconforming Students, Policy Brief, February 2014

Final Guidance Regarding Transgender Students, Privacy, and Facilities, March 2014

Safe Schools: Strategies for Governing Boards to Ensure Student Success, 2011

FIRST AMENDMENT CENTER PUBLICATIONS

Public Schools and Sexual Orientation: A First Amendment Framework for Finding Common Ground, 2006

NATIONAL SCHOOL BOARDS ASSOCIATION PUBLICATIONS

Dealing with Legal Matters Surrounding Students' Sexual Orientation and Gender Identity, 2004

U.S. DEPARTMENT OF EDUCATION, OFFICE FOR CIVIL RIGHTS PUBLICATIONS

Examples of Policies and Emerging Practices for Supporting Transgender Students, May 2016

Dear Colleague Letter: Title IX Coordinators, April 2015

Dear Colleague Letter: Harassment and Bullying, October 2010

Notice of Non-Discrimination, January 1999

WEB SITES

CSBA: <http://www.csba.org>

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

California Safe Schools Coalition: <http://www.casafeschools.org>

First Amendment Center: <http://www.firstamendmentcenter.org>

National School Boards Association: <http://www.nsba.org>

U.S. Department of Education, Office for Civil Rights: <http://www.ed.gov/about/offices/list/ocr>

(2/14, 10/14) 9/16

Policy Adopted: 6/19/17

**BULLYING, CYBER-BULLYING,
AND CYBER-CRIME**

Bullying, Cyber-Bullying, Cyber-Crime

The passage of AB9 and AB1156 on October 9, 2011, and passage of AB 746 on July 8, 2011 requires school districts to adopt policies prohibiting bullying and requires that bullying victims be given priority for interdistrict transfers. According to these new laws, bullying is defined as severe or pervasive physical or verbal acts or conduct, including communications made in writing or by means of an electronic act, that has the effect of or can reasonably be predicted to have the effect of:

- . a) placing a reasonable pupil in fear of harm to his or her person or property;
- . b) causing a reasonable pupil to experience a substantially detrimental effect on his or her physical or mental health;
- . c) causing a reasonable pupil to experience substantial interference with his or her academic performance; or
- . d) causing a reasonable pupil to experience substantial interference with his or her ability to participate in or benefit from the services, ^{[[]]}~~SEP~~ activities, or privileges provided by a school.

There are many forms of bullying: physical, psychological, emotional, sexual, cyber, etc. Acts of bullying may include pushing, punching, tripping, name-calling, rejecting, terrorizing, extorting, humiliating, sexual harassment, sexual assault, electronically communicating insults/threats, etc.

Under AB9, school personnel who witness such acts must take immediate steps to intervene, when safe to do so. Further, AB1156 requires that student bullying victims be given priority for inter district transfers under existing inter district attendance agreements. The Board expects students and staff to immediately report incidents of bullying to the principal or other administrator. Any student who feels that she/he is a victim of bullying should immediately contact the principal or designee or another district administrator.

Suicide Prevention Policy

New Hope Elementary School District Youth Suicide Prevention Policy

The Governing Board of New Hope Elementary School District recognizes that suicide is a leading cause of death among youth and that an even greater amount of youth considered (17 percent of high school students) and attempt suicide (over 8 percent of high school students) (Centers for Disease Control and Prevention, 2015).

The possibility of suicide and suicidal ideation requires vigilant attention from our school staff. As a result, we are ethically and legally responsible for providing an appropriate and timely response in preventing suicidal ideation, attempts, and deaths. We also must work to create a safe and nurturing campus that minimizes suicidal ideation in students.

Recognizing that it is the duty of the district and schools to protect the health, safety, and welfare of its students, this policy aims to safeguard students and staff against suicide attempts, deaths and other trauma associated with suicide, including ensuring adequate supports for students, staff, and families affected by suicide attempts and loss. As it is known that the emotional wellness of students greatly impacts school attendance and educational success, this policy shall be paired with other policies that support the emotional and behavioral wellness of students.

This policy is based on research and best practices in suicide prevention, and has been adopted with the understanding that suicide prevention activities decrease suicide risk, increase help-seeking behavior, identify those at risk of suicide, and decrease suicidal behaviors. Empirical evidence refutes a common belief that talking about suicide can increase risk or “place the idea in someone’s mind.”

In an attempt to reduce suicidal behavior and its impact on students and families, the Superintendent or Designee, Janet Stemler, shall develop strategies for suicide prevention, intervention, and postvention, and the identification of the mental health challenges frequently associated with suicidal thinking and behavior. These strategies shall include professional development for all school personnel in all job categories who regularly interact with students or are in a position to recognize the risk factors and warning signs of suicide, including substitute teachers, volunteers, expanded learning staff (afterschool) and other individuals in regular contact with students such as crossing guards, tutors, and coaches.

The Superintendent or Designee, Clint Johnson, shall develop and implement preventive strategies and intervention procedures that include the following:

Overall Strategic Plan for Suicide Prevention

The Superintendent or Designee, Clint Johnson, shall involve school-employed mental health professionals (e.g., school counselors, psychologists, social workers, nurses), administrators, other school staff members, parents/guardians/caregivers, students, local health agencies and professionals, law enforcement, and community organizations in planning, implementing, and evaluating the district's strategies for suicide prevention and intervention. Districts must work in conjunction with local government agencies, community-based organizations, and other community supports to identify additional resources.

To ensure the policies regarding suicide prevention are properly adopted, implemented, and updated, the district shall appoint an individual (or team) to serve as the suicide prevention point of contact for the district. In addition, each school shall identify at least one staff member to serve as the liaison to the district's suicide prevention point of contact, and coordinate and implement suicide prevention activities on their specific campus. This policy shall be reviewed and revised as indicated, at least annually in conjunction with the previously mentioned community stakeholders.

Resources:

- The K–12 Toolkit for Mental Health Promotion and Suicide Prevention has been created to help schools comply with and implement AB 2246, the Pupil Suicide Prevention Policies. The Toolkit includes resources for schools as they promote youth mental wellness, intervene in a mental health crisis, and support members of a school community after the loss of someone to suicide.

Additional information about this Toolkit for schools can be accessed on the Heard Alliance Web site at <http://www.heardalliance.org/>.

Prevention

A. Messaging about Suicide Prevention

Messaging about suicide has an effect on suicidal thinking and behaviors. Consequently, New Hope Elementary School District, along with its partners has critically reviewed and will continue to review all materials and resources used in awareness efforts to ensure they align with best practices for safe messaging about suicide.

Resources:

- For information on public messaging on suicide prevention, see the National Action Alliance for Suicide Prevention Web site at <http://suicidepreventionmessaging.actionallianceforsuicideprevention.org/>

- For information on engaging the media regarding suicide prevention, see the Your Voice Counts Web page at <http://resource-center.yourvoicecounts.org/content/making-headlines-guide-engaging-media-suicide-prevention-california-0>
- For information on how to use social media for suicide prevention, see the Your Voice Counts Web page at <http://resource-center.yourvoicecounts.org/content/how-use-social-media>

B. Suicide Prevention Training and Education

The New Hope Elementary School District long with its partners has carefully reviewed available staff training to ensure it promotes the mental health model of suicide prevention and does not encourage the use of the stress model to explain suicide.

Training shall be provided for all school staff members and other adults on campus (including substitutes and intermittent staff, volunteers, interns, tutors, coaches, and expanded learning [afterschool] staff).

Training:

- At least annually, all staff shall receive training on the risk factors and warning signs of suicide, suicide prevention, intervention, referral, and postvention.
- All suicide prevention trainings shall be offered under the direction of school-employed mental health professionals (e.g., school counselors, psychologists, or social workers) who have received advanced training specific to suicide and may benefit from collaboration with one or more county and/or community mental health agencies. Staff training can be adjusted year-to-year based on previous professional development activities and emerging best practices.
- At a minimum, all staff shall participate in training on the core components of suicide prevention (identification of suicide risk factors and warning signs, prevention, intervention, referral, and postvention) at the beginning of their employment. Previously employed staff members shall attend a minimum of one-hour general suicide prevention training. Core components of the general suicide prevention training shall include:
 - Suicide risk factors, warning signs, and protective factors;
 - How to talk with a student about thoughts of suicide;
 - How to respond appropriately to the youth who has suicidal thoughts. Such responses shall include constant supervision of any student judged to be at risk for suicide and an immediate referral for a suicide risk assessment;

- Emphasis on immediately referring (same day) any student who is identified to be at risk of suicide for assessment while staying under constant monitoring by staff member;
 - Emphasis on reducing stigma associated with mental illness and that early prevention and intervention can drastically reduce the risk of suicide;
 - Reviewing the data annually to look for any patterns or trends of the prevalence or occurrence of suicide ideation, attempts, or death. Data from the California School Climate, Health, and Learning Survey (Cal-SCHLS) should also be analyzed to identify school climate deficits and drive program development. See the Cal-SCHLS Web site at <http://cal-schls.wested.org/>.
- In addition to initial orientations to the core components of suicide prevention, ongoing annual staff professional development for all staff should include the following components:
 - The impact of traumatic stress on emotional and mental health;
 - Common misconceptions about suicide;
 - School and community suicide prevention resources;
 - Appropriate messaging about suicide (correct terminology, safe messaging guidelines);
 - The factors associated with suicide (risk factors, warning signs, protective factors);
 - How to identify youth who may be at risk of suicide;
 - Appropriate ways to interact with a youth who is demonstrating emotional distress or is suicidal. Specifically, how to talk with a student about their thoughts of suicide and (based on district guidelines) how to respond to such thinking; how to talk with a student about thoughts of suicide and appropriately respond and provide support based on district guidelines;
 - District-approved procedures for responding to suicide risk (including multi-tiered systems of support and referrals). Such procedures should emphasize that the suicidal student should be constantly supervised until a suicide risk assessment is completed;
 - District-approved procedures for responding to the aftermath of suicidal behavior (suicidal behavior postvention);
 - Responding after a suicide occurs (suicide postvention);

- Resources regarding youth suicide prevention;
- Emphasis on stigma reduction and the fact that early prevention and intervention can drastically reduce the risk of suicide;
- Emphasis that any student who is identified to be at risk of suicide is to be immediately referred (same day) for assessment while being constantly monitored by a staff member.
- The professional development also shall include additional information regarding groups of students judged by the school, and available research, to be at elevated risk for suicide. These groups include, but are not limited to, the following:
 - Youth affected by suicide;
 - Youth with a history of suicide ideation or attempts;
 - Youth with disabilities, mental illness, or substance abuse disorders;
 - Lesbian, gay, bisexual, transgender, or questioning youth;
 - Youth experiencing homelessness or in out-of-home settings, such as foster care;
 - Youth who have suffered traumatic experiences;

Resources:

- Youth Mental Health First Aid (YMHFA) teaches a 5-step action plan to offer initial help to young people showing signs of a mental illness or in a crisis, and connect them with the appropriate professional, peer, social, or self-help care. YMHFA is an 8-hour interactive training for youth-serving adults without a mental health background. See the Mental Health First Aid Web page at <https://www.mentalhealthfirstaid.org/cs/take-a-course/course-types/youth/>
- Free YMHFA Training is available on the CDE Mental Health Web page at <http://www.cde.ca.gov/ls/cg/mh/projectcalwell.asp>
- Question, Persuade, and Refer (QPR) is a gatekeeper training that can be taught online. Just as people trained in cardiopulmonary resuscitation (CPR) and the Heimlich Maneuver help save thousands of lives each year, people trained in QPR learn how to recognize the warning signs of a suicide crisis and how to question, persuade, and refer someone to help. See the QPR Web site at <http://www.qprinstitute.com/>

- SafeTALK is a half-day alertness training that prepares anyone over the age of fifteen, regardless of prior experience or training, to become a suicide-alert helper. See the LivingWorks Web page at <https://www.livingworks.net/programs/safetalk/>
- Applied Suicide Intervention Skills Training (ASIST) is a two-day interactive workshop in suicide first aid. ASIST teaches participants to recognize when someone may have thoughts of suicide and work with them to create a plan that will support their immediate safety. See the LivingWorks Web page at <https://www.livingworks.net/programs/asist/>
- Kognito At-Risk is an evidence-based series of three online interactive professional development modules designed for use by individuals, schools, districts, and statewide agencies. It includes tools and templates to ensure that the program is easy to disseminate and measures success at the elementary, middle, and high school levels. See the Kognito Web page at <https://www.kognito.com/products/pk12/>

C. Employee Qualifications and Scope of Services

Employees of the New Hope Elementary School District and their partners must act only within the authorization and scope of their credential or license. While it is expected that school professionals are able to identify suicide risk factors and warning signs, and to prevent the immediate risk of a suicidal behavior, treatment of suicidal ideation is typically beyond the scope of services offered in the school setting. In addition, treatment of the mental health challenges often associated with suicidal thinking typically requires mental health resources beyond what schools are able to provide.

D. Specialized Staff Training (Assessment)

Additional professional development in suicide risk assessment and crisis intervention shall be provided to mental health professionals (school counselors, psychologists, social workers, and nurses) employed by New Hope Elementary School District

Resource:

- Assessing and Managing Suicide Risk (AMSR) is a one-day training workshop for behavioral health professionals based on the latest research and designed to help participants provide safer suicide care. See the Suicide Prevention Resource Center Web page at <http://www.sprc.org/training-events/amsr>

E. Parents, Guardians, and Caregivers Participation and Education

- To the extent possible, parents/guardians/caregivers should be included in all suicide prevention efforts. Upon request, schools shall share with parents/guardians/caregivers the New Hope Elementary School District suicide prevention policy and procedures.
- This suicide prevention policy shall be prominently displayed on the New Hope Elementary School District Web page.
- Upon request, all parents/guardians/caregivers will have access to suicide prevention training that addresses the following:
 - Suicide risk factors, warning signs, and protective factors;
 - How to talk with a student about thoughts of suicide;
 - How to respond appropriately to the student who has suicidal thoughts. Such responses shall include constant supervision of any student judged to be at risk for suicide and referral for an immediate suicide risk assessment.

Resource:

- Parents as Partners: A Suicide Prevention Guide for Parents is a booklet that contains useful information for parents/guardians/caregivers who are concerned that their children may be at risk for suicide. It is available from Suicide Awareness Voices of Education (SAVE). See the SAVE Web page at <https://www.save.org/product/parents-as-partners/>

F. Student Participation and Education

Under the supervision of school-employed or contracted mental health professionals, students shall:

- Receive developmentally appropriate, student-centered education about the warning signs of mental health challenges and emotional distress;
- Receive developmentally appropriate guidance regarding the district's suicide prevention, intervention, and referral procedures.
- The content of the education shall include:
 - Coping strategies for dealing with stress and trauma;

- How to recognize behaviors (warning signs) and life issues (risk factors) associated with suicide and mental health issues in oneself and others;
- Help-seeking strategies for oneself and others, including how to engage school-based and community resources and refer peers for help;
- Emphasis on reducing the stigma associated with mental illness and the fact that early prevention and intervention can drastically reduce the risk of suicide.

Student-focused suicide prevention education can be incorporated into classroom curricula (e.g., health classes, freshman orientation classes, science, and physical education).

The New Hope Elementary School District will support the creation and implementation of programs and/or activities on campus that raise awareness about mental wellness and suicide prevention (e.g., Mental Health Awareness Weeks, Peer Counseling Programs, Freshman Success Programs, and National Alliance on Mental Illness on Campus High School Clubs).

Resources:

- More Than Sad is school-ready and evidence-based training material, listed on the national Suicide Prevention Resource Center's best practices list, specifically designed for teen-level suicide prevention. See the American Foundation for Suicide Prevention Web page at <https://afsp.org/our-work/education/more-than-sad/>
- Break Free from Depression (BFFD) is a 4-module curriculum focused on increasing awareness about adolescent depression and designed for use in high school classrooms. See the Boston Children's Hospital Web page at <http://www.childrenshospital.org/breakfree>
- Coping and Support Training (CAST) is an evidence-based life-skills training and social support program to help at-risk youth. See the Reconnecting Youth Inc. Web page at <http://www.reconnectingyouth.com/programs/cast/>
- Students Mobilizing Awareness and Reducing Tragedies (SMART) is a program comprised of student-led groups in high schools designed to give students the freedom to implement a suicide prevention on their campus that best fits their school's needs. See the SAVE Web page at <https://www.save.org/what-we-do/education/smart-schools-program-2/>
- Linking Education and Awareness for Depression and Suicide (LEADS) for Youth is a school-based suicide prevention curriculum designed for high schools and educators that links depression awareness and secondary suicide prevention. LEADS for Youth is an informative and interactive opportunity for students and

teachers to increase knowledge and awareness of depression and suicide. See the SAVE Web page at <https://www.save.org/what-we-do/education/leads-for-youth-program/>

Intervention, Assessment, Referral

A. Staff

Staff members who have received advanced training in suicide intervention shall be designated as the primary and secondary suicide prevention liaisons. Whenever a staff member suspects or has knowledge of a student's suicidal intentions, they shall promptly notify the primary designated suicide prevention liaison. If this primary suicide prevention liaison is unavailable, the staff shall promptly notify the secondary suicide prevention liaison.

- Under normal circumstances, the primary and/or secondary contact persons shall notify the principal, another school administrator, school psychologist or school counselor, if different from the primary and secondary contact persons. The names, titles, and contact information of multi-disciplinary crisis team members shall be distributed to all students, staff, parents/guardians/caregivers and be prominently available on school and district Web sites.

The principal, another school administrator, school counselor, school psychologist, social worker, or nurse shall then notify, if appropriate and in the best interest of the student, the student's parents/guardians/caregivers as soon as possible and shall refer the student to mental health resources in the school or community.

Determination of notification to parents/guardians/caregivers should follow a formal initial assessment to ensure that the student is not endangered by parental notification.

If the student is in imminent danger (has access to a gun, is on a rooftop, or in other unsafe conditions), a call shall be made to 911.

- Whenever a staff member suspects or has knowledge of a student's suicidal intentions, they shall promptly notify the primary or secondary suicide prevention liaisons.
- Students experiencing suicidal ideation shall not be left unsupervised.
- A referral process should be prominently disseminated to all staff members, so they know how to respond to a crisis and are knowledgeable about the school and community-based resources.
- The Superintendent or Designee shall establish crisis intervention procedures to ensure student safety and appropriate communications if a suicide occurs or an attempt is made by a student or adult on campus or at a school-sponsored activity.

B. Parents, Guardians, and Caregivers

A referral process should be prominently disseminated to all parents/guardians/caregivers, so they know how to respond to a crisis and are knowledgeable about the school and community-based resources.

C. Students

Students shall be encouraged to notify a staff member when they are experiencing emotional distress or suicidal ideation, or when they suspect or have knowledge of another student's emotional distress, suicidal ideation, or attempt.

D. Parental Notification and Involvement

Each school within the New Hope Elementary School District shall identify a process to ensure continuing care for the student identified to be at risk of suicide. The following steps should be followed to ensure continuity of care:

- After a referral is made for a student, school staff shall verify with the parent/guardian/caregiver that follow-up treatment has been accessed. Parents/guardians/caregivers will be required to provide documentation of care for the student.
- If parents/guardians/caregivers refuse or neglect to access treatment for a student who has been identified to be at-risk for suicide or in emotional distress, the suicide point of contact (or other appropriate school staff member) will meet with the parents/guardians/caregivers to identify barriers to treatment (e.g., cultural stigma, financial issues) and work to rectify the situation and build understanding of the importance of care. If follow-up care for the student is still not provided, school staff should consider contacting Child Protective Services (CPS) to report neglect of the youth.

E. Action Plan for In-School Suicide Attempts

If a suicide attempt is made during the school day on campus, it is important to remember that the health and safety of the student and those around him/her is critical. The following steps should be implemented:

- Remain calm, remember the student is overwhelmed, confused, and emotionally distressed;
- Move all other students out of the immediate area;
- Immediately contact the administrator or suicide prevention liaison;

- Call 911 and give them as much information about any suicide note, medications taken, and access to weapons, if applicable;
- If needed, provide medical first aid until a medical professional is available;
- Parents/guardians/caregivers should be contacted as soon as possible;
- Do not send the student away or leave them alone, even if they need to go to the restroom;
- Listen and prompt the student to talk;
- Review options and resources of people who can help;
- Be comfortable with moments of silence as you and the student will need time to process the situation;
- Provide comfort to the student;
- Promise privacy and help, and be respectful, but do not promise confidentiality;
- Students should only be released to parents/guardians/caregivers or to a person who is qualified and trained to provide help.

F. Action Plan for Out-of-School Suicide Attempts

If a suicide attempt by a student is outside of the New Hope Elementary School District property, it is crucial that the LEA protects the privacy of the student and maintain a confidential record of the actions taken to intervene, support, and protect the student. The following steps should be implemented:

- Contact the parents/guardians/caregivers and offer support to the family;
- Discuss with the family how they would like the school to respond to the attempt while minimizing widespread rumors among teachers, staff, and students;
- Obtain permission from the parents/guardians/caregivers to share information to ensure the facts regarding the crisis is correct;
- Designate a staff member to handle media requests;
- Provide care and determine appropriate support to affected students;

- Offer to the student and parents/guardians/caregivers steps for reintegration to school.

G. Supporting Students after a Mental Health Crisis

It is crucial that careful steps are taken to help provide the mental health support for the student and to monitor their actions for any signs of suicide. The following steps should be implemented after the crisis has happened:

- Treat every threat with seriousness and approach with a calm manner; make the student a priority;
- Listen actively and non-judgmental to the student. Let the student express his or her feelings;
- Acknowledge the feelings and do not argue with the student;
- Offer hope and let the student know they are safe and that help is provided. Do not promise confidentiality or cause stress;
- Explain calmly and get the student to a trained professional, guidance counselor, or designated staff to further support the student;
- Keep close contact with the parents/guardians/caregivers and mental health professionals working with the student.

H. Re-Entry to School After a Suicide Attempt

A student who threatened or attempted suicide is at a higher risk for suicide in the months following the crisis. Having a streamlined and well planned re-entry process ensures the safety and wellbeing of students who have previously attempted suicide and reduces the risk of another attempt. An appropriate re-entry process is an important component of suicide prevention. Involving students in planning for their return to school provides them with a sense of control, personal responsibility, and empowerment.

The following steps shall be implemented upon re-entry:

- Obtain a written release of information signed by parents/guardians/caregivers and providers;
- Confer with student and parents/guardians/caregivers about any specific requests on how to handle the situation;
- Inform the student's teachers about possible days of absences;

- Allow accommodations for student to make up work (be understanding that missed assignments may add stress to student);
- Mental health professionals or trusted staff members should maintain ongoing contact to monitor student's actions and mood;
- Work with parents/guardians/caregivers to involve the student in an aftercare plan.

Resource:

- The School Reentry for a Student Who Has Attempted Suicide or Made Serious Suicidal Threats is a guide that will assist in school re-entry for students after an attempted suicide. See the Mental Health Recovery Services Resource Web page at http://www.mhrsonline.org/resources/suicide%5Cattempted_suicide_resources_for_schools-9/

I. Responding After a Suicide Death (Postvention)

A death by suicide in the school community (whether by a student or staff member) can have devastating consequences on students and staff. Therefore, it is vital that we are prepared ahead of time in the event of such a tragedy. The Suicide Death Response Action Plan (Suicide Postvention Response Plan) needs to incorporate both immediate and long-term steps and objectives.

- Suicide Postvention Response Plan shall:
 - Identify a staff member to confirm death and cause (school site administrator);
 - Identify a staff member to contact deceased's family (within 24 hours);
 - Enact the Suicide Postvention Response Plan, include an initial meeting of the district/school Suicide Postvention Response Team;
 - Notify all staff members (ideally in-person or via phone, not via e-mail or mass notification).
- Coordinate an all-staff meeting, to include:
 - Notification (if not already conducted) to staff about suicide death;
 - Emotional support and resources available to staff;

- Notification to students about suicide death and the availability of support services (if this is the protocol that is decided by administration);
- Share information that is relevant and that which you have permission to disclose.
- Prepare staff to respond to needs of students regarding the following:
 - Review of protocols for referring students for support/assessment;
 - Talking points for staff to notify students;
 - Resources available to students (on and off campus).
- Identify students significantly affected by suicide death and other students at risk of imitative behavior;
- Identify students affected by suicide death but not at risk of imitative behavior;
- Communicate with the larger school community about the suicide death;
- Consider funeral arrangements for family and school community;
- Respond to memorial requests in respectful and non-harmful manner; responses should be handed in a thoughtful way and their impact on other students should be considered;
- Identify media spokesperson skilled to cover story without the use of explicit, graphic, or dramatic content (go to the Reporting on Suicide.Org Web site at www.reportingonsuicide.org). Research has proven that sensationalized media coverage can lead to contagious suicidal behaviors.
- Utilize and respond to social media outlets:
 - Identify what platforms students are using to respond to suicide death
 - Identify/train staff and students to monitor social media outlets
- Include long-term suicide postvention responses:
 - Consider important dates (i.e., anniversary of death, deceased birthday, graduation, or other significant event) and how these will be addressed
 - Support siblings, close friends, teachers, and/or students of deceased
 - Consider long-term memorials and how they may impact students who are emotionally vulnerable and at risk of suicide

Resources:

- After a Suicide: A Toolkit for School is a comprehensive guide that will assist schools on what to do if a suicide death takes place in the school community. See the Suicide Prevention Resource Center Web page at <http://www.sprc.org/comprehensive-approach/postvention>
- Help & Hope for Survivors of Suicide Loss is a guide to help those during the bereavement process and who were greatly affected by the death of a suicide. See the Suicide Prevention Resource Center Web page at <http://www.sprc.org/resources-programs/help-hope-survivors-suicide-loss>
- For additional information on suicide prevention, intervention, and postvention, see the Mental Health Recovery Services Model Protocol Web page at http://www.mhrsonline.org/resources/suicide%5Cattempted_suicide_resources_for_schools-9/
- Information on school climate and school safety is available on the CDE Safe Schools Planning Web page at <http://www.cde.ca.gov/ls/ss/vp/safeschlplanning.asp>
- Additional resources regarding student mental health needs can be found in the SSPI letter Responding to Student Mental Health Needs in School Safety Planning at <http://www.cde.ca.gov/nr/el/le/yr14ltr0212.asp>

Dress Code

DRESS AND GROOMING CODE FOR STUDENTS

Parents or guardians of students have the primary responsibility for establishing and implementing appropriate standards of dress and grooming. New Hope Elementary School believes that it is the responsibility of the school to:

- Exercise legal and ethical responsibility for establishing a classroom and campus atmosphere, which creates the appropriate environment for learning and teaching;
- Establish and maintain appropriate standards of dress and grooming that support a positive, wholesome and safe learning environment;
- Enhance/support classroom and campus deportment by providing guidance and direction in manners, decency, dress and grooming as elements of good citizenship;
- Acknowledge reasonable expression of individual taste or expression in clothing and grooming styles, but restrict dress or grooming which is distracting, dangerous, profane, insightful/offensive to individuals or groups or simply inappropriate for an elementary school setting;
- Support and encourage dress and grooming practices that will enable students to be successful in the professional world of work or education.

Shoes must be worn at all times. Bedroom slippers are prohibited. Sandals, especially, backless sandals are dangerous during recess and PE. Flat shoes are required.

Clothing, jewelry and body markings must be free of writing, pictures or any other insignia, which are crude, vulgar, profane or sexually suggestive, or which advocate or depict: violence, racial, ethnic or religious prejudice, the use of alcohol, tobacco products or drugs, slang, or remarks that are considered sarcastic, rude, disrespectful or otherwise inappropriate for school age children.

Students are not allowed to wear hats indoors. Exceptions to this may occur in physical education where wearing a hat is considered appropriate attire for the educational activity.

Students will not be permitted to wear hair rollers, shower caps, hair rags, hair nets or other such grooming items to school.

No sagging pants are permitted. "Saggy" pants are more than one size larger than the waist and cannot stay up without a belt. Pants and bib overalls are to be properly fastened.

All clothing shall be within the bounds of decency and good taste as appropriate for school. Clothing that is disruptive to the learning environment will not be permitted. Shorts or skirts must be at least mid-thigh length.

Clothing shall be sufficient to conceal undergarments at all times. See-through or fishnet fabrics, halter tops, off-the shoulder or low-cut tops, short/crop tops, muscle shirts, bare midriffs, muscle shirts with revealing arm holes, micro-mini skirts and short-shorts are prohibited.

Any apparel, jewelry, accessory, notebook, personal belonging, or manner of grooming which by virtue of its color, arrangement, trademark, or other attribute, which advocates drug or alcohol use, violence or disruptive behavior, is prohibited. Contents within the notebook that advocate or depict:

Drugs and alcohol use
Violence, gang affiliation and/or racist/hate messages.
Sexual innuendos

Will be confiscated by staff and returned only to parent.

Any clothing or combination of clothing and/or accessories deemed or identified, as gang apparel by the local law enforcement gang task force will not be permitted.

Consequences for violation of the dress code will be as follows:

- 1st Offense:** Warning/change of clothing. Note will be sent to Principal for informational purposes.
- 2nd Offense:** Change of clothing and one hour after school detention.
- 3rd Offense:** Change of clothing and In School Suspension for one full day.
- 4th Offense:** 3-5 days home suspension.

NEW HOPE ELEMENTARY SCHOOL

Prohibited Clothing



No Backless Tops



No Halter Tops



No Midriffs



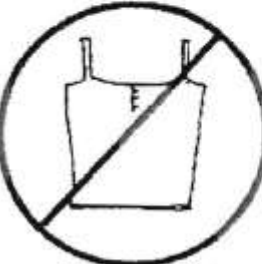
No Tube Tops



No Sagging Pants



**No See - Through
Tops**



**No Spaghetti
Straps**



**No Muscle Shirts
or Undershirts**

School Spirit t-shirts and sweatshirts with the New Hope Tiger emblem may also be worn at any time. These items will be offered for sale in the Fall and Spring. Students who belong to clubs such as the Girl/Boy Scouts may wear their uniforms on meeting days. Throughout the school year, there will be special theme or event days, such as Halloween, School Spirit Days, etc., when students will be allowed free dress. Students are to adhere to the California Education Code and the New Hope School Student Conduct Code regarding inappropriate dress. Clothing that is determined to be unsafe or a source of distraction or interruption will not be permitted to be worn.

Examples of inappropriate clothing include:

Clothing that is more than one size too big or too small.

Clothing exposing the torso or thigh (tube tops, half-shirts, mini-skirts, short-shorts or bathing suits).

Clothing or buttons containing obscene, alcohol, drug or gang-related slogans, words or pictures or sexually suggestive statements.

Outerwear (jackets, hats or caps) with insignias, advertising, company or sports team names or emblems.

Shoes that are backless (flip-flops, sandals, etc.) or have heels more than one-inch high. **Approved 8/9/2011**

Any clothing or combination of clothing and/or accessories deemed or identified, as gang apparel by the local law enforcement gang task force will not be permitted.

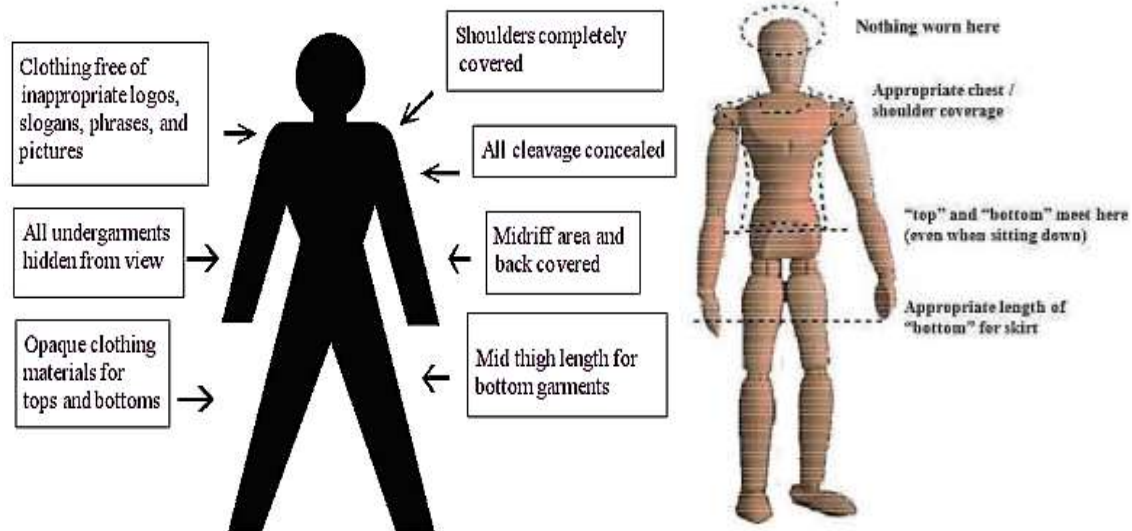
Consequences for violation of the dress code will be as follows:

- 1st Offense:** Warning/change of clothing. Note will be sent to the principal for informational purposes.
- 2nd Offense:** Change of clothing and one hour after school detention.
- 3rd Offense:** Change of clothing and in School Suspension for one full day.
- 4th Offense:** Home suspension for one-two days.
- 5th Offense:** 3-5 days home suspension.

Office personnel's time is valuable and classroom instruction is extremely important; therefore, students will not be allowed to call home for a change of clothes. Students will be issued a change of clothes by the office staff and return to class as soon as possible. Students are expected to return to the office after the conclusion of the day to exchange their clothing.

Dress Code

Dress for Success – New Hope Elementary students will maintain their person and clothing in a clean and neat manner, to help foster a successful instructional experience. A student's dress and general appearance should not interfere with teaching or learning. Dress or grooming which are disrespectful, shows an inappropriate attitude, is obscene, derogatory, violent, defamatory, unsafe, or which incites students and creates a disruption to the orderly operation of the school is not allowed.



Language, Symbols, and Messages

Student appearance and apparel must not show or refer to:

- Profanity
- Drugs, alcohol, or tobacco
- Violence
- Suggestive, sexual messages
- Language or symbols that offend, demean, or promote hatred toward an identifiable person or group
- Gang related apparel, symbols, words, or images

- Words or symbols deemed to be inappropriate for the school setting



Any clothing or apparel that a student or group of students wear to identify themselves for the purpose of harassing, threatening or intimidating others will not be allowed.

The dress code shall apply to the school day as well as all school activities after school. Exceptions for medical conditions or religious practice will be granted by the school administration.

The school administration will approve or disapprove any items not addressed in this policy and procedure. All decisions concerning appropriate dress will be determined by the school administration.

Safe Ingress and Egress

Safe Ingress and Egress

At every entrance to New Hope Elementary School District signs are posted instructing all non-New Hope Elementary School District personnel to report to the administration office prior to accessing the school campus. In the administration office, these people must sign in at the receptionist's counter, receive an administrator's approval to access the campus, and receive a visitor's pass. All visitors must wear the pass so employees easily see it. The visitor pass is good only for that day. Campus supervisors and administrators are always present to address individuals on campus without a guest pass and direct those individuals to the administration office.

Students are held accountable for their behavior on their way to school, while they attend school or a school activity, and on their way home from school. To ensure everyone's safety, campus supervisors are stationed around the school property to address any unsafe, irresponsible, and/or inappropriate behavior. Students are supervised as they access the school property as well as when they exit the campus.

The Principal and Campus Monitors and Parent Volunteers will survey the surrounding community for the purpose of determining and recommending safe routes to and from school. Particular attention will be given to busy streets and major thoroughfares that are used by students, parents, and staff as they proceed to and from school.

It will be the responsibility of the Principal and members of the school to give attention to the following:

1. Designated pedestrian crosswalks in the school community.
2. Busy signal crossing streets adjacent to the school and school attendance areas.
3. Danger zones including busy shopping areas, businesses, hospitals, narrow alleyways, streets with limited visibility to approaching traffic, etc.
4. The safest thoroughfares and/or recommended routes to and from school.
5. Conducting a student safety assembly to establish safety standards for most dependable routes to and from school. Utilizing police department public service officers to discuss safety recommendations.

National Incident Management System (NIMS)
and
Standardized Emergency Management System
(SEMS)

NIMS Purpose and Scope

The National Incident Management System (NIMS) was issued by the Department of Homeland Security on March 1, 2004 to provide a comprehensive and consistent national approach to all-hazard management at jurisdictional levels and across functional disciplines. The NIMS will enable responders at all levels to work together more effectively to manage domestic incidents no matter what the cause, size or complexity.

In September 2005, the State of California obtained certification and compliance for SEMS/NIMS integration from the United States Department of Homeland Security, for FY 2005. Certification and compliance is an annual process that the California Office of Emergency Services performs.

SEMS Purpose and Scope

These regulations establish the Standardized Emergency Management System (SEMS) based upon the Incident Command System (ICS) adapted from the system originally developed by the Firefighting Resources of California Organized for Potential Emergencies (FIRESCOPE) program including those currently in use by state agencies, the Multi-Agency Coordination System (MACS) as developed by FIRESCOPE program, the operational area concept, and the Master Mutual Aid Agreement and related mutual aid systems.

SEMS is intended to standardize response to emergencies involving multiple jurisdictions or multiple agencies. SEMS is intended to be flexible and adaptable to the needs of all emergency responders in California. SEMS requires emergency response agencies to use basic principles and components of emergency management including ICS, multi-agency or inter-agency coordination, the operational area concept, and established mutual aid systems. State agencies must use SEMS. Local governments must use SEMS by December 1, 2006 in order to be eligible for state funding or response-related personnel costs pursuant to activities identified in California Code of Regulations, Title 19, §2920, §2025, and §2930. Individual agencies' roles and responsibilities contained in existing laws or the state emergency plans are not superseded by these regulations.

SEMS is the overall system in which many agencies, levels of government, and information systems fit. The parts of SEMS are:

- Incident Command System
- Multi-agency or inter-agency coordination
- State Master Mutual Aid Agreement and Systems
- Operational Areas
- Operational Areas Satellite Information System (OASIS)

School districts have mutual aid agreements for shelter, counseling, and other items and must participate in inter-agency coordination. It is important to understand this and be prepared to participate.

Public schools have mutual aid agreements for shelter, counseling, and other items and must participate in inter-agency coordination. It is important to understand this and be prepared to participate.

Organizational Levels

Information regarding a disaster and the school site conditions are reported from the site level all the way up to state and federal levels and become part of the larger information picture. Thorough documentation and accuracy is very important.

Order of Coordination:



Field Level (School Site)

Involves:

- Utilizes the Incident Command System
- Tactical on-scene response
- Establish and maintain Incident Command Post (school site) and Field Command Post (fire, police, etc.)
- Requests support from the Local Government EOC (fire, police, EMS, Public works, etc.).

Local Government Level (School District, City(s), County)

Involves:

- City(s), County, County Office of Education, Community College District, School District
- Establish and maintain Emergency Operations Center (EOC) and District Emergency Operations Center (EOC)
- Implement Local Emergency Plans
- Requests support from the Operational Area

Operational Area Level (County representing School Districts, Cities, Special Districts)

Involves:

- The County and ALL political subdivisions
- Coordinating information, resources, and priorities among all local governments

- Brokering resources within the Operational Area
- Functioning as the intermediate level between the Region and Local Government

The Region Level (3 regions in California: Inland Region, Coastal Region and Northern Region. New Hope Elementary School District is in the Northern Region).

It's tasked with:

- Coordination between Operational Areas in each Mutual Aid Region
- Coordination between Operational Area and State Level
- Coordinating overall State Agency Support within the Region.

California Office of Emergency Services
Northern, Southern, Los Alamitos, California.

State Level

Will:

- Coordinate support between Administrative Regions as required
- Act as the initial point of communication and coordination between California and the Federal Response System

SEMS and Schools

The Standardized Emergency Management System is based on a number of concepts, three of which are pertinent to schools:

- 1). A management tool called the Incident Command System (ICS);
- 2). Mutual aid systems, in which similar organizations assist each other in emergencies; and
- 3). Multiple agency coordination, under which diverse organizations work together and communicate with each other.

1) Incident Command System (ICS)

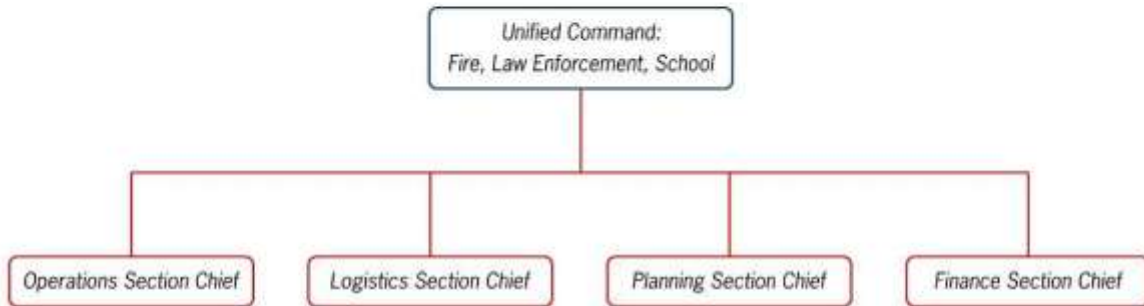
ICS was developed by fire departments to give them a common language when requesting personnel and equipment from other districts, and common tactics when responding to emergencies. The system is designed to minimize the problem common to many emergency response efforts – duplication of efforts – by giving each person a structured role in the organization, and each organization its piece of the larger response.

The Incident Command System is the combination of facilities, equipment, personnel, procedures, and communication operating within a common organizational structure, designed to aid in domestic incident management activities. It is used for a broad spectrum of emergencies, from small to complex incidents, both natural and manmade, to include acts of catastrophic terrorism. ICS is used by all levels of government -Federal, State, tribal, and local - as well as by many private sector and non-governmental organizations.

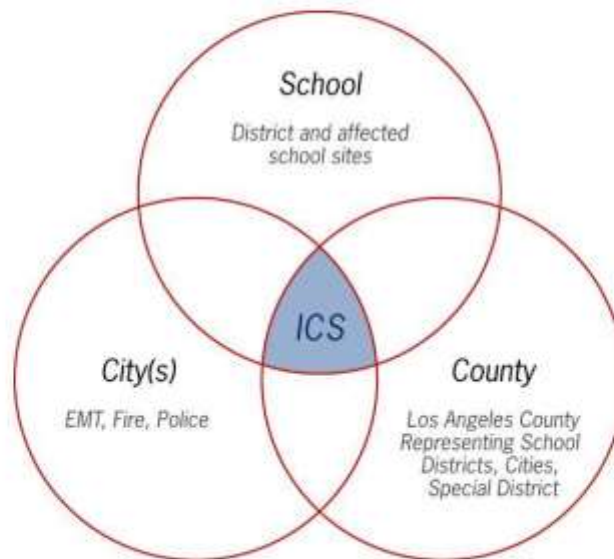
The five ICS functions are required at all NIMS levels. They are: command, planning, operations, logistics, and finance/administration. These are the tasks involved in any emergency response anywhere. They may be performed by a few people or many, depending on the size of the emergency and the human resources at hand.

Incident Command System

ICS Unified Command



ICS Principles



* Diagram indicates activation of operational area

Command (The “leaders”)

Responsible for the overall policy, direction, and coordination of the emergency response effort in school Command Post. Command staff is also responsible for interacting with each other and other Emergency Operations Center’s (EOC), to ensure the effective function of the EOC organization. Example: police, fire, DCEMA.

Operations (The “doers”)

Responsible for coordinating all operations in support of the emergency response and for implementing action plans. Operations include response teams that work toward reduction of the immediate hazard, mitigating damage, and establishing control and restoration of normal operations.

Planning (The “thinkers”)

Responsible for collecting, evaluating, and disseminating information; maintaining documentation, and evaluating incoming information to determine the potential situation in the not-too-distant future. This team also develops school site action plans for implementation by the Operations team.

Logistics (The “getters”)

Responsible for providing all types of support for the emergency response operation (facilities, services, personnel, equipment, transportation and materials).

Finance/Administration (The “payers”)

Responsible for financial activities such as establishing contracts with vendors, keeping pay records, and accounting for expenditures. This team is also responsible for all other administrative requirements and acts as the clearinghouse for documentation during the recovery phase.

Major Concepts

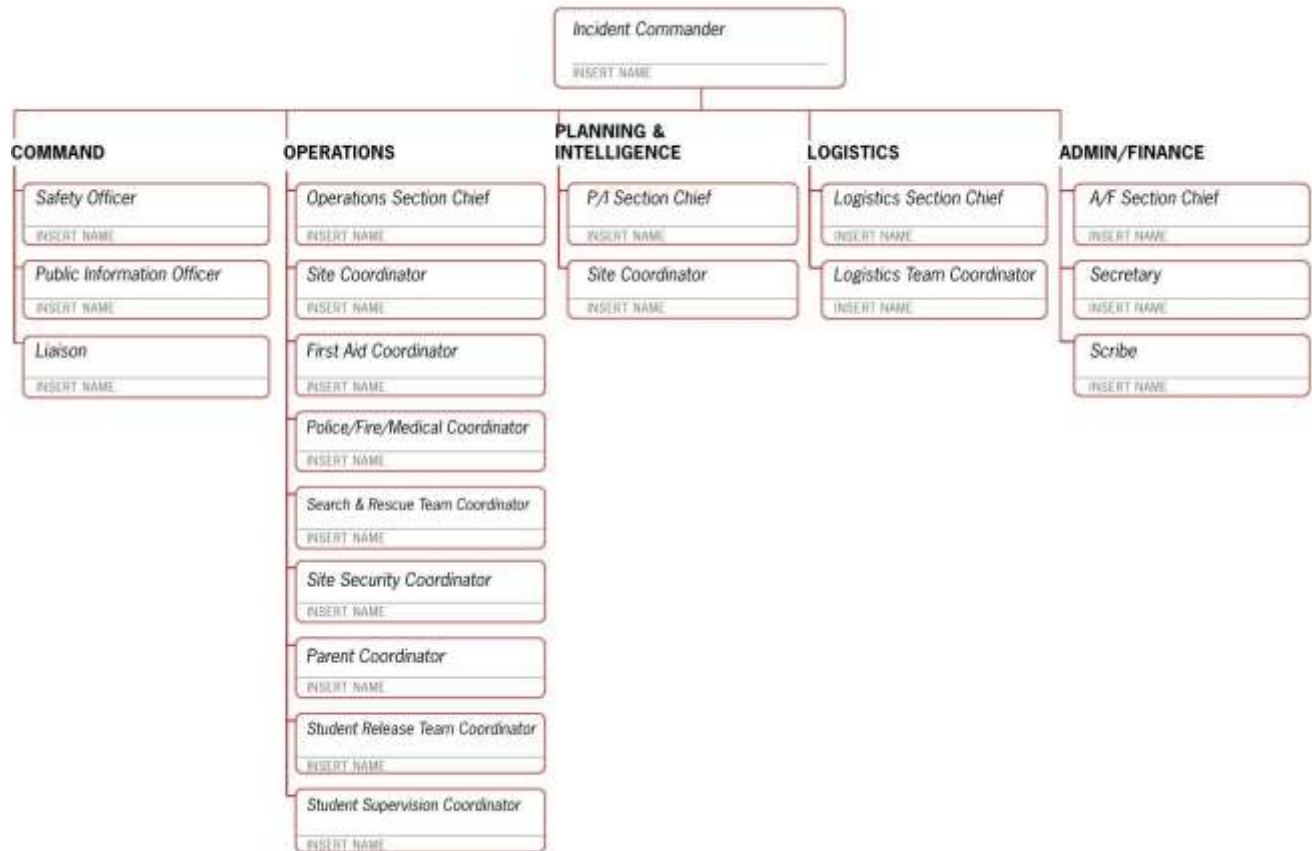
Every emergency, no matter how large or small, requires that certain tasks called management, planning, operations, logistics, and finance/administration be performed.

The system can be expanded or contracted, depending on the situation and the immediate needs. One person can do more than one function.

Every incident needs a person in charge, called the Incident Commander at the site level.

No one person should be in charge of more than seven people (the optimum number is five). Note: this does not apply to Student Supervision.

School Emergency Response Team Organizational Chart



Date _____ Nature of Emergency _____

ICS responsibilities of the School Site

The following chart outlines the responsibilities within each of the five ICS functions of the School Site:

Function	School Site Command Post
COMMAND	Overall responsibility for all incident activity on site
OPERATIONS	Directs the tactical response of all incident operations on site
PLANNING	Collects, processes, and documents information at that site for use on the incident
LOGISTICS	Provides services, personnel, and equipment in support of the incidents on site
FINANCE / ADMINISTRATION	Provides financial accounting and cost control at incident site

2) **Mutual aid systems**

Voluntary and reciprocal agreements, which provide services, resources, and facilities when existing resources, prove to be inadequate.

3) **Multiple Agency Coordination (MAC)**

Agencies working together at any SEMS level to facilitate decisions.

Emergency Phases

General Information Regarding Emergencies

Some emergencies will be preceded by a build-up or warning period, providing sufficient time to warn the population and implement mitigation measures designated to reduce loss of life and property damage. Other emergencies occur with little or no advance warning, thus requiring immediate activation of the Emergency Operations Plan and commitment of resources. All employees must be prepared to respond promptly and effectively to any foreseeable emergency, including the provision and use of mutual aid.

Emergency management activities during peacetime and national security emergencies are often associated with the phases indicated below. However, not every disaster necessarily includes all indicated phases.

Mitigation Phase

Mitigation is perhaps the most important phase of emergency management. However, it is often the least used and generally the most cost effective. Mitigation is often thought of as taking actions to strengthen facilities, abatement of nearby hazards, and reducing the potential damage either to structures or their contents as well as education of parents, students, and teachers on the emergency plans and contact information.

While it is not possible to totally eliminate either the destructive force of a potential disaster or its effects, doing what can be done to minimize the effects may create a safer environment that will result in lower response costs and fewer casualties.

Preparedness Phase

The preparedness phase involves activities taken in advance of an emergency. These activities develop operational capabilities and responses to a disaster. Those identified in this plan as having either a primary or support mission relative to response and recovery review Standard Operating Procedures (SOPs) or checklists detailing personnel assignments, policies, notification procedures, and resource lists. Personnel are acquainted with these SOPs and checklists and periodically are trained in activation and execution.

Response Phase

Pre-Impact: Recognition of the approach of a potential disaster where actions are taken to save lives and protect property. Warning systems may be activated and resources may be mobilized; EOCs may be activated and evacuation may begin.

Immediate Impact: Emphasis is placed on saving lives, controlling the situation, and minimizing the effects of the disaster. Incident Command Posts and EOCs may be activated, and emergency instructions may be issued.

Sustained: As the emergency continues, assistance is provided to victims of the disaster and efforts are made to reduce secondary damage. Response support facilities may be established. The resource requirements continually change to meet the needs of the incident.

Recovery Phase

Recovery is taking all actions necessary to restore the area to pre-event conditions or better, if possible. Therefore, mitigation for future hazards plays an important part in the recovery phase for many emergencies. There is no clear time separation between response and recovery. In fact, planning for recovery should be a part of the response phase.

School Emergency Response Team

The School Emergency Response Team (SERT)

Selecting the Members of the School Emergency Response Team

The principal and his/her leadership team are responsible for assembling the School Emergency Response Team (SERT).

Who Should Be On The Team?

Staff members who are good SERT candidates are recognized within the school, respond well to a crisis, are calm, accepted by staff and students as impartial and fair, good listeners and communicators, skilled negotiators, and adept at crowd control. One of the SERT members should be a bilingual staff person. Also, include members who do not have supervisory duties or whose groups can be canceled in an emergency is important, such as:

- Office Manager
- Special Education Coordinator
- Technology Support Manager
- School Resource Officers
- Speech Therapist
- Occupational Therapist/Physical Therapist
- Outreach Consultant
- Program Facilitators
- Reading Coaches
- School Secretary
- Counselors/Social Workers
- Custodians/Security Personnel
- School Nurse
- Psychologist

The names and locations of any staff members trained in CPR and first aid must be laminated and posted in a prominent place in each classroom and in the school office.

How Many People Should Be On The School Emergency Response Team?

The number of members on the team should be in relation to the number of students in the school. If any of the members of the team are classroom teachers, substitutes will need to be chosen and their names should be listed as alternate SERTs.

***NOTE:** The NIMS/SEMS ICS structure (School Emergency Response Team) may expand or contract depending on the scope of the emergency and number of staff available. Staff members may be assigned multiple roles in an emergency.*

The Roles of the Members of the School Emergency Response Team

COMMAND TEAM

Incident Commander (IC):

Job Description: Responsible for emergency operations to ensure safety of students, staff and others who are on campus.

Responsibilities:

1. Assess emergency or threat and impact to students, staff, school property and surrounding community
2. Activate emergency plan and Incident Command System
3. Establish a Command Post
4. Develop and communicate the Incident Action Plan (IAP)
5. Provide School District Site Specific Status Report Form
6. Authorize any release of public information
7. Begin student release procedures (when it is safe to do so)
8. Make provision for mental health counseling
9. Make provisions for language translations
10. Release teachers and staff as appropriate
11. Declare end of emergency – initiate recovery when appropriate
12. Remain in charge of your campus until released by fire or law enforcement incident commander.

Note: Incident Commander for Police or Fire will take control of emergency once they have arrived at the site. IC (school site) will remain in charge of school procedures (accountability of students, etc.), but will work with First Responders and provide any necessary assistance. Once Police/Fire Incident Commander is on site all decisions regarding evacuations, relocations, declaring an 'All Clear' will be made with the expressed approval and coordination of First Responders.

Remains in the Command Post and manages the crisis.

Safety Officer:

Job Description: Responsible for monitoring the safety and conditions for students and staff.

Responsibilities:

1. Participate in planning sessions, concentrating on issues of safety for both those caught up in the incident and those responding to it.
2. Monitor operational activities to assess potential danger and unsafe conditions.
3. Correct unsafe acts or conditions through regular lines of authority when possible.
4. Monitor stress levels of personnel involved in the response.

Safety Considerations:

- Are people performing out of role or responsibility?
- Is there enough manpower available to perform the prescribed tasks?
- Are the prescribed tasks being performed properly (such as proper lifting techniques)?
- Is appropriate personnel protection equipment (PPE) being used?

Public Information Officer (PIO):

Job Description: Conduit for information flow between the school and community; including the media.

Responsibilities:

1. Work closely with the IC (if not performing both roles) and first responders in providing information to the media and community.
2. Establish a media information center.
3. Provide press briefings and news releases as appropriate.
4. Obtain copies of all media releases and post them in the Command Post for review.
5. Prepare information summary on media coverage for SERT personnel.
6. Arrange for meetings between news media and incident personnel as directed by the IC.
7. Coordinates press conferences.
8. Prepares information for distribution to parents and students.
9. Coordinates with the City/County PIO, if appropriate.
10. Maintain a log of all activities.

Liaison

Job Description: Liaison between the school site, command, EOCs, and all other agencies. Position may be performed by the PIO and/or IC.

Responsibilities:

1. Identify representatives from and maintain contact with each responding agency, including communication links and locations of assisting personnel.
2. Handle requests from Command Post for inter-organizational contacts.
3. Monitor operations to identify current/potential inter-organizational problems.
4. Provide information to appropriate governmental agencies.
5. Maintain an activity log.

OPERATIONS TEAM

Operations Section Chief:

Job Description: Manages and directs emergency response activities on campus (Note: the IC may also perform this job).

Responsibilities:

1. Coordinate Staff Buddy Assignments
2. Coordinate Student Messengers
3. Coordinate Search & Rescue
4. Coordinate Campus Check and Security
5. Coordinate School Emergency Response Team response
6. Coordinate Medical Aid
7. Coordinate Student Care
8. Coordinate Student Release
9. Coordinate mental health counseling
10. Make sure teams have enough supplies
11. Reassign staff as needed
12. Schedule breaks and back-ups for staff

Site Coordinator:

Job Description: Manages emergency at the crime scene.

Responsibilities:

1. Respond to the scene of emergency
2. Control access to the affected area
3. If necessary, preserve crime scene until police arrive and assume control
4. Keep IC updated on status of emergency
5. Assist medical team, if necessary
6. Assist First Responders at the scene

First-Aid Coordinator:

Job Description: Provide emergency first aid until medical assistance arrives.

Responsibilities:

1. Provide emergency first aid.
2. Keep site coordinator updated on status of victim(s).
3. Update First Responders, upon arrival at the scene.
4. Keeps log of status of the victim(s) and all aid administered.

Note: In the event of multiple injuries the First Aid Coordinator will manage the First Aid Team. Members of the First Aid Team may be any adults who have received First Aid/CPR training.

Responsibilities for First Aid Team (to be managed by First Aid Coordinator):

1. Assist the First Aid Coordinator with administering first aid and with his/her other duties and responsibilities.
2. At the direction of the First Aid Coordinator, organize an Emergency First Aid Station.
3. Obtain first aid supplies and bring them to the Emergency First Aid Station. First Aid supplies will be maintained in a visible area and will be known to all SERT members.
4. Coordinate efforts with the SERT and First Responders.
5. Provide the IC with periodic updates as to the status of those who are and were treated at the Emergency First Aid Station.
6. Keep accurate records of the medical attention required by each person and will complete an Emergency Medical Release Form for each individual treated.
 - a. If an individual requires hospitalization, the first aid team will contact the paramedics for transportation to a hospital.
 - b. Complete the Emergency Medical Release Form for all individuals who received medical treatment and are returning to the assembly area.
7. If necessary, will set up a Casualty Collection Point and Morgue.

OPERATIONS TEAM (Continued)

Police/Fire/Medical Coordinator:

Job Description: Assist emergency personnel and direct them to the scene.

Responsibilities:

1. Meet emergency personnel and take them to the scene – utilizing the most efficient route
2. Follow emergency personnel instructions (i.e., locking or unlocking doors, turning off water, electricity, etc.)
3. Keep IC updated on status of police/fire/medical personnel
4. Once released by emergency personnel, return to the Command Post and assist with emergency as directed by the IC.

Helpful Hint: Meet first responders with site map and master keys

Search & Rescue Team Coordinator:

Job Description: Manage the search efforts.

Note: members of the Search Team will be comprised of any adults who do not have supervisory responsibilities at the time the emergency is declared. If additional adults are needed, consider combining classrooms to release additional staff members to assist in the search activities.

Responsibilities:

1. Assemble adults who do not have supervisory duties into Search Teams based on available manpower; minimum 2 persons. Attempt to place one experienced person on each team.
2. Perform visual check of outfitted team(s) leaving Command Post; include radio check. Advise teams of known injuries.
3. Coordinate the efforts of all Search Teams to ensure all areas of the school campus have been searched and are secure.

Helpful Hint: Color code the school site map into search areas and distribute maps to the Search Team. This will help to ensure all areas that individual Search Teams are responsible for are covered (i.e., bathrooms, storage areas, closets, etc.)

4. Assemble the emergency attendance forms and begin reconciliation of student and staff accountability. During the reconciliation phase of the student lists, he/she will ensure the Early Release Log and Visitor Log are included in the process.

OPERATIONS TEAM (Continued)

Search & Rescue Team Coordinator (continued):

Responsibilities for Search Team in the event of a fire:

1. Until the police and Fire Department have arrived, the search team will direct the firefighting efforts.

Responsibilities for Search Team in the event of an earthquake or other emergency requiring evacuation:

1. Conduct a pre-established search pattern of the school buildings and property. Do not enter severely damaged buildings. If you are in doubt about personal safety, DO NOT ENTER!

Generally, the team will begin at the center of the building destruction, search the immediate area and then move to the next building (moving clockwise). If the search team coordinator determines that a secondary location requires immediate relocation, the team will move to the location and then proceed clearing buildings using the North search procedures until all buildings have been cleared or until the arrival of the Police and Fire Departments.

Procedures for Searching a Room:

- a. Tape will be placed on the door as the team enters the room to indicate that the room is in the process of being searched.
 - b. The team will search the room in a clock-wise direction.
 - c. When the room has been searched and cleared, the team will place a second piece of tape so that a large 'X' will indicate that the team has cleared the room.
 - d. When an injured victim is located, transmit the location, number, and condition of the injured to the Command Post. Do not use the names of students or staff. Follow directions from the Command Post.
 - e. Record the exact location of damage and triage tally (I=immediate, D=delayed, DEAD=dead) on the map and report the information onto the Command Post.
2. Bring the emergency containers to the evacuation site.
 3. Once the Police and Fire Departments have arrived, the search team coordinator will report their findings and assist first responders as needed.
 4. Keep the IC updated on the status of the team's effort and assist with the emergency as directed.

OPERATIONS TEAM (Continued)

Site Security Coordinator:

Job Description: Secure the school campus and all buildings.

Responsibilities:

1. Lock gates and all external doors.
2. Locate/control/extinguish small fires as necessary.
3. Check the gas meter and, if gas is leaking, shut down gas supply.
4. Shut down electricity only if the building has clear structural damage or advised to do so by IC.
5. Post yellow caution tape around damaged or hazardous areas.
6. Verify that the campus is 'locked down' and report to IC.
7. Keep IC updated of all activities and precautions taken.
8. Ensure that the entire campus has been checked for safety hazards and damage.
9. No damage should be repaired prior to full documentation, such as photographs and video evidence, unless the repairs are essential to immediate life-safety.
10. Route fire, rescue, police, etc. as appropriate.

Parent Coordinator:

Job Description: Liaison with the parents on site.

Responsibilities:

1. Meet with the parents and arrange for their needs (i.e., if approved by First Responders, bring them into a classroom or portable)
2. Advise parents of the situation and if their child is or isn't involved in the emergency
3. Keep IC updated on the status of parents
4. After the 'All Clear' has been given, assist those parents who wish to take their children home

OPERATIONS TEAM (Continued)

Student Supervision Team:

Job Description: Remains with and supervises students.

Responsibilities:

1. Remains with and supervises students after the evacuation. Ideally each classroom teacher is supervising their class, but teachers who are needed on other teams will combine their classroom with another teacher.
2. Organize and supervise student activities

Note: As other team members are no longer needed for other assignments, they will join the Student Supervision Team. Supervision Team members will be released for breaks and will be released from service at the school site when deemed appropriate by the IC. All personnel not assigned to a team will be assigned to the Student Supervision team.

Student Release Team Coordinator:

Job Description: Release students to authorized adults.

Responsibilities:

1. At the direction of the IC, release students to authorized adults.
2. Maintain a log of all students who have been released and who they were released to.
3. Set up a parent contact area with student emergency cards and appropriate paperwork (sign out register, student call slips).

Procedures for releasing students

- a. Parent of guardian reports to the Student Release Station identifying the student(s) he/she desires to pick up.
- b. Check the emergency cards to verify the adult is authorized and the student(s) may be released to that person.
- c. Bring students to release points (use runners).
- d. Instruct the parent to sign the register, verifying that the student(s) has/have been removed from campus.
- e. Document the whereabouts of any student transported from the site by any agency to a hospital, shelter, or Collection Point.
- g. Any student having a triage tag should have one of the serial numbered corners taken off and attached to release team documentation.

Procedures for teachers when releasing students

- a. Complete Emergency Release Form
- b. Identify parent (or other authorized adult) and have form signed. If a positive identification cannot be made, the teacher needs to refer to the child's emergency card for authorized adult release. (if an adult cannot be verified, put a large "?" on the Emergency Release Form, so the student release team can verify adult).
- c. Release student to parent pick up station (or runner) and remove name from class list

Procedures for Adults when picking up student(s)

- a. Proceed to student release station at the evacuation site
- b. Fill out and sign release form/register as soon as teacher/adult in charge is available
- c. Upon receiving a copy of the release form, a parent or authorized adult will meet the child at the release point to verify ID and be released.

Note: It is important to create a secure area for student release. If the school grounds do not afford physical barriers, use staff members until police can secure the area. Also consider using yellow caution tape and/or orange cones.

PLANNING TEAM

Planning Section Chief:

Job Description: Keep current on the situation at all times. Analyze information, prepare necessary reports, and manage status reports. (Note: the IC may also perform this job).

Responsibilities:

1. Collect all information pertinent to incident (internal and external)
2. Analyze information for potential impacts or changes
3. Prepare and update status reports

LOGISTICS TEAM

Logistics Section Chief:

Job Description: Secure supplies, personnel and equipment and arrange for transportation and lodging of resources. (Note: the IC may also perform this job with assistance from members of the Search Team and/or Police/Fire/Medical Coordinator).

Responsibilities:

1. Open a disaster container.
2. Distribute supplies, kits, etc.
3. Set-up various staging areas(s) for sanitation, feeding, etc.
4. Sign-in volunteers and assigned to various sections needing assistance.
5. Determine whether additional equipment, supplies, or personnel are needed. Provide this information to the Liaison.
6. Make arrangements for transport of supplies and lodging of personnel.

FINANCE and ADMINISTRATIVE TEAM

Finance and Administrative Section Chief:

Job Description: Track all costs and staff time redirected to emergency. (Note: the IC may also perform this job).

Responsibilities:

1. Document all supplies redirected to emergency
2. Document all personnel time redirected to emergency (number of hours with description of activities performed)
3. Check with Section Chiefs to determine whether additional supplies, etc. will need to be purchased.
4. Purchase needed items, upon approval of IC
5. Document all activities

School Secretary, Scribe, and other Office Staff:

Job Description: Assist IC in managing crisis, making necessary notifications and recording all events.

Responsibilities:

1. Upon the direction of the IC, place a telephone call to 911 and advise the dispatcher of the nature of the emergency.
2. Keep 911 dispatchers informed of any changing conditions until police/fire or medical assistance arrives at the school.

Note: *The individual on the phone with 911 will stay on the phone until released by 911 (usually when First Responders have arrived at the scene). This individual will not be able to assist with any other tasks until released by 911. Therefore, it is important to ensure that at least 2 additional adults are in the Command Post to assist the IC.*

3. Shut off school bell system
4. Make other required telephone calls (i.e., to school district)
5. Maintain a Chronological Event Log. The following information will be recorded in the Log:
 - Time IC was advised of the emergency
 - Time Lock-Down (or other emergency signal) was declared
 - Time all outgoing calls were made and to whom, their phone numbers, and the information that was furnished
 - Time all incoming calls were received, from whom, and nature of the call
 - Time School Emergency Response Team arrived at the Command Post
6. Advise the IC of any new information

Note:

It is important for each member of the SERT to have a way of identifying themselves as members of the team. In an emergency, responding police or other emergency personnel will need to be able to ascertain who is authorized to be roaming the building.

School Emergency Response Team Master List

INCIDENT COMMAND SYSTEM TEAM ROSTER
Name of School(s)

ICS Function	Name	Contact Information
Incident Commander	Clint Johnson	Phone: 209-794-2376 Cell: 530-263-8642
Alternate	Mike Dutra	Phone: 209-794-2376 Cell: 209-740-0702
Planning & Intelligence	Mike Dutra	Phone: 209-794-2376 Cell: 209-740-0702
Alternate	Nancy Williams	Phone: 209-794-2376 Cell: 209-712-6190
Operations	Tony Rothenberger	Phone: 209-794-2376 Cell: 209-327-7899
Alternate	Maria Sousa	Phone: 209-794-2376 Cell: 209-269-9105
Logistics	Tony Rothenberger	Phone: 209-794-2376 Cell: 209-327-7899
Alternate	Rachel Swank	Phone: 209-794-2376 Cell: 916-825-3557
Finance	Alie Woods	Phone: 209-794-2376 Cell: None on File
Alternate	Lupe Duran	Phone: 209-794-2376 Cell: 209-263-8509
* Directly under command management		

INCIDENT COMMANDER: [Clint Johnson](#)

ALTERNATE: [Mike Dutra](#)

Solely responsible for all emergency / disaster operations and shall remain at the Command Post to observe and direct all operations. Responds to all issues from Management/Command Team through continuous briefings / updates as emergency requires.

PUBLIC INFORMATION OFFICER: [Clint Johnson](#)

Through briefings from the IC, ensures that accurate up to date information is disseminated to the public and/or appropriate support agencies, as emergency requires.

SAFETY OFFICER: [Tony Rothenberger](#)

Ensures that all activities are conducted in as safe a manner as possible under the circumstances, which exist. Monitors staff for fatigue/rest, as emergency requires.

LIAISON OFFICER: Nancy Williams

Serves as the point of contact for outside Agency Representatives offering organizational assistance during school site emergency response. Coordinates efforts of these outside agencies while on-site to ensure the proper flow of information, as emergency requires.

All Section Chiefs are responsible for providing the Incident Commander with continuous briefings from their team leaders throughout the crisis / emergency

OPERATIONS

Section Chief: Mike Dutra

- **Site Security Team-** [Tony Rothenberger](#)
- **Search & Rescue Team** - Thornton Fire Dept.
- **Medical Team-** Rachel Swank, Teresa Ruiz
- **Student Care Team-** Mike Dutra
- **Student Release Team-** Lupe Duran

PLANNING

Section Chief: Ana Garcia

Documentation: Lupe Duran

LOGISTICS

Section Chief: Ana Garcia

Responsible for providing facilities, services, personnel, equipment, materials, and forms in support of the incident. Logistics sets up and maintains an *Incident Check-In Roster*. Logistics is made up of the following teams:

FINANCE / ADMINISTRATION **Section Chief:** [Alie Woods](#)

Additional Information

Medication Trained Staff			
Lupe Duran, Rachel Swank			
Clint Johnson, Elizabeth Barragan			
Rebeca Gallo			
Staff Trained in First Aid/CPR			
Clint Johnson, Mike Dutra			
Lupe Duran, Raul Rodriguez			
Rebeca Gallo, All other Staff Members			
Staff Trained in Physical Restraint			
Clint Johnson, Nancy Williams			
Michael Dutra			
Individuals who need assistance during a crisis (physical or mental handicap): None			
Non English Speaking Students: None			
Autistic Like Behaviors: Reynaldo Velazquez (6th)			
Diabetic: None			
Asthma: Fabian Andrade (7th), Adrian Betancourt (8th), Alejandro Navarro-Cisneros (7th), Jace Rohrer (7th), Guiliani Soria (6th)			
Other Health:			

Note: any member of the SERT who is a classroom teacher or has supervisory responsibilities must have a pre-designated substitute to provide class coverage should the team be activated. Use an asterisk (*) to indicate the designated substitutes and include their phone numbers.

Positions of SERT members in a Lock Down – Team Response
Scenario: Crime committed on campus – location is Room 2

Insert of School Map

Legend for Previous Map Illustrating Team Member Positions in a Lock Down - Response

IC (Incident Commander)

- Remains in command center
- Manages emergency
- Deploys team members
- Liaison with district first responders

Site Coordinator

- Goes to crime scene
- Updates IC with status
- Restricts access to crime scene

First Aid Coordinator

- Goes to crime scene
- Renders medical assistance

Front Office Staff

- (1) Call 911
- (2) Call District
 - Keep event log
 - Assist IC

Search & Rescue Team Coordinator

- Remains in command center
- Deploys search teams
- Reconciles accountability of staff and students

Police/Fire/Medical Coordinator

- Secures perimeter (additional adults may assist in this)
- Greets police officer in front of building and brings them directly to crime scene

Parent Coordinator

- Waits outside of perimeter
- Liaison with parents

Media Coordinator

- Waits outside of perimeter
- Liaison with media, until district PIO arrives

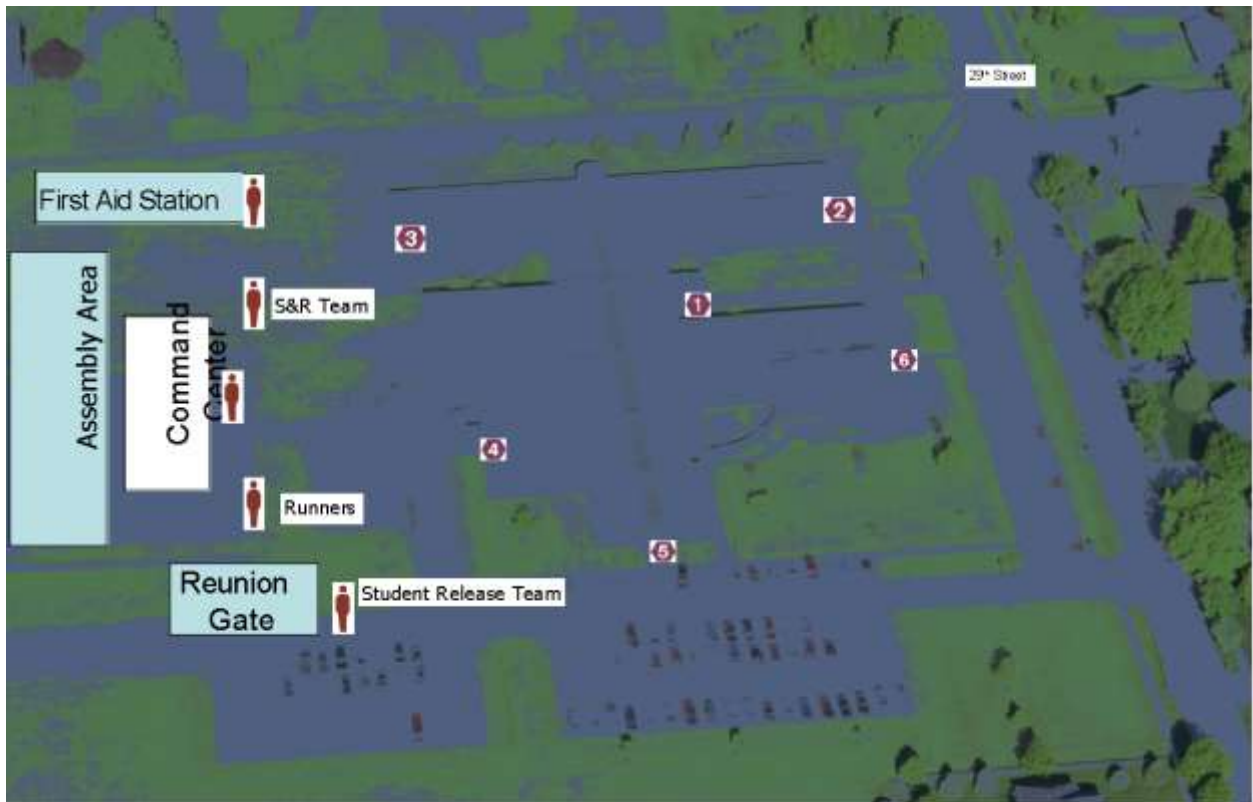
Search Team

- Collects emergency attendance forms
- Ensures all students and adults are in classroom

Note: See School Emergency Operations Plan for complete list of roles and responsibilities

School Emergency Response Team positions for evacuations: If the school evacuates to an assembly area on school campus, ensure that the following areas are pre-identified on an emergency map:

- On Campus Assembly Area for Students/Staff: Primary Playground or Cafeteria
- Campus Command Center: Staff Lounge, Parking Lot, or Primary Playground
- First Aid Station (triage, treatment, and a morgue): PE Equip Building
- Student Release Team: Staff Parking Lot
- Reunion Gate: Staff Parking Lot
- Staging areas for team members (search team, runners, etc.): Cafeteria



(Example Map of a Set-up Area)

- If the school evacuates to the off-site evacuation site (another school or facility), ensure that the receiving school or facility is provided with the following information:
 - Off Campus Post: Catholic Church or library
 - Parent Rally Point: Chevron Station
 - Anticipated time of arrival
 - Number of students and staff members evacuating
 - Report on injuries, if any
 - Any special needs (medication, food, etc.)

Emergency Management

Buddy System

Teachers and staff occupying rooms listed together will check to make sure the other teachers and staff are not injured before the rooms are evacuated. In the event a teacher is injured, a “buddy” teacher will evacuate the students, or if a “buddy” teacher needs to remain to administer first aid the teacher in the adjoining room will evacuate the students.

DO NOT LEAVE CLASSES UNSUPERVISED

Emergency Signals

NEWHOPE ELEMENTARY School District will use the following signals in responding to an emergency

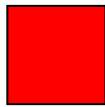
Signal	Description	Signal
LOCK DOWN – NO TEAM RESPONSE	Does NOT activate the School Emergency Response Team (threat is too dangerous). Is used in one of the following scenarios: <ol style="list-style-type: none"> 1. Shots being fired 2. Gunman in the building 3. Hostage situation 	Continuous Bell Verbal Command (radio, PA, phone)
Fire	Fire	Verbal Command or Fire Alarm System
Duck, Cover & Hold On	Threat requiring the protection of the body (i.e.: earthquake)	Verbal Command or movement of the earth
Shelter-in-Place	Threat requiring the school and community to remain indoors. Similar to lock down, but instead of keeping individuals out of the school; they would be invited into the school. External threats such as airborne contaminants or wild fire.	Verbal Command
All Clear	Signals that the crisis/emergency has ended	Verbal Command

Alert Cards

The purpose of the Alert Cards is to signal to police and/or fire officials, responding to the building, that you need immediate medical assistance in your classroom or office. The alert cards allow first responders to triage the building, in the event of a severe emergency (lock-down – no response).

Alert Cards for the Interior

Place alert cards, in the door window, of every classroom, office, or space where individuals work. Alert cards are 3” x 3” cards, with red on one side and green on the other side. (size is approximate). If you don’t have a window on the door, please place it in the closest window. Velcro is recommended for affixing the alert cards to the window.



Front



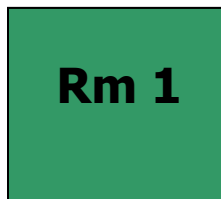
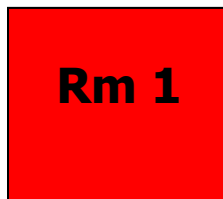
Back

Procedures for Alert Cards

Alert cards are to have the red side facing out (into the interior of the building) at all times. During an emergency, if you don’t need immediate medical assistance, flip the card to the green side.

Alert Cards for the Exterior

Place alert cards in a window that faces the exterior of the school building. Use an 8/5 x 11 piece of paper for the exterior window. Include your classroom number on these cards. The same procedures apply to the exterior cards.



Emergency Maps

Emergency Maps

Maps of the interior of all buildings, exterior of school grounds, and aerial photos are essential to develop an emergency evacuation plan. In addition to copies of unaltered maps of the facilities, maps indicating the entrances and exits (including perimeter fencing), fire extinguishers, fire alarm pull boxes, telephones, telephone network hubs, tool storage, camera locations, fire suppression system in kitchen, evacuation routes (primary and secondary), utility shut offs, access roads, Command Post locations, and emergency supply storage locations shall be developed and kept with the emergency vital records to be deployed with the Incident Commander in the event of an emergency.

In addition to maps covering the entire facility, evacuation maps shall be placed in each classroom. These maps will include the primary and secondary evacuation routes, and interior safe area, and placed near the door at eye level of the students.

School Floor Plan

School floor plans should be attached to this School Emergency Operations Plan. You may need to use several different floor plans to complete and identify all of the necessary components of the School Emergency Operations Plan.

1. Evacuation Sites and Routes.

This floor plan should include the following:

- a. Entrances (including perimeter fencing). Be sure to number all entrances and gates.
- b. Master evacuation routes
- c. Command Posts
- d. Fire extinguishers
- e. Fire alarm pull boxes
- f. Shut-off valves (electric, natural gas, water, etc.)
- g. Telephones (if every room has a telephone – include telephone extensions in the plan)
- h. Telephone and Network hubs
- i. Tool storage
- j. Camera locations
- k. Fire suppression system in kitchen
- l. Dead communication areas
- m. First Aid and Emergency Supplies

Identify the Emergency Operations at your evacuation site. This map should include the following:

- a. Command Post
- b. First Aid Station
 - i. Triage
 - ii. Casualty Collection Point/Morgue
- c. Emergency supplies
- d. Student release point
- e. Assembly area

Aerial Maps

These maps will identify additional threats and resources surrounding your facility

Insert the location and contact information for each of the following areas:

<i>Command Post or Emergency Control Area</i>	<i>Location/Contact Information</i>
Primary Command Post	Main Office
Secondary Command Post	Staff Room
Primary Evacuation Site	Primary Playground
Secondary Evacuation Site	Church across from school site
Off-Site Command Post	Library
Media Staging Area (outside school)	Thornton Market
Parent Staging Area (outside school)	Chevron Station
Media Staging Area (inside school)	Staff Parking Lot
Parent Staging Area (inside school)	Cafeteria
Interior Safe Area	Classrooms
Other:	

Primary Command Post

The primary Command Post is always the main office. The secondary Command Post will only be used if the primary Command Post is taken out (hostage situation, explosion, etc.).

Secondary Command Post

The secondary Command Post must meet the following criteria:

1. Access to the secondary Command Post without passing the primary Command Post
2. Ability to house 8-10 adults
3. Communication system (telephone, fax line, etc.). Ideally the room will have access to the P.A. system.
4. An Emergency Response Kit should be kept in both Command Posts, as well as emergency contact information for both students and staff.

Primary Evacuation Site

Evacuation sites located on school property – ball fields and playgrounds are excellent examples. Choose an area that is farthest away from the building and can house your school’s population. Avoid sites that pass through or are in parking lots (emergency vehicles will need access to these areas). The evacuation route for each classroom must be posted in the classroom.

Secondary Evacuation Site

A secondary evacuation site must be identified in the event the evacuation must take students and staff further away from the building than the primary evacuation site or in the event of inclement weather during an evacuation. Consider another school, public building or church. Arrangements must be made with the administrators of that building as part of the planning process. A safe passage route must be mapped out and included in this plan. Include a copy of the site map for the secondary evacuation site in this plan.

Off-Site Command Post

Indicate the area where the Command Post will be set up during an emergency that requires an evacuation. Notate the Command Post in both your primary and secondary evacuation sites.

Media and Parent Staging Area

Outside of School

Identify an area where parents and media can congregate during an emergency. Portable classrooms and other buildings that are not connected to the affected area are excellent examples.

Inside of School

Identify an area within the school where parents and media can congregate during an emergency. This area must be away from the affected area within the school. Parents and Media will only be allowed into the building with police approval.

Note: Staging areas for parents and media should be separate. Ensure the parent/media coordinator remains in this location.

Interior Safe Location

Each classroom should have a designated safe location inside the school in the event that the classroom must be evacuated to a safer area. This location would be used in the event of an exterior hazard in the school area. Avoid areas with a great deal of glass or ceiling span (gymnasiums or lunchrooms).



Incident Command Center
Assembly/Staging Area
Medical First Aid
Triage
Heliport
Emergency Storage
Metal Storage Bin on Upper Field Area
Emergency Food Storage

Morgue
Public Information Post
Electrical Main Switch-
Gas Valve Main
Water Valve Main
Fire Alarm Main Station
Outside Records Office in Guidance Building

Evacuation Procedures

Evacuations

Evacuations will be conducted as follows:

1. General evacuation

A general evacuation is executed upon hearing the fire alarm or with a verbal command. Standardized evacuation procedures are followed.

Fire: Evacuate at least **50 feet** from the building.

Bomb Threat: Evacuate at least **300 feet** from the building.

Multi-hazards: Evacuate at least **300 feet** from the building.

2. Controlled evacuation

The IC or police/fire authorities will execute a controlled evacuation. A controlled evacuation is typically conducted classroom by classroom and staff and students are directed to evacuate away from the threat. Areas/classrooms closest to the threat are evacuated first.

General procedures:

1. Remain calm.
2. Ensure that an evacuation map is posted in every room. This map should include the evacuation route and site, as well as all fire extinguishers and pull stations. This map should be posted on or near the evacuation door and should be at the student's eye level.

Evacuation procedures for IC:

1. Responsible for organizing the School Emergency Response Team during an evacuation.
2. Coordinates and manages the overall evacuation of personnel from the building.
3. Members of the School Emergency Response Team or IC designees will report to the evacuation site before any students arrive. Team members will look for any suspicious objects or behavior (i.e. abandoned cars or objects in evacuation sites) and report findings to IC. In the event of a suspicious object, team members will redirect teachers and students to alternate evacuation sites.
4. Relays evacuation information to first responders.

Evacuation procedures for Teachers:

Evacuate the area immediately. Take your Emergency Backpack and ID card. All staff and students are to report to the evacuation site and display the appropriate 'alert card' (Green Card = all students accounted for, Red Card = missing students and/or need assistance) from the backpack. The office staff must take the emergency cards, radios, and keys. All staff and students must be accounted for.

Teachers should check their buddy classroom to ensure everyone has evacuated and assist or evacuate the class yourself if necessary.

Evacuation responsibilities and procedures for Teachers

1. The teacher will review with all students the fire, earthquake, lock-down – Team Response, Lock Down – No Team Response drill procedures during the first week of attendance at the school.
2. The teacher will review with all students the procedures and exit routes at least once each month.
3. Immediately following an emergency drill, the teacher will help students to evaluate their conduct during a drill.
4. The teacher will give the Drop, Cover, and Hold command during an earthquake, a surprise attack or when deemed necessary.
5. The teacher is responsible to see that all students are safely evacuated
6. The student files, the classroom waters, and sanitation materials (i.e.: bucket, kitty litter, toilet paper) will remain in the classroom. If such items are needed the Search Team or IC designee will retrieve the items. Accordingly, these items should be maintained in a visible area to assist with their collection during an emergency.
7. If there is a blocked exit, the teacher will know the alternate route and guide or instruct the students to proceed with a secondary evacuation route.
8. The teacher will supervise his/her students and will remain with the students. Those teachers who are members of the SERT and their presence is required elsewhere, will turn over his/her students to a teacher on the Student Supervision Team for supervision before reporting to duty at their SERT location.
9. Procedures for moving to the evacuation area:
 - Students are to line up silently and in a single file. No talking, running or pushing is allowed.
 - The teacher will take the emergency pack.
 - The teacher will take the current grade book and any additional vital information.
 - The teacher will take the room keys.
 - The teacher will turn off the lights.
 - The teacher will leave the door opened and unlocked, or in the case of a fire or other appropriate emergency, will close the door.
 - The teacher will check the evacuation route to make sure it is safe. The teacher will direct the students to move to the evacuation site in accordance with the route or other safe route as determined by the teacher. **DO NOT WALK UNDER COVERED WALKWAYS UNLESS IT IS NECESSARY.**
 - The teacher will be the last to leave the room, making sure all students have exited.

- The teacher will check to make sure that other teachers and staff are not injured before evacuating the building in accordance with the **Buddy System Check Assignments**.
10. If there is an injured, immovable student, the teacher will leave the immovable student, lead the remaining students to the evacuation area and immediately notify the Command Post of the location and condition of the immovable student in the classroom.
 11. If there is an injured, immovable teacher, the students will evacuate with a Buddy Teacher. The Buddy Teacher will immediately notify the Command Post of the location and condition of the immovable teacher.
 12. Upon arrival at the evacuation site:
 - All specials (library, art, pe, etc.) teachers will return students to their homeroom teacher.
 - The teacher will direct students to form a line and sit on the grass.
 - The students are to remain silent and attentive.
 - The teacher will take roll call of the students, using the Emergency Attendance Form, to ensure every member of the class is present or accounted for.
 - The teacher will report the results of the Emergency Attendance Form by posting either the Green (all accounted for) or Red (missing students or need assistance) card. Members of the Search Team will collect the Emergency Attendance Forms.
 - The teacher will render first aid if necessary or if the school nurse or First Aid Team is not available.
 - Students on the playground should proceed to their previously designated area and assume regular emergency procedure discipline.
 - During a fire drill, the teacher will remain with the class.
 13. The teacher will assist others as directed by the IC.
 14. An All Clear signal will be given to return to your classrooms.
 15. At the conclusion of the emergency, the teacher will walk the students back to the classroom in an orderly and silent manner.

Evacuation of Disabled Students

General Procedures

An individual plan should be formulated for each disabled student or staff member in your school who requires assistance during an evacuation due to physical, cognitive, or emotional/behavioral needs. This plan should be reviewed with all staff directly involved with the student, including (but not limited to) the school nurse, classroom and special education teachers, and all adults assigned to aid disabled students in an emergency requiring evacuation.

Options include:

1. Overriding discontinuance of elevator (physical disability).
2. Carrying students (physical disability).
3. Adult and student waiting for fire department in prearranged area (physical disability)
4. Staff person assigned to specific student(s) to assist students during an evacuation.

When developing your individual plans for disabled students, consultation with the fire department is strongly advised.

Identify Disabled Individuals Needing Evacuation Assistance and Post Evacuation Plan

Identify any student or staff member who may need evacuation assistance (e.g., individuals who are in wheelchairs or unable to use stairs). Develop a specific plan for their evacuation. It is recommended that each student's classroom teacher be designated to assist the student in getting to the Evacuation Staging Area. The designated teacher may need to transfer their class to another teacher to remain with the disabled student until they are evacuated. The Site Administrator must:

- Identify students or staff needing evacuation assistance
- Develop an evacuation plan for each student or staff member
- Post a list of these individuals and their evacuation plan on the Fire Panel
- Put a list of disabled individuals in the secretary's copy of the student emergency contact information roster. See sample form.
- Inform the classroom teacher of each student or staff member of the evacuation plan
- Inform students and parents of the evacuation plan

Evacuation of Wheelchair-Confined Individuals

To accomplish a safe evacuation, from the second floor of a building, the following procedures should be followed:

1. Designated staff members should be assigned to assist wheelchair users down the stairs. The number of staff members required would depend upon the number of people needing assistance. Three staff members per wheelchair would be the minimum number needed (two staff members to transport the person and one to bring the wheelchair or to assist in other ways).
2. A designated area by the stairs (out of the evacuation path) should be assigned where wheelchair users can gather. This will aid in their accountability and speed up their evacuation. Because a hazard is created when evacuating wheelchair-confined students down stairs, unless necessary, they should not be transported.
3. If it is determined an actual fire hazard exists and evacuation must be made using stairs, the wheelchair-confined should be the last to be transported down the stairs. Because their movement will be slow, their evacuation may hinder the evacuation of others if on the stairs at the same time. In addition, the rushing of others may knock down physically challenged individuals and their transporters.
4. If wheelchair-confined individuals must be transported down stairs, the evacuation should be accomplished by staff properly training in the following methods:
 - Chair carry
 - Fore-and-aft carry
 - Two-handed and four handed seats.
 - Evacuation chair. This chair is designed to ride on the ends of stair treads so one person can easily guide it down the stairs. The evacuation chair is lightweight, folds flat, and can be unobtrusively stored.

Emergency Response Supplies

Emergency Response Supplies

1. Emergency Response Kit

This kit should be kept in the Primary and Secondary Command Posts, in a location that is known to the members of the School Emergency Response Team. Contents of the kit should be kept in a heavy-duty backpack, or other container that holds all of the contents.

The Emergency Response Kits Should Contain:

Quantity	Contents	Quantity	Contents
1	Copy of the School Emergency Operations Plan	1	Instant Ice Pack
1	Updated class lists and emergency contact information	1	CPR Mouth barrier (kit)
12	Antiseptic Towelettes	2	Tongue Depressors (individually wrapped)
1 pair	Leather Pal Gloves	2	Sanitary Pads
2 pair	Latex Gloves	2	5x9 ABD Pad
1	1 ½” Masking Tape	2	2-inch sterile roller bandages
1	Flashlight New Hope New Hope School District/ Batteries	2	3-inch sterile roller bandages
1	Rope (100’)		Assorted sizes of safety pins
1	Safety Goggles	2	Antiseptic A&E cream
1	Dust Mask	1	Tweezers
1	First Aid Guide	1	Whistle
1	EMT Scissors 7 ½”	6	Safety vest
2	4x4 Gauze Dressing 2/s	2	Infectious waste bags & ties or large zip lock baggies
1	Light stick (12 hr)	1	FM Radio New Hope New Hope School District/ Batteries
1	2” Duct tape	1 roll	Caution tape
1	½ x 10 yard Adhesive Tape	1	Pliers
1	Gauze forceps, Plastic	1 packet	Stick on name tags
10	Band Aids	1	Blank notebook
1	Emergency Blanket (Mylar)	1	Disposable camera with flash
2	Triangular Bandages	1	Bull horn
5	Cotton Q Tips	1	

2. Emergency Items for Classrooms

a). Emergency Envelopes should contain:

Quantity	Contents	Quantity	Contents
40	Medical emergency release forms	40	Emergency student release forms
1 pack	Labels that can be used as name tags	1	School Emergency Operations Plan
2	Pens	2	Pencils
1	Pad of paper	1	Clipboard
1	Laminated Cards: Red Card = Students missing and/or need assistance Green Card = All students present/ no assistance needed		
1	Class roster with emergency contact numbers. <i>Update Monthly.</i>		

2. Emergency Items for Classrooms (continued)

b). Emergency Back Packs for classrooms should contain:

Quantity	Contents	Quantity	Contents
1	Heavy Duty Backpack	1	EMT Scissors 7 ½"
1 pair	Leather Pal Gloves	2	4x4 Gauze Dressing 2/s
2 pair	Latex Gloves	1	2" Duct tape
1	1 ½" Masking Tape	1	Light stick (12 hr)
1	Flashlights New Hope New Hope School District/ Batteries (D)	1	Rope (100')
1	Safety Goggles	1	Dust Mask
1	Set of crayons	1	½ x 5 yard Adhesive tape
1	Gauze forceps, plastic	10	Band Aids
1	Emergency Blanket (Mylar)	2	Triangular Bandages
5	Cotton Q Tips	12	Antiseptic Towelettes
1	First Aid Guide	1	Instant ice pack
1	CPR Mouth barrier (kit)	2	Tongue depressors (individually wrapped)
2	Sanitary pads	2	5x9 ABD Pad
2	2" sterile roller bandages	2	3" sterile roller bandages
	Assorted sizes of safety pins	2	Antiseptic A&E cream
1	Tweezers	1	Whistle
1	Safety Vest	2	Infectious waste bags & ties or large zip lock baggies

These are the minimum recommendations for supplies

c). Classroom Buckets should contain:

Quantity	Contents	Quantity	Contents
2	Bucket	1 pkg	Kitty Litter
10 roll	Toilet Paper	2	Trash Bags
3 cases	Water	4 doz	Granola bars

According to the FEMA recommendations this are the minimum recommendations and each Elementary, Middle and High School needs to keep this in mind:

- One gallon of water per person per day, for drinking and sanitation.
- Children, nursing mothers and sick people may need more water.
- A medical emergency might require additional water.
- If you live in a warm weather climate more water may be necessary. In very hot temperatures, water needs can double.
- Keep at least a three-day supply of water per person.

3. First Aid Team Supplies

Emergency First Aid Supplies are located: _____

Quantity	Contents	Quantity	Contents
100	Adhesive Bandage 3/4x3"	4	Telfa pads 3x42
20	Adhesive Bandage sensitive 3/4x3s	20	Alcohol pads
5	Knuckle bandage	75	Antiseptic Towels
5	Band Aids large 2x3	3	4" Gauze roll
6	4x4 Gauze Pads 2/s	3	3" Elastic roll
10	2x2 Gauze Pads 2/s	3	Surgical tape
4	2" Gauze roll	8	First Aid Ointment 1/32
3	3" Gauze roll	4	5x9 Combine pad
3	Toothette	100 pair	Latex Gloves
6	Pk Face Tissue	5	Ammonia inhalant
1	Plastic Forceps	6	Safety pins
1	Plastic Splinter Tweezers	4	Infectious waste bag
1	EMT scissors	6	Eye pads
6	Eye wash	2	18" Arm splints
4	Cotton tip applicators 6"	5	Protector, Gauze pad & roll
6	Cotton tip applicators 3"	10	Tongue Depressor
3	Ice Pack	3	CPR mask kit
4	13" Arm splints	5	Emergency blankets
1	Carton cutter	1	Flashlight New Hope School District/Batteries (D)
7	Antiseptic A&E Cream	1	Safety Vest
1	First Aid instructions	1	Dust Mask
2	Triangular Bandage	1	Isolation kit
4	Sanitary pads	1	Case
1	Wheelchair	1	Stretcher
1	Portable ice chest	1	Hand sanitizer
1 bar	Soap	1	Red Bag (body fluids)
100	Student Release Forms	100	Employee Injury/Illness Forms
100	Medical Release Forms	100	Triage Tags
1	Confidential list of student health problems, with extra copies for use as needed by First Aid Team.		
1	Student medications and documentation log		

Food and Water Management

Meals will be prepared in a disaster situation from the food service inventory for food on premises: items such as cheese, peanut butter, canned fruits and vegetables, and any frozen products, if cooking is possible.

It is suggested that two gallons of distilled water be placed in each classroom along with paper cups. This would allow two cups of water per student in a 12-hour period. Four gallons more per classroom should be centrally stored for two more days of drinking and cooking necessity.

Suggested Items:

- Water purifier (1 case) tablets
- Charcoal – 200 pounds
- Matches – 1 small case
- Paper plates – approximately 3000 per day for estimated 1000 students
- Napkins – approximately 3000 per day for estimated 1000 students
- Crackers – 12 cases (500 each)

Water Management

1. Provide an adequate supply of drinking water;
2. Control and, if necessary, limit use of water for other purposes;
3. Maintain purity of available water; and
4. Locate alternate water sources.

Water for drinking is your first priority.

Because of the danger of dehydration, priority must be given to using available water for drinking purposes. If the water supply is limited, it should not be used for personal hygiene, sanitation, or firefighting.

So far as undrinkable water is concerned, priority should be given to using it for fire-fighting, sanitation (e.g., flushing toilets), washing, bathing, and heating food containers, in that order.

Human water requirements.

Each person or animal needs about 1 gallon of water per day to maintain body functions. Pregnant women, persons doing physical work, diabetics, the very young or very old, and ill persons all require more water and should be encouraged to drink it.

Dehydration is easy and quick in the young and old.

Physical damage to the body becomes irreversible after a certain amount of time without water; increasing water intake after this will not help people recover. Symptoms of water deprivation range from the mild – impatience, emotional instability, fatigue, and apathy through headache, labored breathing and increasing weakness – to the extreme symptoms of mental confusion and hallucination. Death can follow.

Inadequate ventilation will raise water requirements.

Water requirements are another reason to be concerned with air temperature in your facility. The warmer the temperature, the more people must perspire (and thus lose water) to reduce body heat. If your facility's temperature rises to about 82 degrees F., the water needed by each person increases above normal body requirements.

Diet and exercise affect water requirements.

Salty or other thirst-provoking foods raise water requirements. Foods high in protein and fat greatly increase the amount of drinking water required to eliminate waste from the body. Vigorous physical exercise increases water requirements.

Controlling Water Use

The IC will have to determine which outlets to cut off or place under guard (in cooperation with SERT members) so as to prevent or limit non-priority water use. It may be necessary to have team members monitor use of water that is not safe for drinking so that such use is properly restricted.

How to Purify Contaminated Water.

The three most probable impurities of water, which are not from the regular supply system, are: bacteria, foreign bodies, and toxics, such as anti-rust chemicals.

To purify against bacteria.

Use water purification tablets, several drops of chlorine household bleach, or tincture of iodine added to each quart of water; or boil water for at least one minute.

To purify against foreign bodies.

Filter water through filter paper, gauze, Fiberglass, or finely woven fabric; or allow water to stand until sediment settles and then pour off “clean” water.

How to improve the taste of stored water.

Drinkable water that has been stored in a closed system or closed container for any length of time may taste bad and appear undrinkable to many people. Exposing it to fresh air will improve its taste; carefully pour it from one container into another several times.

Food and Meal Management

The following are the four traditional food groups:

- 1). **Milk Group:** evaporated, condensed, or dried milk. Processed cheese products if consumed immediately or refrigerated.
- 2). **Meat Group:** canned meats, poultry, fish and meat alternatives; canned meat with vegetables, rice, noodles, macaroni, or beans; condensed soups containing meat, poultry, fish, or legumes.
- 3). **Fruit and Vegetable Group:** canned fruits, vegetables, juices, and dried fruits.
- 4). **Cereal and Bread Group:** ready-to-eat packaged cereals, crackers, cookies, canned breads and macaroni, spaghetti, noodles, and rice.

Food service personnel should be able to provide information regarding menu planning, food preparation, and serving procedures. In addition, information from the Red Cross, civil defense, scouting organizations, and experienced military food service personnel is available pertaining to food service operational activities in an emergency situation.

Schedule meals on a regular basis.

Serve meals on a regular basis, even if your food supply is limited. If your building has a feeding capacity, serve food five or six times throughout the day, either:

1. In the form of three larger servings at hours corresponding to normal mealtimes, with two or three smaller amounts between meals as refreshing, relaxing “coffee breaks” or
2. Five or six equal servings.

Serving smaller portions of food more often breaks the monotonous routine, raises morale by providing relaxing “coffee breaks” throughout the day, and reduces feelings of hunger if food supplies become limited. In larger facilities, you may need to feed the population in shifts.

What to serve.

If food is available, or if arrangements can be made for delivery, try to serve a beverage and simple snack to your incoming disaster service group as soon as the building is filled and order has been established (the beverage can be coffee, cocoa, milk, or soft drinks; the simple snack can be cookies, crackers, light sandwiches, hard candies, or other easy-to-serve items). If the food service personnel are not set up to serve hot meals in an extended feeding operation, use packaged, canned, and fresh foods that can be served without cooking, such as canned stews, hash, meats, beans, soups, vegetables, fruits, cereals, cheese, bread, crackers, other cold foods, and sandwiches.

Emergency Contact Information and Communications

Communication Tools

Public Address System? Yes No

If yes, list any 'dead' communication areas:

List procedures for contacting all 'dead' communication areas:

Radios on site – Yes

Frequency: 1 _____

Quantity: 30 _____

Distribution:

All Employees have been assigned radios_____

Robo Call System? Yes No

If not, attach the manual phone tree for contacting parents and guardians.

Other communication Tools:

Cell Phones Yes No

Walkie Talkies Yes No

Bull horn Yes No

Website: nhesd.net Yes No

Other: _____ Yes No

Other: _____ Yes No

Emergency Telephone Numbers

EMERGENCIES – 911

(If possible, call from a stationary phone. Calls from a cellular phone will go directly to the Highway Patrol first and may take longer for a response)

Sheriff’s Departments – (209) 468-4400

San Joaquin Sheriff’s Department

When calling in a major emergency to the police department, state the following:

1. Dispatcher will ask: “Do you have an emergency?” (When the phone is answered). Tell the dispatcher “Yes”.
2. I am calling from (New Hope Elementary School) Note: Address and phone number will come up on the computer screen if it is a 911 call. Just give the name of the school.
3. My name is: (state your name)
4. I am: (state your position)
5. I am reporting: (Describe the emergency – be specific): Be prepared to give the following:
 - a. What’s happening?
 - b. Suspect, locations, Room # and brief description of where it is, i.e.: north, south, east, west portion of the campus or building)
 - c. Suspect descriptions: i.e., hair, clothing, ethnicity, height, weight
 - d. Weapons and type
 - e. Injuries
6. If you are not at risk, then stay on the line until police have arrived at your location.
7. If there are any questions, the Dispatcher will ask as needed. Be prepared to provide updated information on the status of the event and/or injuries.

NON-EMERGENCIES – 311*

Office of Emergency Services – San Joaquin Co.....	(209) 953-6200
Department of Mental Health (Access Help Line).....	(209) 468-9370
Department of Public Works (Water Emergencies).....	(209) 468-3000
American Red Cross.....	(209) 466-6971
AT&T.....	(209) 367-9804
Electrical Company – PG&E)	
(Customer service).....	(800) 743-5000
(Power outages).....	(800) 743-5000
(Life-threatening emergencies).....	911
Poison Control Center.....	(415) 502-6000
Poison Control-American.....	(800) 222-1222
San Joaquin County Health Department.....	(209) 468-3880
West Nile Virus Call Center (DOH).....	http://westnile.ca.gov/resources.php
San Joaquin County Animal Shelter and Animal Issues (24-hours).....	(209) 953-6070
Fire Department.. 911 or (209) 794-2460
Department of Children’s Services.....	(209) 468-1333
Child Abuse Hotline.....	(800) 422-4453

Hospital(s):

Lodi Memorial.....	(209) 334-3411
San Joaquin County General Hospital.....	(209) 468-6000

Emergency Telephone Numbers (continued)

Radio Stations

Emergency Broadcasts can be received via the Emergency Alert System (ES).

List primary radio stations (FM/AM):

- **KSTN (Stockton): 1420 AM or 105.9 FM**
- **KFBK (Sacramento): 1530 AM or 93.1 FM**
- **Mobil Radio Trailers: 530 AM or 1030 AM**
- **Recorded Information: Lodi Radio 1250 AM**

Other Frequencies

NOAA Weather – 24 hours	(162.550)
Mobil Emergency Response Support (MERS)	(412.82500, Ch 1)
General Mobile Radio Service (emergency)	(95.179)

Other Important Numbers:

For additional information, requests, or inquires on the location of injured family/friends call:

Lodi: 209-333-6727

Delta Blood Bank: 209-943-3830

Red Cross: 209-466-6971

Salvation Army: 209-948-8956

United Way: 209-469-6980

***311 is a toll-free phone number to request police services in non-emergency situations. These are situations that are not serious, not life threatening, or not currently in progress.**

Crisis Communication Guidelines

Communication at the School Site

A crisis that takes place at a school impacts the entire community and is likely to draw media attention. Ineffective handling of a crisis can endanger the welfare of all involved and negatively impact the school's public image with parents, teachers, school boards, and communities. Each School Emergency Response Team must be prepared to deal with the media on site and create press statements for release to the public.

Who Should Communicate?

A member of the School Emergency Response Team will be appointed as the Public Information Officer (PIO). This person will assist the IC in the preparation of a news statement for release to the public. On site the PIO will meet with the press and arrange for their needs. If possible, there should be a pre-designated area where the media can work and/or hold news conferences. The PIO will also be responsible for recording duties, noting when notification of the School Emergency Response Team took place and what other parties were notified. They will maintain a log of the sequence of events as they unfold. The PIO will ensure that the person who is answering the phones at the school has a prepared statement to read as well as a prepared notice for staff and parents.

See roles and responsibilities for Public Information Officer (Section 4).

What Should Be Communicated?

Once verification of the crisis has taken place, a formal statement including minimal details, can be prepared for release to the entire school, indicating that more information will be forthcoming. The PIO, IC and the entire School Emergency Response Team should review this statement before it is released. Avoid using inflammatory words and phrases. A copy of this statement must be provided to staff members handling phone inquiries.

General Guidelines for Dealing with the Media

1. Convey the message that immediate and appropriate actions are being taken to investigate and address the situation.
2. Information should be as up to date and complete as possible, focusing on the school's response to the situation and any changes in the school schedule for the following day.
3. The primary concern is for the safety and welfare of the students and staff.
4. The police or local authorities should address questions about the specifics of any crime.
5. Do not release the names of any students.
6. Do not be defensive or argumentative.
7. Do not confirm or deny statements from the media.
8. Do not give more information than is necessary.
9. Do not delay in responding to the media.

When Should Communication Happen?

Communication with outside sources should occur once verification of the crisis has taken place and the School Emergency Management Team has been assembled and briefed.

Communications Equipment & Protocol for the school

1. In the event of a crisis, all communications gear must be gathered and then redistributed to teams and/or personnel who will need to use it during an emergency.
2. Phone or radio communication, especially during the initial hours of a disaster, must be kept to essential message traffic only. During a wide-area emergency expect the landlines to be inoperable or overloaded. Cellular phone sites will probably be down or overloaded. It is probable that our own radios will be subject to heavy message traffic, jamming, and inaccurate or false messages.
3. Allowable message traffic will be at the discretion of the IC. Message traffic type and priority shall be as follows:

Type 1: Emergency medical or life or death situations

Type 2: Request for emergency services (not a life threatening situation)

Type 3: General medical or transportation needs.

Type 4: General message traffic

Communication mode priorities:

- a. Land lines
- b. Cellular Phones
- c. Amateur radio (if available)

While using any communication device, following these guidelines will make emergency communication more effective.

- a. Do not use any mode of communication unnecessarily
- b. Keep messages short and to the point
- c. Speak slowly and clearly. Keep your voice even – never yell.
- d. Remain calm
- e. Do not use ‘CB’ type jargon
- f. Before using a radio during a time of heavy traffic, say “is this frequency in use,” before transmitting a full message. If the frequency is in use, you will be told to “stand by”. If the frequency is not being used, you will be told, “go ahead with your traffic”.
- g. Never transmit with a radio that has a broken or damaged antenna, you will destroy the radio.

When using any communications device, your speech can often become difficult to understand. Instead of continuously repeating something, the proper procedures are to spell it phonetically. Vital information should always be repeated phonetically.

Emergency Alert System (EAS)

Equipment at several area radio stations as part of its management of the Emergency Alert System, the partnership with local media in which emergency messages are broadcast over local media outlets.

Communications with Parents

1. The Principal or Designee will make available to parents and discuss with the Site Council and school site safety committee copies of the School Emergency Operations Plan.
2. As part of the emergency preparedness efforts, the Principal will send home an annual letter to parents providing the telephone numbers of the Police Department, and other emergency contact information, and the two radio stations where emergency information may be available.
3. If students are removed to an evacuation site or to the hospital, notify the parents as soon as possible via the Student Release Team.
4. If students are removed from the school site, signs will be posted outside the school by the School Emergency Response Team giving a phone number to call for information.
5. The IC will direct the communications between the Student Release Team and First Aid Team when it is appropriate to begin parent notification of the evacuation of students.

Incident Response Procedures

Please Note: *The five ICS functions are required at all NIMS/SEMS levels. They are: command, planning/intelligence, operations, logistics, and finance/administration. These are the tasks involved in any emergency response anywhere. They may be performed by a few people or many, depending on the size of the emergency and the human resources at hand. The five components should constitute the school's basic structure for any emergency response. Please see Section 2 for additional information regarding using the NIMS/SEMS/ICS model. The following information outlines procedures in responding to specific emergencies; the NIMS/SEMS/ICS protocols must be activated when responding to any emergency.*

Airborne Contaminants

Background

The U.S. EPA's National Homeland Security Research Center (NHSRC) has conducted a comprehensive study that confirms the potential effectiveness of the U.S. Department of Homeland Security guidelines for safe havens to protect against a hazardous airborne release in the event of a terrorist attack or accident.

They include:

- Locking doors, closing windows, and shutting air vents
- Turning off fans, air conditioning, and forced air heating systems
- Going into an interior room with the fewest windows
- Sealing all windows, doors, and air vents with plastic sheeting and duct tape

Sheltering in place can be 500 times safer than staying outside under the following conditions:

- You enter the shelter before the arrival of the contaminant,
- You exit the shelter as soon as the contaminant passes over,
- The contaminant passes over quickly.

It is recommended to allow at least 10 square feet of floor space for each occupant in the sealed room. Occupants should maintain a low level of activity so breathing rates remain low. If the room is very well sealed following the DHS guidance, you can safely stay inside for approximately three hours. Persons with existing respiratory problems may have a shorter time.

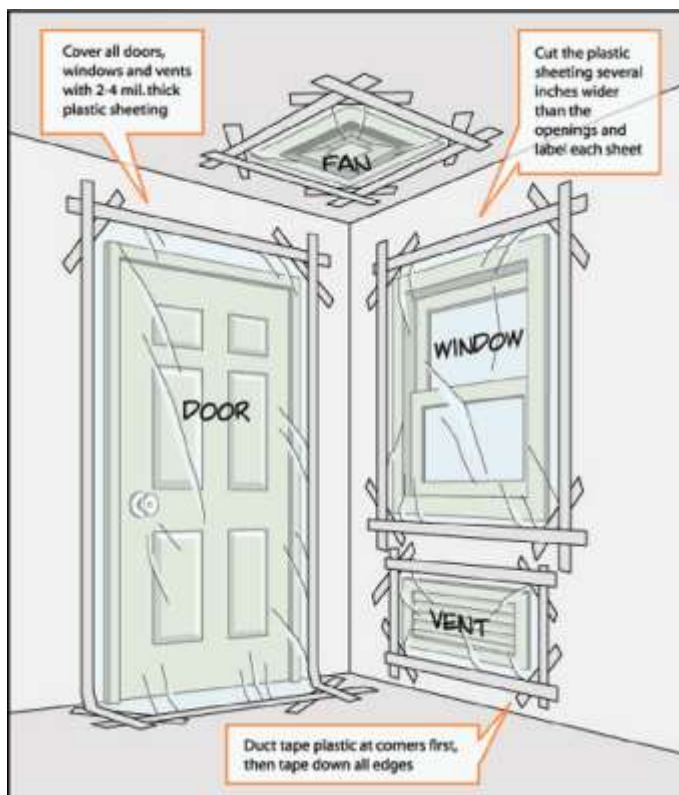
Weather conditions or geography may affect how an airborne contaminant moves, and this may affect your decisions (1) whether to shelter in place or evacuate, (2) when to enter the shelter, and (3) when to exit the shelter.

General Procedures

1. Notify Main Office/Administration
2. Turn off all fans, close the windows and doors, shut down the building's air handling system.

IC Responsibilities

1. Immediately direct staff to remove students to shelter in place. Utilize classrooms, offices, and other rooms within the school with the fewest number of windows (if possible).
2. Instruct staff to lock all doors, close windows and air vents.
3. Direct School Emergency Response Team members (search & rescue, police/fire/medical coordinator) to turn off fans, air conditioning, and forced heating systems.
4. Take emergency supplies kits unless you have reason to believe it has been contaminated.
5. Instruct all staff members to seal all windows, doors, and air vents with plastic sheeting and duct tape. Consider measuring and cutting the sheeting in advance to save time.
6. Be prepared to improvise and use what you have on hand to seal gaps so that you create a barrier between yourself and any contamination.
7. Local authorities may not immediately be able to provide information on what is happening and what you should do. However, you should watch TV, listen to the radio or check the Internet often for official news and instructions as they become available.
8. Call 911.



Animal Disturbance

This procedure should be implemented when the presence of a dog, coyote, mountain lion or any other wild animal threatens the safety of students and staff.

General Procedures

1. Notify office and administration.
2. Keep students away from the animal (return to classroom, secure all entrances to classroom, etc.)

IC Responsibilities

1. Call 911 and/or Animal Control
2. Attempt to isolate the animal from students, if it is safe to do so. If the animal is outside students will be kept inside. If the animal is inside, students will remain outside in an area away from the animal.

Rabies

Rabies is a serious disease that is caused by a virus. Each year, it kills more than 50,000 people and millions of animals around the world. Rabies is a big problem in Asia, Africa, and Central and South America. In the United States, rabies has been reported in every state except Hawaii. Any mammal can get rabies. Raccoons, skunks, foxes, bats, dogs, and cats can get rabies. Cattle and humans can also get rabies. Rabies is caused by a virus. An animal gets rabies from saliva, usually from a bite of an animal that has the disease. You cannot get rabies from blood.

Rabies in Animals

Animals with rabies may act differently than healthy animals. Wild animals may move slowly or act tame. Also, some wild animals, like foxes, raccoons, and skunks, that normally avoid porcupines, may receive a face full of quills if they become rabid and try to bite these prickly rodents. A pet that is usually friendly may snap at you and try to bite.

There are two common types of rabies. The first type is called “furious” rabies. Animals with this type are hostile, may bite at objects, and have an increase in saliva. In the movies and books, rabid animals foam at the mouth. In real life, rabid animals look like they have foam in their mouth because they have more saliva.

The second and more common form is known as paralytic or “dumb” rabies. An animal with “dumb” rabies is timid and shy. It often rejects food and has paralysis of the lower jaw and muscles.

Signs of rabies include:

- Changes in an animal’s behavior
- General sickness
- Problems swallowing
- An increase in drool or saliva
- Wild animals that appear abnormally tame or sick
- Animals that may bite at everything if excited
- Difficulty in moving or paralysis
- Death

Animals in the early stage of rabies may not have any signs, although they can still infect you if they bite you. The incubation period is the time from the animal bite to when signs appear. In rabies, it is usually 1-3 months. But it can last as long as several years. Once the virus reaches the brain or spinal cord signs of the disease appear.

Rabies in Humans

In humans, signs and symptoms usually occur 30-90 days after the bite. Once people develop symptoms, they almost always die. This is why it is very important for children to tell an adult and go to the doctor right away if they have been bitten by an animal that might be rabid.

Early symptoms of rabies include fever, headache, sore throat, and feeling tired. As the virus gets to the brain, the person may act nervous, confused, and upset.

Other symptoms of rabies in humans include:

- Pain or tingling at the site of the bite
- Hallucinations
- Hydrophobia (“fear of water” due to spasms in the throat)
- Paralysis

As the disease advances, the person enters into a coma and dies.

Armed Intruder/Hostage Situation/Shots Fired

General Procedures

1. Assess the situation and remain calm.
2. Move away from the threat.
3. Notify the Incident Commander (IC) of the situation
4. Call 911
 - Provide:
 - School Site name and location
 - Suspect description, direction of travel
 - Number of shots fired
 - Location on campus
 - Hostage situation: victims, etc.
 - Obey the Police.
 - Everyone may be treated as a suspect.
5. Obtain accurate information:
 - Where in the building is the event occurring?
 - How many are involved (both perpetrators and hostages)?
 - What demands, if any, have been made?
6. Render appropriate assistance.

IC Responsibilities

1. Direct 911 to be called.
2. Declare a Lock-Down – NO RESPONSE.
3. Isolate the area.
 - If possible, begin a controlled evacuation – move all non-essential adults and students away from the affected area. Begin with areas closest to the affected area.
4. Direct that all appropriate notifications be made.
5. Await the arrival of the police, and provide needed assistance.
6. Secure main office area and entrance to the school (if safe to do so)
7. If the decision is made to evacuate the unaffected portion of the school, accountability for all evacuated students and staff becomes a critical issue.
8. **Remember that the job of resolving the incident belongs to the police. The IC's job is to facilitate their efforts.**

Teacher/Staff Responsibilities

1. If directly involved, follow the instructions of the intruder.
2. Attempt to summon help if it can be accomplished without placing yourself or others in further danger.
3. Await the arrival of the police.
4. Remember, time is on your side. Don't threaten or attempt to intimidate or disarm the intruder.
5. If students are involved as victims, attempt to keep them calm and minimize their involvement with the intruder.
6. If not directly involved, follow instructions quickly and without comment.
7. When notified of the Lock-Down – NO RESPONSE, follow established procedures.
 - a. Lock Doors

Door is not to be opened for anyone. All doors will remain locked until the "all clear" code or until law enforcement or school officials gain access to classrooms and other areas using master keys.
 - b. Direct students to Duck, Cover and Hold On in the safest place possible.
8. Be able to account for all students under your control.
9. Be prepared to evacuate if directed to do so by Police or IC. Follow evacuation procedures – be prepared for a controlled evacuation.

Assault

General Procedures

1. Ensure the safety of students and staff first.
2. Notify office and administration.
3. Call the police if necessary.
4. Notify the First Aid Coordinator and provide medical assistance when necessary.
5. Seal off area where assault took place.
6. Defuse the situation, if possible.
7. IC notifies police if weapon was used, victim has physical injury causing substantial pain or impairment of physical condition, or assault involved sexual contact.
8. IC notifies parents of students involved in assault.
9. Document all activities. Ask the victim(s)/witness(es) for their account of the incident.
10. Assess counseling needs of victim(s) and/or witness (es).

Assault on Staff Member by Student

General Procedures

1. Provide medical attention for staff members.
2. Notify office and administration.
3. Determine if the victim wishes to make a police report of the incident. If a weapon was involved or the injury required more than minor first aid, the police must be called.
4. Complete intentional assault (where the student has attacked the staff member with intent to cause physical injury) or reckless assault (where the student has inadvertently struck a faculty member without personal regard) forms as appropriate.
5. Take statements and interview witnesses to consider depositions if the situation warrants.
6. Inform the student's parents or guardian.
7. Assess the need for disciplinary action.
8. Prepare for media coverage.

Biochemical or Chemical Release

A biological or chemical release is an incident involving the discharge of a biological or chemical substance in a solid, liquid or gaseous state. Such incidents may also include the release of radioactive materials. Common chemical threats within or adjacent to schools include the discharge of acid in a school laboratory, an overturned truck of hazardous materials in proximity of the school, or an explosion at a nearby oil refinery or other chemical plant.

The following indicators may suggest the release of a biological or chemical substance:

Multiple victims suffering from:

- Watery eyes
- Twitching
- Choking or loss of coordination
- Trouble breathing

Other indicators may include the presence of distressed animals or dead birds.

This procedure deals with three possible scenarios involving the release of biochemical substances:

Scenario 1: Substance released inside a room or a building

Scenario 2: Substance released outdoors and localized

Scenario 3: Substance released in the surrounding community.

It is necessary to first determine which scenario applies and then implement the appropriate response procedures listed below:

Scenario 1: Substance Released Inside a Room or Building

General Procedures

1. Evacuate the building.
2. Notify Main Office/Administration
3. Turn off all fans in the area of the release; close the windows and doors; shut down the building's air handling system.

IC Responsibilities

1. Signal for the building to be evacuated.
2. Call 911.
3. Direct School Emergency Response Team members (search & rescue team) to isolate and restrict access to potentially contaminated areas.
4. Direct School Emergency Response Team members (search & rescue team) to turn off local fans
in the area of the release, close the windows and doors, and shut down the building's air handling system.
5. Ensure persons who have come in direct contact with the hazardous substances are washed and cleaned. See First Aid Team responsibilities.
6. Complete the Biological and Chemical Release Response Checklist.
7. The School, or affected areas, will not reopen until the County HAZMAT or appropriate agency provides clearance to do so.

Teacher/Staff Responsibilities

1. Evacuate classroom in a calm and orderly fashion. Follow general evacuation procedures.
2. At the evacuation site, prepare a list of all individuals in the affected room or contaminated area; specify those who may have had actual contact with the substance. Provide this information to the IC.

First Aid Team

1. Direct or assist individuals who have come into direct contact with hazardous substances to wash with soap and water. Do not use bleach or other disinfectants on potentially exposed skin.
2. Remove and contain all contaminated clothes.
3. Segregate individuals that have been contaminated "topically" by a liquid from unaffected individuals (isolation does not apply to widespread airborne releases).
4. Provide additional medical attention as needed.

Scenario 2: Substance Released Outdoors and Localized

General Procedures

1. Notify Main Office/Administration
2. Turn off all fans in the area of the release; close the windows and doors; shut down the building's air handling system.

IC Responsibilities

1. Immediately direct staff to remove students from the affected areas to an area upwind from the release. If necessary, evacuate the building.
2. Call 911.
3. Direct School Emergency Response Team members (search & rescue team) to establish a safe perimeter around the affected area and ensure personnel do not reenter the area.
4. Direct School Emergency Response Team members (search & rescue team) to turn off local fans
in the area of the release, close the windows and doors, and shut down the building's air handling system.
5. Ensure persons who have come in direct contact with the hazardous substances are washed and cleaned. See First Aid Team responsibilities.
6. The School, or affected areas, will not reopen until the County HAZMAT or appropriate agency provides clearance to do so.

Teacher/Staff Responsibilities

1. Evacuate students away from the affected area, as directed by the IC.
2. At the evacuation site, prepare a list of all individuals in the affected room or contaminated area; specify those who may have had actual contact with the substance. Provide this information to the IC.

First Aid Team

1. Direct or assist individuals who have come into direct contact with hazardous substances, to wash with soap and water. Do not use bleach or other disinfectants on potentially exposed skin.
2. Remove and contain all contaminated clothes.
3. Segregate individuals that have been contaminated "topically" by a liquid from unaffected individuals (isolation does not apply to widespread airborne releases).
4. Provide additional medical attention as needed.

Scenario 3: Substance Released in Surrounding Community

IC Responsibilities

1. Once local authorities determine a potentially toxic substance has been released to the atmosphere, initiate a Lock-Down Response.
2. Direct all students and staff who are outside when the Lock-Down Team Response is declared to return to their classrooms or other designated space.
3. Call 911 and advise them of the school's response to the event.
4. Direct staff to turn off local fans, close and lock doors and windows. Consider directing staff to seal gaps under doors and windows with wet towels or duct tape. If gaps are sealed; monitor the air space in each classroom.
5. Direct School Emergency Response Team (search & rescue team) to seal vents with aluminum foil or plastic wrap and turn off sources of ignition, such as pilot lights, and shut down all buildings' air handling systems.
6. Turn on a radio or television station to monitor information concerning the incident.
7. Do not declare an All Clear until the County HAZMAT or appropriate agency provides clearance to do so.

Teacher/Staff Responsibilities

1. When directed to do so, turn off local fans, close and lock doors and windows, seal gaps under doors and windows with wet towels or duct tape. If gaps are sealed; monitor the air space.
2. Report any medical conditions or other concerns to the IC.

Background Information

Bioterrorism (BT) is the use of biologic agents such as bacteria, viruses, parasites or biological toxins to intentionally produce disease or intoxication in a susceptible population to meet terrorist aims. Chemical terrorism (CT) employs certain classes of chemical compounds as weapons of mass destruction.

An act of biological (BT) or chemical terrorism (CT) might range from dissemination of aerosolized anthrax spores to food product contamination, and predicting when and how such an attack might occur is not possible. Although paramedics, ER physicians, primary health care providers, and the local health department will probably be the first to observe and report unusual illnesses or injuries, school physicians and nurses may occasionally encounter such cases in a school setting.

Early detection of and response to biological or chemical terrorism are crucial and preparedness for terrorist-caused outbreaks and injuries is an essential component of the U.S. public health surveillance and response system. Terrorists might use combination of agents. CDC has developed a list of critical BT and CT agents.

Environment Where Exposure May Have Occurred

Law enforcement and public health officials work together to investigate the environment including envelopes and packages suspected of containing anthrax or other biological agents. Powder and other specimens collected from these sources usually are analyzed through the Public Health Laboratory Network. As a part of the investigation, environmental sample (where the exposure may have occurred) may be necessary. Testing of the environment is useful for detecting trace amounts of anthrax spores. Specimens obtained may include samples of air and/or swabs of material on various surfaces. The law enforcement and public health agencies will arrange for processing these samples.

Clean-Up of Contaminated Areas

The U.S. Environmental Protection Agency with help from other federal agencies and departments, including the Center for Disease Control and Prevention (CDC) is responsible for environmental and clean-up issues. Federal agencies, in conjunction with local and state agencies, will determine the best approach to the cleanup.

Biological Agents

BT agents are more likely to be covert because of the delay between exposure and onset of illness, known as the incubation period. Thus they present different challenges, as there is no immediate impact: persons are unknowingly exposed and an outbreak is suspected only upon recognition of unusual disease clusters or symptoms. BT may also occur as announced events in which persons are warned that an exposure has

occurred. BT agents include bacteria, viruses and toxins among others. Anthrax, Small Pox, Botulinum Toxin are some of the examples of BT agents.

The following are some examples of the indicators of a BT attack:

- Large numbers of ill persons with similar diseases or syndromes
- Unexplained disease, syndrome or death
- Unusual illness in a population
- Single case of disease caused by an uncommon agent
- Multiple unexplained diseases in the same patient
- Diseases transmitted through aerosol, food or water suggestive of sabotage

Detection of BT-related Outbreaks

BT may occur as covert events, in which persons are unknowingly exposed and an outbreak is suspected only upon recognition of unusual disease clusters or symptoms. BT may also occur as announced events, in which persons are warned that an exposure has occurred. The possibility of a BT event should be ruled out with the assistance of the FBI and state and local health officials.

Rapid response to a BT-related outbreak requires prompt identification of its onset. The most critical step in response is early recognition that something unusual is occurring. Response to a BT event will require a concerted effort of physicians, the health department, health care facilities, laboratories, and others to identify BT agents used, treat affected individuals, prevent additional transmissions, and bring the situation under control. Primary care providers and emergency room physicians will likely be the first medical responders.

Chemical Agents

Chemical agents, like other substances, may exist as solids, liquids or gasses, depending on temperature and pressure. CT effects are likely to be overt, immediate and obvious because CT agents are absorbed through inhalation or by absorption through the skin or mucous membranes are usually immediate and obvious. Such attacks elicit immediate response from police, fire, and EMS personnel. CT agents can also be delivered covertly through contaminated food or water. Chemical agents that might be used by terrorists range from warfare agents to toxic chemicals commonly used in industry.

There are at least six types of chemical agents described which include nerve agent and cyanide among others. Biological effects such as eye or skin injury and injury to lungs and other systemic effects can

occur following exposure to chemical agents dispersed as solids, liquids or vapor. Evacuation and triage are integral to the response along with decontamination and medical management.

CDC does not recommend hoarding antibiotics or buying a facemask. In the event of a biological or chemical emergency, the state and local public health departments will inform the public about the action(s) they should take.

Radiation Accident

Radioactive materials are among many kinds of hazardous substances emergency responders might have to deal with in a transportation accident. Radiation is energy that comes from a source and travels through some material or space. Light, heat, etc. are types of radiation. Unstable atoms produce ionizing radiation. Unstable atoms are said to be radioactive.

Regardless of how radiation accident happens, three types of radiation-induced injury can occur:

1. External radiation: when all or part of the body is exposed to penetrating radiation from an external source;
2. Radiation contamination occurs where material containing radioactive material is deposited on skin, clothing or other places where it is undesirable. Contamination means that radioactive materials in the form of gasses, liquids or solids are released into the environment and contaminate people externally on skin, internally in lungs, gut or wound, or both; and
3. Radiation injury is incorporation of radiation material, which refers to the uptake of radioactive materials by body cells, tissues, and organs.

These injuries can occur along with illness or physical injury and in such instances serious medical problems have a priority over concerns about radiation. Law enforcement and public health and safety agencies are involved in responding to these emergencies.

Bomb Threats

General Procedures

1. Evacuation routes should be posted in every classroom.
2. Use Bomb Threat Checklist to record information about telephone bomb threats. Listen to the message without interrupting the caller. Write down the message, noting time of call, unusual background noises, and estimated age of caller, and try to keep the caller talking. Attempt to ascertain from the caller the type of bomb, where placed, time of detonation, and reason school has been targeted.
3. After caller has concluded his or her threat, hang up and immediately lift the receiver and press *69 (call trace).
4. If the school has a caller ID, note the number from which call was made.
5. Notify the Main Office/Building Administration.
6. If a threat is written, place it in an envelope or plastic bag.
7. Prepare a media statement and flier to inform parents.

IC Responsibilities

1. Evaluate the bomb threat and determine if building evacuation is necessary.
2. If threat is deemed valid:
 - Call 911 – advise building is being evacuated because of a bomb threat.
 - Activate SERT.
 - Turn off the school bell system.
 - Don't use the PA system.
 - Turn off all two-way radios.

NOTE: Do not utilize the fire alarm system to evacuate the building.

3. Dispatch SERT to notify each classroom of the need to evacuate the school. While completing this task, conduct a limited search of common areas of the school.
4. In consultation with police/fire officials, determine when it is safe to reenter the school.

Teacher/Staff Responsibilities

1. Upon receipt of notification to evacuate the school, conduct a limited search of classrooms to determine if any strange or unknown objects are in the room.
2. Proceed to pre-designated evacuation point with class roll book.
3. Maintain control of students and advise SERT of any missing children.
4. Do not reenter the building until directed to do so by an SERT member or someone in authority.

Device Found

Upon discovery of a suspicious device, immediately send word to the IC. If the device is found in a classroom with students, immediately, but in an orderly manner, evacuate the classroom. **UNDER NO CONDITION ATTEMPT TO TOUCH OR MOVE THE DEVICE.**

IC Responsibilities

1. Upon notification of a device found:
 - Call 911 – advise building is being evacuated because a suspected bomb has been discovered. If possible, give a description of the device.
 - Activate the SERT.
 - Turn off the school bell system.
 - Turn off all two-way radios.
 - **Do not use the fire alarm system to evacuate the building.**
2. Dispatch SERT to begin the evacuation process. The order of evacuation should be:
 - Classroom in which the device is located.
 - Classrooms on either side of, across the hall from, that backs up to, or is directly above or below the classroom containing the device. Continue increasing the size of the evacuation until all students and staff are at a safe distance.
3. The evacuation must be conducted in an orderly and controlled manner so as not to create an unstable environment, which may exacerbate the situation.
4. In consultation with police/fire/bomb disposal officials, determine when it is safe to reenter the building.

Teacher/Staff Responsibilities

1. Upon receipt of notification to evacuate the classroom, proceed to the pre-designated evacuation location with the class roll book.
2. Maintain control of students and advise SERT of any missing or unaccounted for students.
3. Do not enter the school until directed to do so by an SERT or police/fire authority.

Letter/Package Bomb or Mailed Hazardous Substance

Mail handlers should be trained on what could be suspicious. A suspicious letter/package could contain any of the following:

Foreign mail	Misspelling of common words
Excessive postage	Odd noises
Handwritten messages	Oily stains/discoloration/odor
Special delivery	Poorly typed addresses
Restrictive markings	Lopsided or uneven envelope
Incorrect titles	Protruding wires or tinfoil
No return address	Excessive weight
Excessive securing material (i.e.: tape)	Powder leaking
Handwritten notes, such as: "To be opened in the privacy of...", "confidential", "your lucky day is here", and "prize enclosed"	

1. If any of the items listed above are identified on a package, do not open the package. Secure the area around the item and contact the principal.
2. Persons who touch the letter should wash their hands if powder or liquid is leaking.
3. The person who identified the suspicious package should not 'broadcast' the matter and cause panic, but contact the principal giving as much detail about the situation as possible.
4. **CALL 911**

NOTE: Expect the police department to examine rooms and to ask staff members if they have seen any objects that are out of place or are in places where they do not normally belong. Please remember that regular staff members are most familiar with the campus and its belongings. Anticipate being called upon by the police department for additional information and assistance. Remember, one of your roles is to preserve a potential crime scene.

WARNING

Suspect Letter and Package Indicators

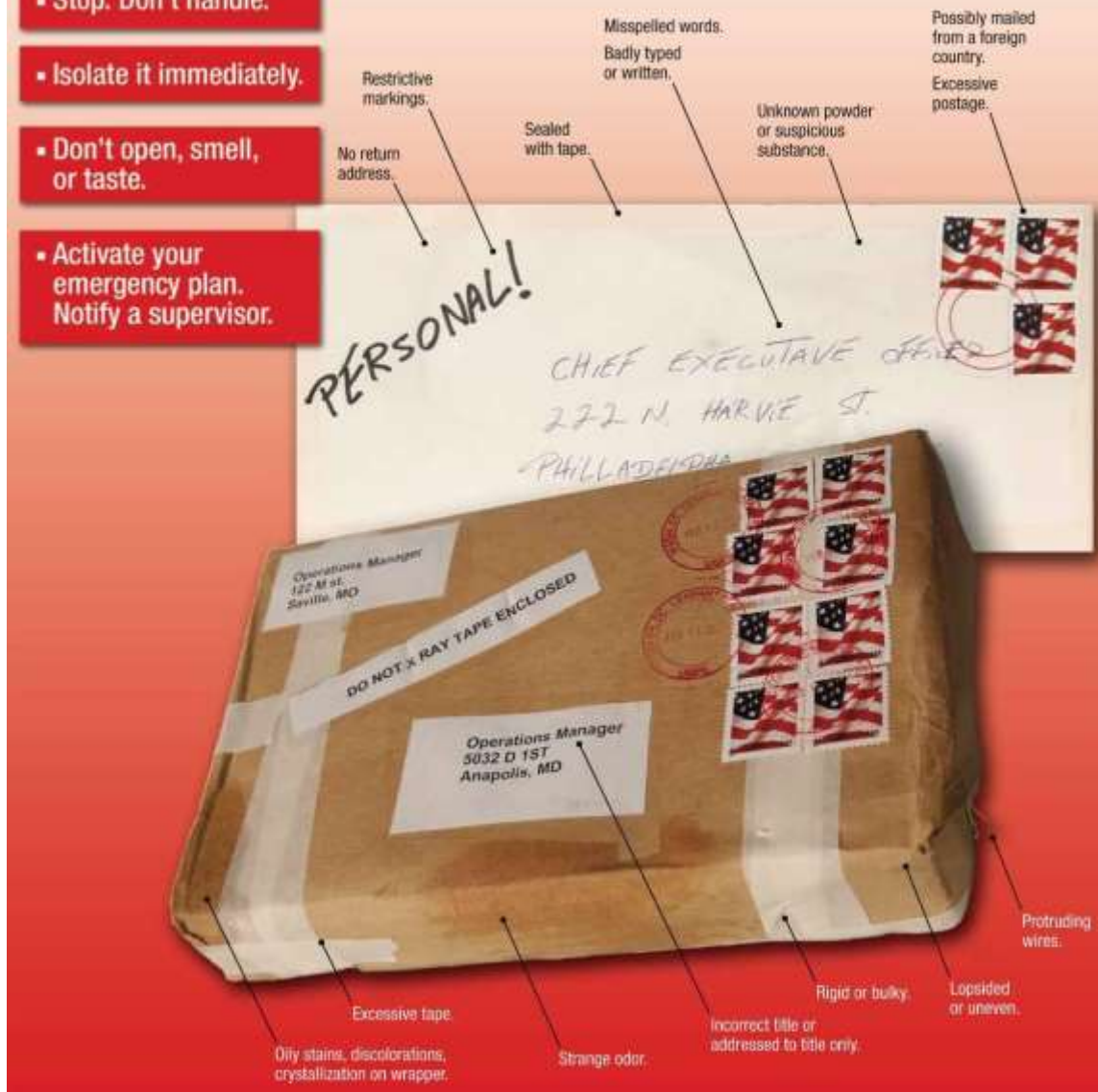
If you receive a suspicious letter or package:

• Stop. Don't handle.

• Isolate it immediately.

• Don't open, smell, or taste.

• Activate your emergency plan. Notify a supervisor.



If you suspect the mail of package contains a bomb (explosive), or radiological, biological, or chemical threat:

Isolate the area immediately.

Call 911.

Wash your hands with soap and water.

For more information on bomb security or bomb threats, contact your local ATF office.

BOMB THREAT INFORMATION FORM

Be Calm! Be Courteous! Listen Carefully! Do Not Interrupt!

Write out the exact words of the original threat.

Try to keep the caller talking—ask questions, see below):

When will the bomb explode? _____ Time remaining? _____

Where is the bomb now? _____ What Area? _____

What kind of bomb is it? _____ What does it look like? _____

Where are you calling from? _____ What is your name? _____

Description of voice: Speech:

Speech:

Manner:

<input type="checkbox"/> Male	<input type="checkbox"/> Loud	<input type="checkbox"/> Distinct	<input type="checkbox"/> Calm
<input type="checkbox"/> Female	<input type="checkbox"/> Soft	<input type="checkbox"/> Distorted	<input type="checkbox"/> Angry
<input type="checkbox"/> Adult	<input type="checkbox"/> Fast	<input type="checkbox"/> Slurred	<input type="checkbox"/> Rational
<input type="checkbox"/> Child	<input type="checkbox"/> Slow	<input type="checkbox"/> Nasal	<input type="checkbox"/> Irrational
<input type="checkbox"/> Familiar	<input type="checkbox"/> Lisp	<input type="checkbox"/> Pleasant	<input type="checkbox"/> Coherent
<input type="checkbox"/> Disguised	<input type="checkbox"/> Stutter	<input type="checkbox"/> High Pitch	<input type="checkbox"/> Incoherent
<input type="checkbox"/> Muffled	<input type="checkbox"/> Raspy	<input type="checkbox"/> Deep	<input type="checkbox"/> Emotional
<input type="checkbox"/> Intoxicated			<input type="checkbox"/> Laughing
<input type="checkbox"/> Accent (Describe: _____)			
<input type="checkbox"/> Other _____			

Background Noises:

<input type="checkbox"/> Quiet	<input type="checkbox"/> Train	<input type="checkbox"/> Children	<input type="checkbox"/> Street Traffic
Music (Type:)	<input type="checkbox"/> Animals (Type: _____)	<input type="checkbox"/> Voices	<input type="checkbox"/> Mixed Noises
<input type="checkbox"/> Party	<input type="checkbox"/> Machinery (Type: _____)	<input type="checkbox"/> Office Machines	<input type="checkbox"/> PA Systems
<input type="checkbox"/> Other _____			

Exact time of call: _____ Date: _____

Called received at: (Site) _____ Ext. _____

Time Caller hung up: _____ Person taking call: _____

Reported call immediately to: _____

Clint Johnson, Superintendent/Principal

BOMB THREAT REPORT FORM

The following report form is to be used by the principal to report a bomb threat to the district office.

School: _____ Date of call: _____ Time of call: _____

Person who received call: _____

A. The Sheriff's Station was notified by: _____
(Name of person)

Date: _____ Time: _____

Sheriff personnel contacted: _____

Deputy who responded to call: _____

B. Was a search made for the bomb? Yes No (If "Yes," give details)

Regarding the search:

C. Was an evacuation conducted? Yes No (If "Yes," give details)
regarding the search:

D. Remarks:

Bus Accidents

General Procedures

1. Upon learning of an accident, obtain the bus number, location, and time of accident, number of injuries sustained, whether police/fire/ambulance is on the scene or are required, and the location of all injured parties from the person notifying the administration or other school employee.
2. Notify the IC.

IC Responsibilities

1. Dispatch SERT to the accident scene with Emergency Response Kit and student information cards. If this is a group on a field trip the student roster will advise you of which students, parents, and staff are on the bus. If this is a home-to-school bus, you will need to print an entire student roster report.
2. If there are injuries of students, determine if siblings of bus-riding students are still at school. Assemble these students and advise them of the accident and make them available for parent pick up.
3. When advised by SERT on the scene of current status, direct appropriate notifications to be made.
4. If appropriate, respond to the hospital.

Responsibilities of Staff Person Riding on Bus

1. Follow the Bus Drivers instructions and if appropriate call 911.
2. If there is danger of fire or if the vehicle is in a precarious position, evacuate the bus and direct students to a safe location.
3. Have older students assist younger students.
4. Notify the school of the accident and the extent of the injuries.
5. Keep children under control. Have adults in the area assist with tasks.
6. If students are transported to hospitals, determine which student(s) are going to which hospitals.

Responsibilities of SERT Responding to the Scene

1. Assess the current situation and advise the IC.
2. Assist in the movement and/or control of non-injured students.
3. ***If parents*** arrive on the scene students **are not** to be removed from the scene until released by the Police. ***NOTE: parents should be directed to either wait at home or report to the school site not the accident scene.***
4. Designated SERT responds to the hospital(s) and provides support to injured students and their parents. Keep the IC updated on all medical conditions of students and staff.
5. Designated SERT member handles media inquiries at the accident scene. The hospital spokesperson will handle any inquiries regarding treatment of injured students.
6. Provide parent contact information to the hospital if needed. Call parents from school in the case of uninjured students.
7. Returning uninjured students should be examined by the school nurse, school counselor or social worker, provided with breakfast or snack as appropriate, and be given the option of returning home for the day.
8. Secure copy of police report.
9. Prepare for possible media focus.
10. Create informational flyers to inform parents of accidents.

Child Abuse Reporting

Emergency Procedures

Teacher/Supervising Adult and Administration

1. If reasonable cause exists to believe abuse has occurred, report immediately to the Department of Child and Family Services (DCFS) (800.540.4000) or local law enforcement. **WHEN IN DOUBT, REPORT.**
2. Do not inform the parent/guardian of the report. It is DCFS or law enforcement's responsibility to investigate and inform them.

Additional Information

Child Protective Services

DCFS safeguards the rights and protects the welfare of children whose parents are unable to do so. As the point of entry for clients, the DCFS intake program operates a 24-hour hotline that receives reports of suspected child abuse and neglect at (800) 540-4000. The DCFS staff conducts initial investigations of all reported abuse and neglect to determine whether the allegations are supported.

How to Recognize Child Abuse and Neglect

"Child abuse and neglect is the intentional, physical or mental injury, sexual abuse, negligent treatment, or maltreatment of any child under the age of eighteen by a person who is responsible for the child's welfare under circumstances which indicate the child's health or welfare is harmed or threatened."

There are many indicators of child abuse. Learn how to recognize the warning signs of:

- Physical Abuse
- Emotional Abuse
- Sexual Abuse
- Neglect
- Domestic Violence

Child Abuse and Neglect Indicators

Physical Abuse is indicated when non-accidental injuries occur, including:

Burns	Bruises	Welts	Severe beatings
Fractures	Unexplained or repeated physical injuries		

Emotional Abuse occurs when a parent or caretaker allows or creates a negative emotional atmosphere for the child with these conditions:

Demeaning remarks	Perceived or actual threats of harm
Unrealistic parental expectations	Illegal behaviors taught to a child

Sexual Abuse happens when a child is exploited for the sexual gratification of an adult or older child. Indicators include:

- Involvement of a child in sexual activity
- Knowledge of sexual behavior inappropriate for the child's age
- Contact for sexual purposes such as fondling

Involvement or exposure to prostitution and/or pornography

Neglect occurs when a parent or caretaker allows the child to experience avoidable suffering or fails to provide basic essentials for physical, social, and emotional development. Indicators of neglect include:

Lack of basic food and clothing	Lack of medical treatment or medication for a serious illness	Inappropriate child hygiene
Lack of appropriate supervision	Lack of education as required by law	Residing in an inappropriate/dangerous living environment

Domestic Violence-Related Child Abuse occurs when a child:

- Is injured during a physical altercation between adults
- Witnesses domestic violence between adults
- Experiences perceived or actual threats of harm
- Experiences disruption in his/her living situation

How to Respond to an Abused Child

If you suspect a child has been abused or neglected, use the following guidelines to respond.

- Remain calm. A child may retract information or stop talking if he/she senses a strong reaction.
- Believe the child. Children rarely make up stories about abuse.
- Listen without passing judgment. Most children know their abusers and often have conflicted feelings.
- Tell the child you are glad that he/she told someone.
- Assure the child that abuse is not his/her fault.
- Do what you can to make certain that the child is safe from further abuse.
- Do not investigate a case yourself. Call the police or the Department of Child and Family Services hotline at (800) 540-4000 to make a report.

Legal Definitions/References

Child abuse or neglect includes the following (Penal Code 11165.5, 11166.6)

1. A physical injury inflicted by other than accidental means on a child by another person.
2. Sexual abuse of a child as defined in Penal Code 11165.1.
3. Neglect as defined in Penal Code 11165.2.
4. Willful cruelty or unjustifiable punishment of a child as defined in Penal Code 11165.3.
5. Unlawful corporal punishment of a child as defined in Penal Code 11165.3.

Child abuse or neglect does not include:

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

How to Report Child Abuse

Anyone involved in the care and treatment of patients under the age of 18 are considered "mandatory reporters" and are required to report suspected cases of child abuse and neglect. According to Penal Code 11165.7, any mandatory reporter who fails to make a report will be fined or imprisoned. Mandatory reporters include the following professionals: Counselor, Day Care Worker, Licensed Practical Nurse, Registered Nurse, School Official, and Teacher.

If child abuse or neglect is suspected, immediately call the DCFS reporting hotline at (800) 540-4000. To make a report, you will need to provide the following information:

- Name, age, sex, and address of the child who is the subject of the report, any siblings, and the parent, guardian, or caregiver
- Nature and extent of the abuse or neglect, as you know it (and any previous abuse or neglect)
- Any additional information that may help establish the cause and identity of persons responsible
- Your name, occupation, contact information, and a statement of any actions taken concerning the child

Call the DCFS hotline immediately even if all the information is not available to you. If requested, follow up with a written report to the Department of Child and Family Services

Responsibility for Reporting

The reporting duties are individual and cannot be delegated to another person (Penal Code 11166). When two or more mandated reporters jointly have knowledge of a known or suspected instance of child abuse or neglect, and when there is agreement among them, the report may be made by a member of the team selected by mutual agreement and a single report may be made and signed by the selected member of the reporting team. Any member who has knowledge that the member designated to report has failed to do so shall thereafter make the report (Penal Code 11166).

DCFS Abuse Investigation Process

Once an abuse report is filed, the Department of Child and Family Services (DCFS) will assess and investigate the case. DCFS determines the nature, extent, and cause of child maltreatment and assesses possible risk to the child if left in the situation.

DCFS and neighborhood community centers offer a range of services to abused and neglected children and their families, including:

Diagnostic and treatment service	Day care services
Casework services, such as family counseling	Alcohol or drug counseling
Foster home network	Parenting classes
Homemaking or caretaker services	Psychological services

To report suspected child abuse or neglect, contact (209) 468-1333.

Child Does Not Arrive Home

(within a reasonable time)

General Procedures

1. If the school learns that a child has not arrived home from school in a reasonable amount of time, contact the child's last classroom teacher of the day to find out the child's normal end-of-day habits (i.e. walker or get a ride from parent).
2. Contact the Police they will need the following information when called, Child's name, Date of Birth, Address, Home phone number, Description of the student (hair color, height, ethnicity, what was the student wearing when last seen). If the parent is at the school, send them home to wait and check their neighborhood.
3. Notify the police and request that they commence an investigation into the situation if the child has been missing for an extended period of time.
4. Organize the child's teachers, friends, and companions for an interview with the police.
5. Attempt to locate the last person to see the child.
6. Send a school representative (preferably the student support manager/school counselor) to the child's family home to comfort his or her parents and relatives.
7. Work cooperatively with the authorities to assist in locating the child.
8. Prepare a media statement.
9. Compose a flier informing parents

Civil Disturbance

Civil disturbances such as a public or a student demonstration on school grounds having the potential to injure staff or students, damage property or disrupt instruction are grounds to put the following procedures in action.

General Procedures

1. Contact office and administrators when a civil disturbance is observed.
2. Call 911 if warranted.
3. Assess the danger of the disturbance and issue a Lock-Down if necessary.
4. Prepare a flier to inform parents of the incident.

ANNOUNCEMENT

I am _____ (name and title).

You are on school grounds without permission. You are directed to leave the premises now. As trespassers, you are subject to possible arrest if you do not leave.

Optional Language:

If you do not leave, we will ask law enforcement authorities to take appropriate action.

OR

Law enforcement has already been notified.

Active Measures

In spite of one's best efforts at prevention, disturbances may still occur. The following measures are recommended to lessen the school's exposure to personal injury and property damage:

1. Try to isolate the participants (if they are students). If a small group is protesting on the campus, invite them into the nearest classroom and listen to their complaints. If the group is large, it may be desirable to have them designate leaders to meet with you. Do not invite non-students onto the grounds.
2. If invaded by a group of non-students who appear threatening, listen to their complaints and politely tell them to leave the building. If they do not leave upon request, call the police.

Active Measures (continued)

3. In cases where there are threats of violence or property damage, remove the students from the area or room, counsel with them, and record their names for later use. If the group threatening violence or property damage is composed of non-students, ask them to leave the area. If they refuse to leave, call the police.
4. It is reasonable to expect that the news media will become interested in any disturbances or demonstrations occurring on school property. It is desirable to work with the media in every possible manner.
5. Matters pertaining to individual students should be discussed with the student and his/her parent or guardian and not with other parties. This does not preclude getting evidence or testimony from other students who may have witnessed the act(s) in question.
6. Parent/guardians may become greatly concerned about events at the school. To reassure them or to clarify the situation, it may be necessary to call a special meeting.

Preventative Measures

1. Be aware of the morale of the student body.
2. Principals should establish an open door policy so students will feel free to voice their problems to the school administration with the assurance that they will be heard.
3. Have a close working relationship with the student council.
4. Maintain an awareness of any tense community situations that could ‘spill over’ into the school and set the stage for a school disturbance.
5. Have the following sign posted on all exterior doors:

“VISITORS, PLEASE REPORT TO THE OFFICE”

Pickets and boycotts

1. Peaceful picketing is a lawful activity provided it is limited to the public sidewalks around the building.
2. Pickets should be kept under discreet surveillance.
3. If non-student pickets attempt to enter school property, politely ask them to leave. If they refuse, call the police.

Critical Condition/Hospital Treatment

General Procedures

1. If a child is in need of immediate hospital treatment at your school, notify the office as to the person’s location and condition, but stay with the victim.
2. Call 911.
3. Secure medical help available in the school (school nurse/health aide and CPR providers).

4. Evacuate any students who may be present and secure adult support.
5. When help for the victim is secured, the teacher helping the victim should rejoin her or his class.
6. The person accompanying the child to the hospital should take the medical emergency form kept in the office.
7. Review the student's health file kept in the nurse's office for pertinent information such as drug allergies, last tetanus shot, and medications taken. Relay this information to the hospital.
8. Notify the victim's family.
9. Consider composing a flier to inform parents of the incident.
10. Arrange for counseling sessions with witnesses as necessary.

Death of a Student/Staff Member

General Procedures

If not occurring on school property:

1. Upon notification of death, arrange for an emergency staff meeting where procedures will be reviewed and current information be provided.
2. Arrange for counseling services for students and staff.
3. Prepare a notice to be sent home to parents with particulars regarding any arrangements that may have been decided by the family of the deceased.

If occurring during the school day, on school property, follow the Lock-Down procedures and treat the event as a criminal act.

IC Responsibilities

1. Call a meeting of SERT to formulate the school's response to the notice.
2. Activate the telephone tree to school staff if notification is received after school hours or during non-school days.
3. Contact family/friends of the deceased to offer support and obtain information regarding arrangements.
4. Arrange for appropriate counseling services.
5. Update information to staff and parents as it becomes available.
7. If the student or staff member had personal property in school, secure the property, including locker contents, until authorized to release the same to family or relatives.

Teacher/Staff Responsibilities

1. Keep informed of plans and procedures that may be implemented in response to the death.
2. Be observant of students' and fellow staff members' reaction to news. If required, refer the person(s) to counseling.
3. Do not deny your own emotional response to this situation, and seek appropriate help.
4. Assist in bringing closure to the event.

Disruptive Student

General Procedures

1. At the beginning of each school year, every teacher is to develop a “Clear the Room” procedure. This procedure includes step-by-step instructions of what to do should a student begin to throw things or attack other students or staff.
2. “Clear the Room” procedures should state to which teacher the students should report.
3. The receiving teacher will notify the office immediately.
4. The teacher must stay with the disruptive student until assistance arrives.
5. Students will not return to their classroom until notified by the sending teacher.

IC Responsibilities

1. Respond to the classroom as soon as possible.
2. Assist the teacher with the student.
3. Involve other staff as necessary.
4. Call 911 if the situation does not abate.
5. Notify the School Counselor/Psychologist or outside agency.
6. Review each plan and require that the plan be practiced so that students will know what to do.

Teacher/Staff Responsibilities

1. In concert with receiving teachers, develop the “Clear the Room” plan.
2. Develop an alternative plan for when the receiving teacher is not in the room.
3. Instruct students as to their roles if the plan is implemented.
4. Stay with the out-of-control student.

Earthquake

Major Earthquake Threat Summary

Earthquakes are sudden releases of strain energy stored in the earth's bedrock. The great majority of earthquakes are not dangerous to life or property either because they occur in sparsely populated areas or because they are small earthquakes that release relatively small amounts of energy. However, where urban areas are located in regions of high seismicity, damaging earthquakes are expectable, if not predictable, events.

The major effects of earthquakes are ground shaking and ground failure. Severe earthquakes are characteristically accompanied by surface faulting. Flooding may be triggered by dam or levee failure resulting from an earthquake, or by seismically induced settlement or subsidence. All of these geologic effects are capable of causing property damage and, more importantly, risks to life and safety of persons.

A fault is a fracture in the earth's crust along which rocks on opposite sides have moved relative to each other. Active faults have a high probability of future movement. Fault displacement involves forces so great that the only means of limiting damage to man-made structures is to avoid the traces of active faults. Any movement beneath a structure, even on the order of an inch or two, could have catastrophic effects on the structure and its service lines.

The overall energy release of an earthquake is its most important characteristic. Other important attributes include an earthquake's duration, its related number of significant stress cycles, and its accelerations.

Descriptive Title	Richter Magnitude	Intensity Effects
Minor Earthquake	1 to 3.9	Only observed instrumentally or felt only near the epicenter.
Small Earthquake	4 to 5.9	Surface fault movement is small or does not occur. Felt at distances of up to 20 or 30 miles from the epicenter. May cause damage.
Moderate Earthquake	6 to 6.9	Moderate to severe earthquake range; fault rupture probable.
Major Earthquake	7 to 7.9	Landslides, liquefaction and ground failure triggered by shock waves.
Great Earthquake	8 to 8+	Damage extends over a broad area, depending on magnitude and other factors.

Actual Earthquake

Tremors and shaking of the earth are the signals of an earthquake. The initial shock is likely to be **not** more than ninety seconds duration. Emergency action to be taken when children are inside the building is:

When inside a building, stay inside. Do not run outside because you may be hit by falling debris. Drop to the floor on your knees and make the body as small as possible. Cover yourself under a desk, table or bench, in a hall, or stand against an inside wall. You should be facing away from: windows; doors; glass; skylights; brick or rock faced walls; large moveable objects, such as bookcases; or outside doors and walls. With one arm, hold on to a desk leg so that it will protect your head and neck and so that it will not move away from covering you. Rest your head on one arm and place your other arm over the base of the head and neck. When it is safe, proceed to the assembly areas in the same manner as for Evacuation Procedures.

When outdoors, stay outside. Do not run inside because you may be hit by falling debris. Move away from buildings and overhead structures. Drop to the ground on your knees and make the body as small as possible. Face position away from: buildings, power poles and lines, trees or other overhead hazards, roads and streets, as cars may go out of control. Cover as much skin surface as possible, close your eyes, and cover your ears. If you have a book or other similar object, place it over the base of your head and neck to protect you from flying debris. When it is safe, proceed to the assembly areas in the same manner as for Evacuation Procedures.

Walking to or from school facilities: Students walking to or from school when an earthquake occurs should stay away from all buildings, trees, exposed wires, and other hazards that may fall. The safest place is in the open. Students should assume a “drop, cover, and hold” position until the quake is over. After the earthquake, if on the way to school facilities, continue to school. If on the way home, continue home or return to school.

After an Earthquake

The ABCs of Post-Earthquake Evacuation – A Checklist for School Administrators and Faculty

A. Evacuation should NEVER be automatic.

- There may be more danger outside your building or facility than there is inside.
- There may be no safe assembly area outside. There may be no clear routes to get outside, and alternate routes may need to be created.
- The lighting inside your building or room will probably be out – it will be dark.
- Before any decision is made to vacate all or part of a school, someone must find out that there is:
 1. A safe route out, and
 2. A safe place to assemble the students outside

A. BEFORE an earthquake, survey your school with evacuation in mind.

1. Look for potential post-earthquake hazards INSIDE the building:

- Suspended ceilings
- Pendant light fixtures
- Large windows – either exterior or interior – not protected against shattering
- Tall bookcases or cabinets that may topple because they are not bolted to the wall
- Classroom equipment such as computers, TVs, VCRs, stereos, and slide projectors
- Stairwells
- Science labs, especially chemistry
- Storage areas for cleaning, painting, or other hazardous materials
- Shop areas
- Places where the main gas supply or electric current enters the building

- A. Designate evacuation routes that avoid as many of those areas as possible.
- B. In addition, decide on alternate routes to your main routes.
- C. Consider students with disabilities as you think about your evacuation routes.

2. Look for potential post-earthquake hazards OUTSIDE the building:

- Power lines
- Trees
- Areas near buildings that may have debris fall on them – parapets, roof tiles, chimneys, glass
- Routes past concrete block walls
- Covered walkways
- Places under which large gas mains run
- Areas near chain link fences (can be electric shock hazard when live wires touch)
- Hazardous materials storage areas
 - A. Designate open areas outside that are without overhead hazards and removed from potential dangers spots: choose one, off-campus spot such as park for back-up.
 - B. Assembly areas should not be so remote from the faculty that students and staff won't have easy access to bathrooms, phones, and the student release point.

3. Everyone should be informed about the plans:

- Once routes and assembly areas have been chosen, make floor plans and maps; give them to everyone.
- Tell all personnel and students about the plans made and the routes chosen.
- Make it clear that a post-earthquake evacuation route differs from a fire evacuation route, and that alternate routes may need to be used.
- Hold drills and exercises two or three times a year; practice alternate routes.
- Include all students and staff with disabilities in the drills and exercises.

C. AFTER the earthquake, gather information and make decisions.

IC

- Assess the situation – inside and outside
- Decide how much evacuation is necessary – all or parts of the buildings
- Choose the route(s) and the assembly place
- Communicate directions to SERT and all staff members.

Teachers

Do NOT automatically rush your class out into the corridor or out an exterior door.

- Wait to hear from an administrator, or the designated SERT member, about what to do.

In circumstances in which a lot of time passes and you do not hear anything, you will have to make decisions yourself:

- If you are in a dangerous classroom – the ceiling has collapsed, wires are crackling, broken glass or chemicals are all over the floor, you smell gas or smoke – you will want to leave, BUT you must do some reconnaissance before you move to safety.
- Get your buddy teacher to cover the students while you find the best way to get out and the safest place to go. You may not need to go outside, but merely move from one inside room to another.
- Account for all your students before you leave the classroom.

If your classroom is dangerous, you may want to take injured students with you, or move them a short way to a safe room. If you must leave an injured student, post a large, visible sign indicating the student is in there.

The lights will probably be out – ALWAYS having a flashlight that works.

- Be alert, as you lead students down stairwells or corridors, to anything (dangling lights, ceiling struts, broken glass, slippery floors) that could hurt them or you.

In an aftershock, everyone should duck and cover until the shaking stops.

- Once you get to your new safe place, communicate your location to the IC, by sending a runner, using a walkie-talkie, or returning to your classroom to post a note.

The first 72 hours after an earthquake are critical. Electricity, gas, water, and telephones may not be working. In addition, public safety services such as police and fire departments will be busy handling serious crises. You should be prepared to be self-sufficient – able to live without running water, electricity and/or gas, and telephones – for at least three days following a quake. To do so, keep on hand the following:

- Food.
- Water. Enough so each person has a gallon a day for 72 hours, preferably one week. Store in airtight containers and replace it every six months. Store disinfectants such as iodine tablets or chlorine bleach, eight drops per gallon, to purify water if necessary.
- First aid kit
- Fire extinguisher
- Flashlights with extra batteries. DO NOT USE matches or candles after an earthquake unless you are certain there are no gas leaks.
- Hand held radios with extra batteries.
- Extra blankets, clothing, shoes, and money.
- Alternate cooking sources.
- Medications
- Tools (turning of main shut off valves)

Roles and Responsibilities

Incident Commander (IC)

Will coordinate all personnel and operations, as well as serve as a liaison between all off campus organizations such as: Red Cross, Fire, Police, Utility companies, media, and other emergency agencies.

The IC will:

1. Direct team operations
2. Work with emergency responders
3. Coordinate and authorize communication modes
4. Assign tasks as necessary
5. Make media releases as appropriate

Teacher responsibilities during an earthquake:

At the first sign of shaking, adults should give the Drop, Cover, and Hold On command.

If students and staff are indoors, all should:

1. Get under a desk or table. Otherwise, stand next to an inside wall. Stay away from computers, televisions, stacks of books, file cabinets, and other heavy objects.
2. Get as far away from the window(s) as possible.
 - a. Drop to knees with back to the window(s) and knees together.
 - b. Clasp one hand firmly behind the head, covering the neck.
 - c. Wrap another arm around a table or chair leg.
 - d. Bury your face in your arms, protecting your head.
 - e. Close your eyes tightly. Stay until the earthquake is over.
 - f. Evacuate to the staging area only upon hearing evacuation signal.
3. Reassure students

If students and staff are outdoors, staff should:

1. Direct students away from buildings, trees, poles and wires.
2. Call Drop, Cover, and Hold On command – students and staff should cover as much skin surface as possible; close eyes and cover ears.

Teacher responsibilities during the evacuation:

The teacher may render immediate first aid if necessary.

Students with major injuries and are unable to move are to remain in the classroom. (search & rescue team members or first responders will remove injured students/staff)

Students with minor injuries are to be moved out of the classroom with the class.

1. Teachers check the primary evacuation route for blockage and dangers such as fallen trees or electrical wires.
2. If the primary route is blocked, check alternate routes. Do not walk under covered walkways unless absolutely necessary.
3. If both routes are blocked do not risk injury to yourself or students. Wait for help to arrive!
4. When evacuating a classroom, take your emergency backpack and folder with you.
5. Door is to be left open during an earthquake disaster.

Always DUCK, COVER, and HOLD ON when an earthquake occurs. Assess the situation and remain calm. When alerted to evacuate, or have made a decision to evacuate, look for the safest route, take your emergency backpack and ID card, and escort your children to the assembly area. Check the adjacent classroom(s) and assist if necessary or evacuate the class(es). Wedge the door open if possible. Take the attendance with the Emergency Attendance Form to the evacuation site and display an appropriate 'alert card' (Green Card = all students accounted for, Red Card = missing students and/or need assistance) from the emergency backpack.

1. Anyone who is 'injured but mobile' should be escorted to the assembly area.
2. Anyone who is 'severely injured and not mobile' should be left for the search and rescue team or first responders.
3. Leave all 'dead' where they are.

All classified and support staff are to escort their students to the assembly area and return to their teacher. They will then await instruction from the IC. Office personnel are to take emergency cards, radios, and key sets with them and report to the Incident Commander for instructions.

Search Team Coordinator

Will leave the assembly area to begin operations after being directed to do so by the IC.

Search & Rescue will:

1. Retrieve emergency supplies and bring them to the assembly area. The team should shut off the gas, water, and electrical mains. These should be marked with barrier tape or signs to indicate they are shut off.
2. S&R will return to the assembly area to be assigned further duties by the IC. These may include setting up a waste facility, building shelter, assisting another team, or providing site security.

First Aid Team

Will move to their designated area, unpack supplies as they become available and set up triage, treatment stations, and a morgue if necessary.

The First Aid Team will assess the extent and incidence of injuries and tag them accordingly. All persons sent to triage are to be tagged. The triage categories are as follows:

MINOR:	Move to Walking Wounded
DELAYED:	May be able to take direction to help one another.
IMMEDIATE:	Tag victim, note time and type of injury.
DECEASED:	Should be removed as far away as possible

Treat injuries to the extent possible.

Inform outside emergency personnel via the IC as to the status of the injured.

Attend to morgue concerns if necessary:

1. Identify the body.
2. Probable cause of death.
3. Cover the body.
4. Leave the body undisturbed awaiting the coroner.

Keep the IC apprised of your status

Student Supervision Team

Will form up and begin operations when directed to by the IC. They will manage students in the assembly area and check students out as they are requested by the Student Release Team. See Section 4 for details.

Student Release Team

Will set up a parent contact area with student emergency cards and appropriate paperwork (sign out register, student call slips) at the designation of the IC. Student Release will coordinate and document the release of students to parents or authorized guardians. See Section 4 for details.

Explosion or Risk of Explosion

This section addresses four possible scenarios involving an explosion or risk of explosion:

- Scenario 1: Explosion on school property
- Scenario 2: Risk of explosion on school property
- Scenario 3: Explosion or risk of explosion in a surrounding area
- Scenario 4: Nuclear blast or explosion involving radioactive materials
(A nuclear blast is characterized by a sequence of intense light and heat, air pressure wave, expanding fireball, and subsequent radioactive fallout).

It is important to first determine which scenario applies and then implement the appropriate response procedures. For “Bomb Threats” refer to Pages 110-112.

Scenario 1: Explosion on School Property

General Procedures

1. Call 911.
2. Initiate “Duck, Cover, and Hold On” procedures.
3. Consider the possibility of another imminent explosion and take appropriate action.
4. After the explosion, the IC will initiate the appropriate response signal, which may include a Lock Down, or Evacuation. Evacuation may be warranted in some buildings and other buildings may be used as shelter.
5. In the event of an evacuation, sound the fire alarm and everyone in the school should leave the building in a calm, orderly manner with classes led by teachers.
6. Any students separated from their classes should be incorporated into any adult-led group.
7. Follow the evacuation routes established in the fire drill plan. Create a safety zone -- at least 300 feet from the building.
8. Staff without classes should monitor crosswalks or other posts to locate children that may have been separated from adult supervisors.
9. Teachers should have class rosters so that each student can be accounted for once the evacuation is completed. Names of any students unaccounted for or students that have joined groups other than their own classes in the evacuation process should immediately be given to the IC.
10. The IC should formulate a list of students that could still be in danger with the assistance of other administrators or staff.
11. Limit the use of electronic and motorized devices – no open flames.

12. Attempt to suppress fires with extinguishers.

Note: Ensure the use of proper type of extinguishers, i.e. Class A, B or C for ordinary combustibles; Class B or C for fires involving flammable liquids; or Class C only for fires involving electrical equipment.

13. Contact the utility company with any damage to water lines, sewers, power lines or other utilities.

14. Any areas affected by the explosion will not be reopened until the City/County HazMat or appropriate agency provides clearance and authorization.

Scenario 2: Risk of Explosion on School Property

General Procedures

1. Call 911.
2. Determine the appropriate response signal: Lock Down- Response or Evacuation.
3. If an evacuation is warranted, follow standard evacuation procedures in Section 7.
4. If an explosion occurs follow the procedures outlined in this section.

Scenario 3: Explosion or Risk of Explosion in Surrounding Area

General Procedures

1. The IC will initiate a Lock Down – Response.
2. Call 911.
3. Do not declare an All Clear until the appropriate authorities have given authorization to do so.

Scenario 4: Nuclear Blast or Explosion Involving Radioactive Materials

General Procedures

1. The IC will initiate a Lock Down – Response.
2. Call 911.
3. Staff members should attempt to establish an adequate barrier or shielding (e.g. concrete walls, metal doors) between themselves and the source of the blast or explosion. Move students away from exterior windows.
4. After the initial blast, remove students from rooms with broken windows, extinguish fires, provide first aid, and relocate students from upper floors if possible.
5. Turn off the school's main gas supply, local fans in the area, lock doors and windows, shut down all buildings' air handling systems, seal gaps under doors and windows with wet towels or duct tape, seal vents with aluminum foil or plastic wrap, and turn off sources of ignition, such as pilot lights.
6. Monitor radio or television announcements and initiate further action as appropriate.
7. Do not declare an All Clear until the City/County HazMat or appropriate agency provides clearance.

Fallen Aircraft

An airplane crash on or near a school site could pose a number of hazards, including: damage/injuries from the impact, flying debris, hazardous materials spills, fires, explosions, structure collapse, mass casualties, and psychological distress. If a crash results in a fuel or chemical spill on school property, refer to Pages 103-109: Biological or Chemical Release.

After a crash event, the IC will direct the staff and students to do one of the following:

1. Remain indoors and await instructions.
2. Evacuate the facilities and form up in the assembly area, or other designated spot.
3. Evacuate the site to a designated area.

When an order to evacuate has been issued, take your ID card, emergency backpack, and escort your students to the designated area. Check your buddy teacher on the way out and assist or evacuate the class if necessary. Office staff must take the radios, keys, emergency cards, and staff rosters to the assembly area.

Report to the assembly area, take roll, display the appropriate alert card (red card signals missing students and/or need medical assistance, green card signals all students are accounted for) from the emergency backpack, and await further instruction. All staff and students must be accounted for.

Emergency teams will form up and begin operations at the direction of the IC

All staff will remain on duty until notified by the IC.

If the facility is hit

The IC will direct the following:

1. Call 911 and provide the exact location and nature of the emergency.
2. Direct SERT members (Search and Rescue Teams) to secure the crash area to prevent unauthorized access.
3. Direct SERT members to organize fire suppression activities until the Fire Department arrives.
4. Determine the safest place for students and staff. This may include a complete or partial evacuation (on or off campus). Evacuate to a site uphill and upwind if possible. The assembly team and student release team will be activated.
5. Direct the First Aid team to identify, triage, and provide medical assistance to injured students and/or staff members.

6. If any students or staff are injured or trapped, assign a Search and Rescue Team to work until Police or Fire personnel arrive.
7. Custodians (Police/Fire/Medical Coordinator) should turn off power supplies, electricity, and gas lines in affected building(s).
8. If possible, tape off the area around the entire wreckage to protect investigation. Have staff stand guard if safe to do so.

Fire

Fires may occur at any time in almost any structure and usually are totally unexpected. The longer a fire is undetected the more severe and dangerous it can become. A definite plan of action is needed for each occupied area to ensure that the maximum effort is made to protect the occupants and the buildings involved.

The Principal of each school shall develop a route of egress and an alternate route to be used in case of fire. These route signs shall be posted in each occupied area in a conspicuous place, preferably near the door to be used during the evacuation (placed at student's eye level). Clearly identify the primary escape route.

Fire extinguishers should be used only after notifying the Fire Department and only if feasible. Fire extinguishers are intended for small fires only. In addition, the user should make sure the fire extinguisher is of the proper type for the fire before using it.

General Fire Safety

1. Ensure that all exits are clearly marked and free of clutter (this includes classroom exits).
2. Ensure the Location of all fire extinguishers and pull stations is indicated on the evacuation map posted in every classroom and office.

Passage and Aisle Widths

A minimum of 36 inch free and clear passage width shall be maintained in all doorways and aisles within each classroom and office. Equipment, furniture, or materials, which reduce these passageways to less than 36 inches, must be relocated.

Turning off the Fire Alarm System

If for any reason it is determined that the fire alarm bell system must be silenced, a trained member of the staff must maintain a watch at the systems panel to monitor for activations of the systems detection devices. This person should have radio communications to others who can: sound an alert for evacuation if necessary; be dispatched to the area where the device has been activated to verify a fire or emergency; and to ensure that the system is not silenced and forgotten.

Procedures

1. Any person discovering a fire will activate the fire alarm, call 911, evacuate the area, close doors and windows to confine the fire, or extinguish it if possible. Take your Emergency Backpack and ID card when evacuating.
2. Evacuate the room or building following the exit plan posted in each classroom and office. Hold handrails. If there is no broken glass, remove high heels to avoid tripping.
3. Evacuate all students and staff away from threatened buildings at least 50 feet (approximately 10 body lengths) during the fire unless directed by IC to go elsewhere. Maintain control of students and take roll.
4. Close doors behind you as you exit. Do not use elevators. Do not lock doors.
5. Check with your buddy teacher during an evacuation to ensure everyone is evacuating and assist or evacuate the class yourself if necessary. All staff is to report to the assembly area and display the appropriate 'alert card' (Green Card = all students accounted for, Red Card = missing students and/or need additional assistance) in the emergency backpack.
6. If smoke is in the immediate vicinity, instruct students to "stay low and exit," crawling to avoid breathing fumes. Cover mouth and nose with a wet cloth.
7. If no escape is possible, close as many doors as possible between you and the fire. Stuff cracks and openings with wet cloth and avoid fanning flames. Lay on the floor to avoid smoke. Wait for help.
8. If anyone is injured or trapped, do not stay with the injured or trapped. Notify the IC who will send a Search and Rescue team while waiting for Police and Fire personnel.
9. The IC is to be notified immediately.
10. Members of the Search and Rescue Team or IC designees will report to the evacuation site before any students arrive. Team members will look for any suspicious objects or behavior (i.e. abandoned cars or objects in evacuation sites) and report findings to IC. In the event of a suspicious object, team members will redirect teachers and students to alternate evacuation sites.

11. The IC will form a Command Post at the evacuation site.
 - a. Direct that the necessary agency contacts be made
 - b. Teachers will immediately take roll and report any missing students to the Search Team Coordinator by using the card system. If problems exist, hold up appropriate colored card:

Red Card	Missing Students/Need Assistance
Green Card	All Students Present
12. The Search and Rescue Team Coordinator will manage the reconciliation of all students and staff. The Search and Rescue Team Coordinator is responsible for bringing the Visitor's Log and Early Dismissal Log (and any additional entry logs) to the evacuation site and reconciling attendance with these documents.
13. First aid is rendered as necessary.
14. Use a fire extinguisher if appropriate. While attempting to extinguish the fire, the user should keep a free exit path to his/her back to prevent being trapped by the fire. If one extinguisher does not put out the fire, do not go searching for additional extinguishers. Close off the area as best as possible and exit the building immediately.
15. Access roads are kept open for emergency vehicles.
16. IC in consultation with first responders will determine if students and staff should be moved to another area and/or begin the early release procedures.
17. IC will direct a team member to turn off utilities if safe to do so.
18. Students and staff will not return to the school building until fire department officials declare the area safe.

Additional School Emergency Response Team Responsibilities in a Fire, all other responsibilities to be carried out by the School Emergency Response Team

TEAM MEMBER DUTY	NAME/Floor	CONTACT INFORMATION	RESPONSIBILITY
<p>Floor Warden</p> <p>(One for every floor)</p>			<ul style="list-style-type: none"> - Implement in an orderly fashion, the appropriate evacuation route, upon notification from the building fire alarm system. - Act as ‘supervisor’ of the area under their direct control. - Receive and dispatch information and instructions and oversee evacuation of occupants from their area. - Ensure every disabled person has staff assigned to him or her who stays with them. - Report the location of these persons to the Fire Department upon their arrival
<p>Assistant Floor Warden (one for every floor)</p>			<ul style="list-style-type: none"> - Responsible to the Floor Warden to see all students and staff leave their area(s) and evacuate through the appropriate exit. - Listen for any new information and if questions arise, get direction from Floor Warden - Take no action without checking with the Floor Warden, except in extreme circumstances.

Fire Near School:

IC will determine whether the students and staff should leave the premises, or any further action should be implemented.

Burning Clothes:

If a student's or staff member's clothing catches fire, don't allow them to run! Smother the fire with a blanket, coat, rug, curtain, or other heavy fabric material. If wrapping material is not available, drop the victim to the ground and attempt to smother the fire by rolling the victim to the ground. After the fire is out treat the victim for shock (lying down, feet raised, neck supported) and cover the burned area with soaking wet cloth, sheet or blanket.

When appropriate and directed by the IC, SERT member may:

1. Turn off the gas and electricity service.
2. Direct emergency vehicles to the scene
3. Make sure fire lanes are clear and gates are open.

IMPORTANT: ALL SEARCH AND RESCUE, FIRE FIGHTING, OR ANY OTHER ACTIVITIES WILL CEASE IF TOXIC OR HAZARDOUS MATERIALS ARE INVOLVED. ALL PERSONNEL ARE TO EVACUATE IMMEDIATELY.

First Aid Team

Will move to their designated area, unpack supplies as they become available, set up triage, treatment stations, and a morgue if necessary.

The First Aid Team will follow their pre-assigned responsibilities as outlined in Section 4.

The First Aid Team will assess the extent and incidence of injuries and tag them accordingly. All persons sent to triage are to be tagged. The triage categories are as follows:

MINOR:	Move to walking wounded
DELAYED:	May be able to take direction to help one another
IMMEDIATE:	Tag victim, note time and type of injury
DECEASED:	Should be removed as far away as possible

Treat injuries to the extent possible. Inform outside emergency personnel via the IC as to the status of the injured.

Student Supervision Team

Will form up and begin operations when directed to by the IC. They will manage students in the assembly area and check students out as they are requested by the Student Release Team.

The Student Supervision Team will follow their pre-assigned responsibilities as outlined in Section 4.

Student Release Team

Will set up a parent contact area with student emergency cards and appropriate paperwork (sign out register, student call slips) at the designation of the IC. Student Release will coordinate and document the release of students to parents or authorized guardians.

The Student Release Team will follow their pre-assigned responsibilities as outlined in Section 4.

Teachers follow standard evacuation procedures. See Section 7.

Fire Drills

California Education Code, Section 32001 states that every public, private, or parochial school shall cause the fire alarm signal to be sounded not less than once every calendar month and shall conduct a fire drill at least once every calendar month at the elementary level and at least four times every school year at the intermediate levels. It further states, “all exit doors shall be maintained so that they can be opened from the inside without a key during school hours.”

It is recommended that at least 30 minutes in each school month shall be used to instruct children in grades one through eight on fire dangers and drills. On occasion, the building should be evacuated under the pretense that smoke and gases have filled the hallways. Faculty and students should practice getting their faces as near the floor as possible (by bending over or by crawling on their hands and knees) and proceed to the nearest exit.

Each school must establish a fire or emergency evacuation plan and hold regular drills to make this plan effective. Drills must be documented and reports submitted to the Fire Marshall. The fire drill report must include: person conducting drill; date and time of drill; notification method used; staff members on duty and participating; number of occupants evacuated; special conditions simulated; problems encountered; corrective actions to be taken; weather conditions when occupants were evacuated; and time required to accomplish complete evacuation and accountability.

Food or Water Contamination (suspected)

This procedure should be followed if school personnel report suspected contamination of food or water. This procedure applies where there is evidence of tampering with food packaging, observation of suspicious individuals in proximity to food or water supplies, or if notified of possible food/water contamination by an outside agency. Indicators of contamination may include unusual odor, color, taste, or multiple incidents of unexplained nausea, vomiting, or other illnesses.

General Procedures

1. The IC will isolate the suspected contaminated food/water to prevent consumption and restrict access to that area.
2. Call 911.
3. The IC will direct that a list of all potentially affected students and staff be made and will provide the list to the responding authorities.
4. The IC will direct the first aid team to provide immediate medical assistance, when necessary.
5. The IC will maintain a log of affected students and staff and their symptoms, the food/water suspected to be contaminated, the quantity and character of products consumed, and other pertinent information.
6. The IC will not declare an All Clear until authorized to do so by the responding health department.
7. The IC will notify the parents of the incident, as appropriate.

Forced Entry/Theft of School Property

General Procedures

1. If evidence of forced entry or theft is seen, notify the main office first.
2. Call 911.
3. If the crime is in progress, do not confront the perpetrator and avoid being noticed. Instead, attempt to collect a physical description and a license plate number of any vehicle the perpetrator may be using. Watch the direction in which the criminal flees.
4. Secure the crime scene. Prevent others from entering, and do not disturb possible fingerprints, shoe, or tire impressions.
5. Notify staff to increase security measures.
6. Prepare a list of missing items with serial numbers, make, model, and estimated cost.
7. Organize all witnesses for police interviews and be as helpful as possible to the authorities.
8. Obtain a copy of the police report.
9. Prepare a media statement and to ease the worries of parents, draft an informational flyer.

Hazardous Material Spill

Hazardous substances include chemicals, asbestos, mercury (from thermometer), gasoline or oil, and burned-out/leaking ballast.

General Procedures

1. Contact the main office and administration about the spill.
2. Call 911.
3. Do not turn any electrical switches on or off. Do not use any electrical equipment, eliminate any open flames.
4. Notify the custodial staff of the spill.
5. Evacuate and close off the area of the spill. (follow standardized evacuation procedures – See Section 7).
6. Assess the need for medical attention for anyone exposed to the hazardous fluids and call the school nurse and/or responding officials to the location of the spill if necessary.
7. Record the names and personal information of any persons exposed to the spill.
8. Assess the need to inform parents about the spill and prepare a media statement if warranted.

Hazardous Material Spill (continued)

Temporary Stay at School Status

If given instructions by the Incident Commander or First Responders that it is necessary to temporarily stay at school until the evacuation vehicles arrive, use the following guidelines:

1. IC advises Teachers and Staff of the situation through the intercom and alerts them to listen for further instructions. Instruct Teachers to close all windows, doors and vents.
2. Direct all Students, Teachers and Staff to come inside and/or stay in the buildings. Students must be kept quiet and still. In the event of a chemical accident, instruct students to keep their hands out of their mouths and eyes.
3. Instruct team members to shut off all heating systems and fans.
4. Instruct all teachers to place wet towels or wet clothing under the doors and around windows.
5. Conduct an emergency attendance to account for all students, staff, and visitors.
6. Instruct Teachers and Staff to evacuate once vehicles have arrived on campus.

Hazardous Material Spill (continued)

Evacuation Procedures

If given instructions by the Incident Commander or First Responders that it is necessary to evacuate the school, use the following guidelines:

1. Determine an evacuation site that is crosswind from the movement of the fumes and a safe distance from a hazard or chemical accident.
2. Determine the method of evacuation. If students are to remain on campus, determine which evacuation assembly site is best. If students are to evacuate to another location, as in the event of a chemical accident, determine which location is appropriate and by which means the Students, Teachers, and Staff will be evacuated by school buses, other transportation, or by foot.
3. If it is decided that the building should be evacuated:
 - a. Sound the fire alarm
 - b. Notify the following:
 - i. 911 (alerts police and fire departments)
 - ii. Teachers and Staff
4. The location of the evacuation site will be posted by the Parent Coordinator outside the school for parent information.
5. The IC will instruct that the evacuation site be notified of the impending evacuation and arrival of staff and students.
6. An Emergency Attendance will be taken at the evacuation site. The Search Team Coordinator will report attendance status to IC.
7. The IC will provide a report to the School District/Superintendent/EOC by phone or messenger as soon as possible after the evacuation. The report will include: (a) the location of the evacuation site, (b) the status of students and staff, and (c) the immediate needs of students, teachers, and staff.
8. The Site Coordinator will give directions for loading students into buses or other evacuation vehicles or proceeding on foot to the determined evacuation site.

Heat Emergencies

Temperatures that hover 10 degrees or more above the average high temperature for that area and last for several weeks are considered “extreme heat” or a heat wave. Humid and muggy conditions can make these high temperatures even more unbearable. Really dry and hot conditions can cause dust storms and low visibility. Droughts occur when a long period passes without enough rainfall. A heat wave combined with a drought is a very dangerous situation.

Before Extreme Heat Hits:

Keep it Cool

1. Close all floor heat vents.
2. Seal gaps around window units with foam or duct tape.
3. Use a circulating or box fan to spread the cool air around.
4. Use aluminum foil covered cardboard in windows to reflect heat back outside.
5. Use weather-stripping on doors and window sills.
6. Keep storm windows up all year to help keep cool in.

During Extreme Heat

Protect Windows – hang shades, drapes, sheets or awnings on windows to reduce heat from entering the building.

Conserve Power – stay indoors as much as possible.

Conserve Water

1. Check plumbing for leaks.
2. Ensure all toilets and showers are set to “low flow”.
3. Don’t leave water running

Hostage Situation

General Procedures

1. Stay calm.
2. Don't be a hero.
3. Follow instructors of captor.
4. Cooperate, be friendly if possible; don't argue with or antagonize captor or other hostages.
5. Inform captor of medical or other needs.
6. Be prepared to wait; elapsed time is a good sign.
7. Don't try to escape; don't try to resolve the situation by force.
8. Be observant and remember everything you see and hear.
9. Try to calm the suspect and list to complaints or demands.
10. Keep the students calm and don't allow them to agitate the suspect.
11. Ask permission of the suspect in all matters.
- 12.; When rescue takes place, lie on the floor and await instructions from the rescuers.

IC Responsibilities

1. Direct 911 to be called.
2. Declare a Lock-Down – No Team Response.
3. Isolate the area.
 - If possible, begin a controlled evacuation – move all non-essential adults and students away from the affected area. Begin with areas closest to the affected area.
4. Direct that all appropriate notifications be made.
5. Await the arrival of the police, and provide needed assistance.
6. Secure main office area and entrance to the school (if safe to do so).
7. If the decision is made to evacuate the unaffected portion of the school, accountability for all evacuated students and staff becomes a critical issue.

Remember that the job of resolving the incident belongs to the police. The IC's job is to facilitate their efforts.

Teacher/Staff Responsibilities

1. If directly involved, follow the instructions of the intruder. Don't argue or fight.
2. Attempt to summon help if it can be accomplished without placing yourself or others in further danger.
3. Await the arrival of the police.
4. Remember, time is on your side. Don't threaten or attempt to intimidate or disarm the intruder. Keep in mind the average hostage incident lasted approximately from six (6) to eight (8) hours and the average barricade incident lasted approximately three (3) hours.
5. If students are involved as victims, attempt to keep them calm and minimize their involvement with the intruder.
6. If not directly involved, follow instructions quickly and without comment.
7. When notified of the Lock-Down – NO TEAM RESPONSE, follow established procedures.
 - a. Lock Doors
Door is not to be opened for anyone. All doors will remain locked until the "all clear" code or until law enforcement or school officials gain access to classrooms and other areas using master keys.
 - b. Direct students to Duck, Cover, and Hold On in the safest place possible.
8. Be able to account for all students under your control.
9. Be prepared to evacuate if directed to do so by Police or IC. Follow evacuation procedures – be prepared for a controlled evacuation.

Kidnapping or Missing Student

General Procedures

1. Upon discovering that a child is missing or abducted, immediately inform school administration. Obtain a detailed description of the abductor, including physical appearance, type and color of clothing, and make, model, color and license number of any vehicle used in the abduction. Also obtain a detailed description of clothing worn, time, and location when the child was last seen.
2. Treat custody dispute cases as possible kidnapping situations.
3. Consider generating an informational flyer to parents about the dangers of abduction, especially if the incident took place en route to school.
4. Consider increasing security at school.

IC Responsibilities

Abduction

1. Call 911 and advise of the abduction.
2. Provide the 911 operator with a description of the vehicle with license plate number, if known.
3. Notify custodial parents.
4. Provide support services as needed.
5. If this abduction was witnessed by other students, notify their parents, as the children will be upset.
6. Brief SERT on the situation and arrange for counseling for the next day.

Missing Student

1. Conduct an immediate search of school and school grounds. The extent of the search will depend upon the age, emotional stability, and past history of the student.
2. Call 911 and parents of the missing student.
3. Check the student's locker and desk for any indication of why the incident occurred.
4. Interview student's friends for information.
5. Contact students' teacher(s).

Teacher/Staff Responsibilities

Abduction

1. If abduction occurs while class is in session, attempt to persuade the abductor not to commit the act.
2. If unsuccessful in persuading the adult not to carry out the abduction, do not place yourself or other children in harm's way.
3. Immediately notify the office and provide as many details as possible.
4. Maintain control of remaining students.

Missing Student

1. Immediately notify the office when advised that a student is missing.
2. Assist IC with questioning of friends and fellow classmates as to why the student is missing.
3. Maintain control of remaining students.

Motor Vehicle Crash

This procedure addresses situations involving a motor vehicle crash on or immediately adjacent to school property. If a crash results in a fuel or chemical spill on school property, refer to Pages 103-109: Biochemical or Chemical Release.

General Procedures

1. Based on the location and extent of the crash, the IC will declare a Lock Down – Response or evacuation.
2. If an evacuation is declared, students and staff will follow standard evacuation procedures. IC will determine the safest location for the evacuation site.
3. Call 911.
4. The IC will direct members of the School Emergency Response Team (search & rescue) will secure the area surrounding the crash to prevent unauthorized access, until the police arrive.
5. The IC will direct the search & rescue team to perform fire suppression activities, if necessary, until the fire department arrives.
6. The IC will direct the first aid team to check for injuries and provide appropriate first aid.

Police Activity in the Neighborhood

Police activity in the neighborhood might be an incident or situation of criminal nature occurring in the vicinity of or on the school site, which constitutes a clear and present danger to the welfare of the students and staff. Such occurrences might include police stakeouts, pursuit of suspected criminals, SWAT situations, gang disturbances, intruder or hostage situations, civil unrest, etc.

General Procedures

- Stay calm
- Move away from the threat and notify the IC
- Account for all students in your charge

IC

- Issue a Lock Down- Team Response (or a Lock Down – No Team Response if your campus has open hallways)
- Notify 911
- Secure the building
- Take attendance
- Students and staff will remain indoors until the All Clear signal is given.
- Be prepared to keep students at school until police have cleared the area.

If a suspect is encountered (whether in possession of a weapon or not), move in a non-threatening manner and direct students (if applicable) away from the direct view or contact by suspect.

If the assailant is in possession of a weapon, DROP, COVER, and HOLD ON. If you have students with you, first direct the students to do the same.

If the situation permits, make note of as many details as possible such as:

VEHICLE

- License plate number
- Type of vehicle
- Color of vehicle
- Damage to vehicle
- Occupants (number and ethnicity)
- Weapons (type and number)

PERSON

- Height
- Weight
- Color of hair
- Clothing (type and color)
- Weapons (type)
- Ethnicity

In the event gunfire is heard, everyone should be instructed to lie flat on the ground.

Severe Weather

In the event of a severe weather situation such as heavy rain, lightning, wind, or hail the IC will determine which action, if any, should be implemented. When necessary, the staff will take immediate action for the safety of the students without waiting for directions.

General Procedures

1. Provide care for students at the site.
2. Listen to weather updates and stay informed.
3. Keep away from windows and doors.
4. Evacuate the buildings and move to a safe location if necessary.
5. Evacuate the site to another facility if necessary.
6. Being student release procedures at the direction of the IC.
7. Upon official request, the site or portions thereof will be converted to a mass care shelter.

Flood/Mudslide/Flash Flood

Los Angeles County contains some of the steepest and most erosive mountains in the world, the San Gabriel's, with elevations reaching 10,000 feet above sea level. Below steeply walled canyons lie large coastal plains with a high population density. When heavy rains come, there is a significant potential for floods and mudslides.

In 1914, when the population of the Los Angeles Basin was about 700,000, a four-day storm produced more than 19 inches of rain in the San Gabriel Mountains, resulting in floods causing \$10 million in damage.

Floods in 1938 caused \$70 million in damage in Southern California, and in 1969 floods caused \$400 million in damage and 60 deaths.

In the 1990s, serious flooding happened in 1992, '93, '95 and '08.

The predicted extent of the flood and the amount of time available before it arrives will determine the course of action to be taken. The IC may initiate many of the emergency actions considered necessary. The greatest danger of flooding is from a flash flood.

General Procedures

1. Call 911.
2. The IC will keep a battery-powered radio turned to a local radio station for information.
3. Determine appropriate response signal (Lock Down – Response or Evacuation).

Hurricanes

Definition: hurricanes are severe tropical storms that spiral around a calm center known as the eye. Wind speeds range from 74 miles per hour to a high of 220 miles per hour. Hurricanes may be accompanied by other severe storm hazards such as lightning, tornadoes, and flooding.

Hurricane Advisory – tells where the storm is located, the intensity of wind speeds, and the direction of movement.

Hurricane Watch – is issued for an area when there is a threat of hurricane conditions within 24 to 36 hours.

Hurricane Warning – is issued when hurricane conditions are expected in a specific area in 24 hours or less.

Lightning

Definition: lightning is produced in all thunderstorms. In general, if you are close enough to a storm to hear thunder, you are close enough to be struck.

1. Move inside as quickly as possible
2. If a building is not available move into a car with windows rolled up
3. If outside – spread out, keep several yards apart from each other

Severe Winds/Tornadoes

Definition: Tornadoes are extremely violent localized windstorms. A tornado is characterized by a funnel cloud that reaches to the ground with wind velocity inside the funnel as high as 200 miles per hour. Tornadoes are usually part of a severe thunderstorm and may be accompanied by lightning, high winds, floods, and flash floods from extremely heavy rainfall.

Tornado Watch – indicates that conditions are right for a tornado to develop and that the sky should be watched.

Tornado Warning – indicates a tornado has been sighted or is spotted on radar.

Warning of hurricane/severe wind/tornado will come from local authorities. If high winds develop during normal hours of operation, the following emergency actions should be taken:

1. If outside, proceed with caution to the nearest building, if time permits. If time doesn't permit, lie flat on ground, preferably in a ditch or culvert if nearby.
2. Students and staff should be assembled inside buildings; avoid auditoriums, gymnasiums, and other structures with large roof spans.
3. Implement Duck, Cover, and Hold On if necessary.
4. Close windows and blinds.
5. Move away from windows and remain near an inside wall on lower floors if possible.
6. Relocate students from classrooms bearing full force winds.
7. Have maintenance staff shut off gas and electrical power.

Sex Offense

All sex offenses, whether committed by or against a minor, are extremely serious and must be dealt with by school staff in an appropriate manner. The offenses may take the form of rape (consensual or not), indecent liberties, exposing, etc. When any of these or similar offenses occur or are suspected, the following procedures must be followed:

1. Regardless of when or where a sex offense occurred, the employee receiving the complaint must report to his or her principal/supervisor immediately.
 - a. If the victim is a student, also notify the ICPS, and the local police department.
2. The school principal/supervisor will notify the student/victim's parent or guardian, if appropriate, only after consulting with police or ICPS.
3. The school principal/supervisor will consider contacting the Police Department and/or Integrated Child Protective Services as well as notifying the victim and/or the family of available services, including immediate counseling, ongoing support, medical and legal advocacy, and a 24-hour crisis phone (858.560.2191).

If law enforcement is involved the crisis counseling can be done at the police station, the school site or the medical facility. Counseling services will be provided while a medical exam is being conducted.
4. If, after thorough investigation, the alleged perpetrator is identified as a student, the principal/supervisor will initiate appropriate corrective action and notify that student's parent/guardian of the incident.

NOTE: All alleged sex offenses should be treated as a crime and reported to the authorities immediately. It is **not** the school's responsibility to determine if a crime took place – leave that to the authorities. The school should not conduct internal investigations on alleged sexual offenses before determining if a call to the authorities is warranted.

Spilled Bodily Fluids

General Procedures

1. Contact the main office and locate a custodian for clean up.
2. Assess the need for medical help for the victim.
3. Wear disposable gloves and avoid getting spilled body fluids in your eyes, mouth, or open sores when assisting the victim.
4. After providing assistance to the victim, be sure to wash hands and arms with soap and water when gloves are removed.
5. If any students have been exposed to the victim's bodily fluids, send them to the school nurse for examination and care. Notify parent and request they bring clean clothes and make a medical follow up appointment.
6. The custodial staff should take special care in cleaning the body fluid spill. Use a germicidal disinfectant.
7. Place contaminated fluids and clean-up materials in plastic bags, seal bags or tie and place in a plastic-lined garbage container specially labeled for biohazard precautions.

Body Fluids Cleanup Kit

Kits for cleaning up body fluids should be provided for each classroom, office, school bus, and other locations as requested. Use the disposable gloves and absorbent wipes to clean up the material, and then dispose of the wipes in the zip lock bag. Disinfectant is also provided to spray on the contaminated area. Wash your hands thoroughly when the area has been cleaned. In addition to the lightweight gloves provided in the kits, heavier disposable gloves are provided for first aid, and reusable gloves are provided for custodians.

Bloodborne Pathogen Cleanup Kit

Kits are provided for the protection of all staff and students of our school. The following is a list of supplies and procedures for the use of our Bloodborne Pathogen Cleanup Kits:

Supply Items:

- Instruction sheet for body fluid spill cleanup
- 1 quart Rubbermaid bowl and lid
- 2 pairs latex rubber gloves
- 2 large disposable towels
- 1 ½ gallon zip lock bag
- 1 8 oz. package of Sani-sorb bits
- 1 4 oz. Bottle of Virahol Disinfectant cleaner
- 1 large bandage

Cleanup Procedures:

10. Open the Rubbermaid bowl and put on latex gloves.
11. Open up a package of Sani-sorb bits and sprinkle the drying material over contaminated area.
12. Using the zip lock bag and using the disposable towels, pick up the dried material and put it in the zip lock bag.
13. Open the 4 oz. bottle of disinfectant and pour over the contaminated spot. Allow up to ten (10) minutes for disinfectant to work on sanitizing the area; then blot up the residue with the other disposable cloth and put the fluids and cleanup materials into the zip lock bag.
14. Dispose of the zip lock bag in our large outside trash container, not in room wastebaskets.
15. Replenish the kit.
16. Leave work orders for custodial staff to shampoo areas of contamination.

Student With a Gun

General Procedures

NOTE: IF THE STUDENT IS DISPLAYING A GUN IN A MENACING MANNER, TREAT THE INCIDENT AS A HOSTAGE/ARMED INTRUDER EVENT (Lock Down – No Response).

IN ALL OTHER SITUATIONS:

1. Notify the IC.
2. Assess information
3. Keep calm until assistance arrives.
4. Contact parents of the student(s) in possession of a weapon (or toy replica, including bb-guns, lighters in the form of a gun).

IC Responsibilities

1. Call 911
2. Respond to the scene and make an assessment of the situation. If the use of the weapon is not being threatened, time is on the IC's side.
3. Attempt to isolate the student. If this cannot be accomplished under existing conditions (i.e. student is in a place surrounded by other students), keep the student under surveillance until he or she can be safely isolated.
4. Wait for the police officer(s) to conduct a search.
5. Turn all weapons over to the police.

Teacher/Staff Considerations

1. Upon being made aware of the presence of a gun in school, notify the IC.
2. Under no conditions should a teacher or staff member attempt to confront or to disarm the student.
3. As long as the gun is not being displayed and no one is being threatened, time is on the teacher's side.
4. If this event is occurring in a classroom, and time permits (at least ten minutes before classes change), send a message to the teacher next door.
5. Meet the responding administrator at the door and advise him or her who the student is, where seated, and current behavior of the student.
6. If there is less than ten minutes before classes change, wait until just before the bell is to ring and ask the student to remain in class to assist you with carrying something to the office.
7. If #6 is not successful and the bell rings to change class, immediately tell the teacher next to your classroom of the situation and follow the student to their next class.

Procedures for Dealing with Intelligence Regarding Weapons

Student has a Weapon, not on their Person, such as a locker or an empty classroom.

1. Isolate the area.
 - a. Remove all students and non-essential adults from the area to be searched.
 - b. Post individuals at the perimeter of the area – ensure no one enters the area while the search is being conducted.
 - c. Shut off the bell system. Alert staff that the class schedule may be adjusted and to wait for further instructions.
2. Identify two individuals to conduct the search: one to perform the search and the other as a witness. One of these individuals should be an administrator when possible.
3. If a hand-held scanner is available, run the scanner over the student's possessions.
 - a. If the scanner is activated, carefully conduct a pat down search of the belongings.
 - b. Safely secure all weapons and contraband found.
 - c. Contact the Police and/or School Resource Officer and turn over ALL weapons.
4. If a hand-held scanner is not available proceed with a pat-down search and follow steps b and c.

Student has a Weapon on their person (intelligence – weapon has not been confirmed).

IC Responsibilities

1. Call 911.
2. Attempt to isolate the student. If this cannot be accomplished under existing conditions (i.e. student is in a place surrounded by other students), keep the student under surveillance until he or she can be safely isolated.
3. Wait for the police officer(s) to conduct a search.
4. Turn all weapons over to the police.

Suicide or Suicide Threat or Attempt

General Procedures

1. Always assume the victim is alive!
2. Administer emergency first aid.
3. Notify the IC.
4. Stay with the victim until help arrives.
5. Limit access to the immediate area until police arrive (treat as a crime scene).
6. Prepare an informational flier for parents of the students in the victim's class.
7. Notify the Crisis Response Team and/or mental health service provider (Los Angeles County Department of Mental Health or contracted service provider).

IC Responsibilities

Actual

1. Assess the situation.
2. Call 911
3. Declare a Lock Down-Response.
4. Direct that appropriate notifications are made.
5. Isolate all witnesses; if they are students, notify their parents.
6. Direct that personal property of the victim is secured. This includes items in the classroom and in the locker.
7. If the victim has siblings in your school, bring them to a secure area until their parents arrive at the school.
8. If a victim has siblings in other area schools notify their administrators.
9. Be prepared to deal with the media.
10. Arrange for counselors for students and staff.
11. Make contact with parents of deceased students.

Attempted

1. Assess the situation.
2. Direct that appropriate notifications be made.
3. If required, call 911.
4. Deal with siblings as set forth above.
5. If Lock-Down was not called, hold an emergency staff meeting at close of school to brief staff.
6. Arrange for additional counselors if needed.

Teacher/Staff Responsibilities

Actual/Attempted

1. Immediately notify the IC.
2. Administer first aid/CPR (if knowledgeable).
3. Secure the area until an administrator arrives on the scene.
4. Once relieved, the teacher responds to his or her classroom and maintains order.

Rumors

1. Treat all verbal and written threats as a serious matter.
2. Immediately notify the IC about the information.
3. Assist in the evaluation of the threat with other staff.

Terrorist Acts

Definition: Terrorism is the unlawful use of force or violence against persons or property to intimidate or coerce a government, the civilian population, or any segment thereof, in furtherance of political or social objectives.

Terrorism targets often include government and military facilities, infrastructures, businesses with symbolic value, religious institutions and public assemblies. Common terrorist attacks include, but are not limited to: bombs/explosives; malicious destruction of property; sabotage; arson; shootings; and the use or threatened use of chemical, biological or radiological agents.

In the event that any of the aforementioned occurs, immediately follow a specific emergency response. Example: bomb or suspicious device found – follow protocols for bombs and suspicious device.

Warning, Intelligence or Suspicion

In the event there is a general warning of the possibility of a terrorist act occurring within the confines of Los Angeles County, in conjunction with Administrators, Los Angeles Police Department and Los Angeles Emergency Management Agency, heighten security policies throughout the school, to include (but not limited to):

- Report suspicious personnel, vehicles or packages. Pay particular attention to school buses.
 - Confirm the identity of all bus drivers. If you are unfamiliar with the driver – contact the bus company.
 - Report all unscheduled buses on or near school property.
- Secure unused buildings or portions thereof
- Ensure positive identification and accountability for visitors
- Increase liaison with police – advise and update staff and students
- Increase patrols (perimeter and interior)
- Control and limit access to the building
- Cancel or suspend extra-curricular activities
- Inspect all buses used to transport students

Threat of Violence

This procedure should be followed if site personnel receive a threat that may target an individual, a particular group or the entire school community. Such threats may be received by written note, e-mail communication, web posting or phone call. The School Administrator should ensure that all threats are properly assessed and addressed.

General Procedures

1. The School Administration will identify the type of threat and attempt to determine the individual(s) making the threat.
2. The School Threat Assessment Team and/or Leadership Team will conduct the threat assessment utilizing the risk analysis form. A police officer should be included in the assessment.
3. The assessment team will assess the warning signs, risk factors, stabilizing factors, and potential precipitating events to arrive at a categorical description of the risk for a particular point in time. There are five categories of risk as described by the Los Angeles Police Department:
Category 1: High violence potential; qualifies for arrest or hospitalization
Category 2: High violence potential; does not qualify for arrest or hospitalization
Category 3: Insufficient evidence for violence potential; sufficient evidence for the repetitive/intentional infliction of emotional distress upon others.
Category 4: Insufficient evidence for violence potential; sufficient evidence for the unintentional infliction of emotional distress upon others.
Category 5: Insufficient evidence for violence potential; insufficient evidence for emotional distress upon others.
4. In categorizing the risk, the assessment team will attempt to answer two questions: (1) Is the individual moving on a path towards violent action? (2) Is there evidence to suggest movement from thought to action?
5. The assessment team will assess the warning signs by evaluating the associated oral, written or electronic threatening communications.
6. The assessment team will recommend appropriate action to the School Administrator.
7. As soon as the physical safety of those involved has been insured, attention will turn to meeting the emotional and psychological needs of students and staff. Crisis intervention may be necessary and appropriate.

Trespasser in Building

General Procedures

1. If the unauthorized visitor remains on the school property, notify the police or IC of the situation and implement Lock-Down procedures.
2. If the trespasser refuses to register in the office and flees the scene, obtain an accurate description and inform the office.
3. Should a staff member observe a trespasser on school property; treat them as if they are simply a visitor who has failed to register in the office and kindly invite them to do so. *NOTE: If a staff member is uncomfortable approaching a trespasser, notify the office immediately of their presence.*
4. Teachers should recall students in halls, lock doors, and remain with their classes at all times.
5. When the trespasser has registered in the office, has fled or been escorted from the scene, make a P.A. announcement that the Lock-Down situation has ended, by announcing an 'all clear'.
6. Prepare for possible media coverage.
7. Consider formulating an informational flier for parents.

Tsunami

General Description

A Tsunami is a series of traveling ocean waves of extremely long length generated by disturbances associated with earthquakes occurring below or near the ocean floor. There are two sources of tsunamis: remote and local. Remote tsunamis have been the most frequent to hit California and are generated by earthquakes off the coasts of Japan, Alaska, Hawaii, and Chile.

The most significant remote tsunami to hit southern California was in 1960, when an 8.6 magnitude earthquake off the coast of Chile generated a tsunami resulting in 4 ½ foot waves at Santa Monica and Port Hueneme, and caused major damage to the Los Angeles and Long Beach harbors.

Local tsunamis are generated off the coast of Southern California. Since 1800, only four locally generated tsunamis have been observed. The most significant was in 1812 in Santa Barbara and Ventura County. Waves were reported at 6 to 10 feet high, and several small buildings were damaged and many ships were destroyed.

General Procedures

1. If you feel an earthquake, Drop, Cover, and Hold On until the shaking stops. Estimate how long the shaking lasted. If severe shaking lasted 20 seconds or more, immediately evacuate to high ground as a tsunami might have been generated by the earthquake.
2. Call 911.
3. The IC will keep a battery-powered radio turned to a local radio station or a NOAA Weather Radio for information.
4. The IC will determine the appropriate response (Lock Down – Team Response or Evacuation). Follow procedures for response action orders.
5. Do not leave the sheltered location or return to the evacuated area until it is deemed safe to do so by local officials.

Utility Loss or Failure

This procedure addresses situations involving a loss of water, power or other utility on school grounds. This procedure should also be used in the event of the discovery of a gas leak, an exposed electrical line, or a break in sewer lines.

General Procedures

1. Communicate with school administration when a power failure or loss of utilities in any part of the school building occurs.
2. Call 911 and provide them with the location and nature of the emergency.
3. Inform the custodial staff of the situation.
4. Check elevators affected by the outage for stranded occupants. If there are stranded elevator passengers, a staff member should be assigned to stand outside on the nearest floor to facilitate communication with the person(s) inside.
5. Locate flashlights with batteries to use until power comes back on. Do not use candles – this can cause a fire.
6. Turn off sensitive electronic equipment such as computers, Prowise, and televisions.
7. Turn off major electric appliances that were on when the power went off. This will help to prevent power surges when electricity is restored.
8. Check the status of the fire alarm system. The system should have a secondary backup power supply and should be operating. This is important, as the cause of the electrical failure may be the result of an electrical fire condition.
9. Assess need for further assistance. Contact the appropriate utility company.
10. Consider the need for evacuation or early dismissal of the school on the basis of the time it will take to restore power to windowless areas, heat or air conditioning, meal preparation facilities, and water services.
11. Should the school be without electricity for an extended period, notify appropriate individuals/agencies.
12. As needed, school emergency supplies will be utilized to compensate for the loss of a utility.
13. If the loss of utilities may generate a risk of explosion, such as a gas leak, refer to Pages 141-144: Explosion/Risk of Explosion

Wild Fires

1. The IC will declare a Shelter-in-Place*.
2. Call 911
3. This signal activates the School Emergency Response Team. Team members are to follow their pre-assigned roles as directed by the ID.
4. If inside, teachers will keep students in the classroom until further instructions are given.
5. If outside, students will proceed to their classrooms (if safe to do so). If not, teachers or staff will direct students into nearby classrooms or school buildings (e.g., auditorium, library, cafeteria, gymnasium).
6. Upon notification from IC, teachers are to secure individual classrooms:
 - Turn off local fans
 - Close and lock doors and windows
 - Seal gaps under doors and windows with wet towels or duct tape
 - Seal vents with aluminum foil or plastic wrap, if available
7. Site Security Team will assist in completing the procedures as needed: shut down the classrooms/buildings HVAC system; turn off local fans in the area; close and lock doors and windows; seal gaps under doors and windows with wet towels or duct tape; seal vents with aluminum foil or plastic wrap, if available; and turn off sources of ignition, such as pilot lights.
8. IC will direct the Search Team collect the attendance sheets and secure the campus.
9. Community members will be invited into the school buildings for shelter. All community members invited into the school campus will be supervised by school personnel and will not be placed in the same room with students.
10. Account for all students and staff and maintain a roster of all additional adults and children who have entered the campus.
11. Be prepared to evacuate if requested to do so by local authorities.

The Recovery Phase

Plan Maintenance, Training and Vital Record Retention

School Emergency Operations Plan Maintenance

New Hope Elementary School District's School Emergency Operations Plan is designed for efficient updates and additions. The responsibility of maintaining the document is assigned to the Principal.

The Principal will conduct a thorough review of the plan annually:

Updates shall be distributed every year as needed or when there are significant changes.

This Plan is a management tool. The Sections of the Plan can be easily updated with minor modifications when there are changes to the school organization, systems, and/or new functional positions are added. It does not need updating every time site procedures change.

Individuals with emergency assignments are to review their procedures and related information after activation, either simulated in drills or as an actual response. Individual Checklists are revised as needed. Additionally, individual users are encouraged to add supplemental materials to their Sections for a complete "response ready" Plan.

The Checklists are designed to be used as worksheets. New and revised Checklists can be reprinted after activation. If additional pages are added and the school does not wish to renumber the entire Section, new pages can include the letters A, B, C, etc., respectively after the last page of the Checklists and inserted into an existing document.

It is not necessary to reprint the entire document each time it is updated. The footer date should always be kept current and can include the word "Revised" to indicate the update.

Training Program

This Plan is consistent with the National Incident Management System (NIMS) and the Standardized Emergency Management System (SEMS) guidelines. The guidelines provide standardized training modules with competency requirements for each level of activation and responsibility. At a minimum, the following training program is recommended:

Orientation

All Newhope Elementary School District employees will attend a Plan review and orientation training either as a facilitated class or as computer-based training through the District's website.

Training

The Principal and staff with emergency assignments in the Command Post should attend periodic special management Table Top Training in order to become familiar with the applied theory of the Incident Command System and functional management coordination.

School Site Requirements

“What If?” Scenarios

New Hope Elementary school will incorporate two “What If?” scenario discussions annually.

Table Top Exercise

New Hope Elementary school will conduct one tabletop exercise annually.

Emergency Drills

New Hope Elementary school will conduct a minimum of eight (8) drills a year. Such drills will include: Fire, Lockdown/Active Shooter, Earthquake, and Shelter in Place.

Vital Record Retention

New Hope Elementary School District’s Technology Department is responsible for protecting vital records, and the maintenance of the back-up system, and archiving schedules.

Homeland Security Advisory

Homeland Security Advisory Recommendations

(Based on American Red Cross Homeland Security Advisory American Red Cross – New Hope New Hope School District.redcross.org)

SEVERE (Red)	<ul style="list-style-type: none"> ● <i>Complete all recommended actions at lower levels.</i> ● Listen to radio and TV for current information and instructions ● Be alert and immediately report suspicious activity to Police 911 ● Close school if recommended to do so by appropriate authorities ● 100% identification check (i.e. driver’s license retained at front office) and escort anyone entering school other than students, staff, and faculty. ● Offer lessons from Masters of Disaster “<i>Facing Fear: Helping Young People Deal with Terrorism and Tragic Events</i>” curriculum. ● Ensure School Emergency Response Team members are available for students, staff and faculty.
HIGH (Orange)	<ul style="list-style-type: none"> ● <i>Complete all recommended actions at lower levels.</i> ● Be alert and immediately report suspicious activity to Police 911 ● Review emergency procedures and supplies ● Offer lessons from Masters of Disaster “<i>Facing Fear: Helping Young People Deal with Terrorism and Tragic Events</i>” curriculum. ● Discuss children’s fears concerning possible terrorist attacks in consultation with School Emergency Response Team. ● Prepare to handle inquiries from anxious parents and media.
ELEVATED (Yellow)	<ul style="list-style-type: none"> ● <i>Complete all recommended actions at lower levels.</i> ● Be alert and immediately report suspicious activity to Police 911 ● Ensure all emergency supplies are stocked and ready ● Distribute copies of <i>Terrorism: Preparing for the Unexpected</i> to students, staff and parents.
GUARDED (Blue)	<ul style="list-style-type: none"> ● <i>Complete all recommended actions at lower levels.</i> ● Be alert and immediately report suspicious activity to Police 911 ● Provide safety training to staff and practice emergency drills ● Review emergency supplies and supplement as necessary
LOW (Green)	<ul style="list-style-type: none"> ● Ensure School Emergency Operations Plan is current with team members and emergency telephone numbers ● Offer American Red Cross “Masters of Disaster” curriculum on emergency preparedness for natural disasters. ● Ensure selected staff members are trained on first aid and CPR.

Master of Disaster Lesson Plans can be found at <http://redcross.org/disaster/masters/>

Terms and Acronyms

Terms and Acronyms

All Clear: Verbal Command that signals the end of evacuation when conditions are acceptable for reentry of buildings, or that the crisis has ended.

Assembly Areas: Designated meeting areas for students, employees, and visitors during emergency evacuation of all school buildings.

Drop Cover, and Hold On: Shelter position under tables or desks or other protected places away from overhead fixtures, windows, high cabinets, and bookcases, for immediate individual protection during an emergency.

Emergency Evacuation Plan: Official procedures for evacuation of all effected students, employees, and visitors to the school buildings upon order of the Principal and/or upon building alarm system activation, in the event of an emergency.

Fire Alarm: Intermittent audio alarms that signals evacuation of buildings.

Mitigation Phase: Phase of emergency management for site-specific action to minimize hazards and reduce the potential for injury or damage in an emergency.

Preparation (Preparedness) Phase: Phase of emergency management for employee in-service training in emergency responsibilities, such as prevention of injuries and property damage, first-aid and other response and rescue operations, and for acquisition of adequate supplies and equipment required to respond to an emergency.

Recovery Phase: Phase of emergency management for the initiation of short-range and long-range recovery plans at each affected site to return to normal operations following an emergency.

Response Phase: Phase of emergency management in which all employees take appropriate steps in an emergency situation to put the emergency plan into action.

School Emergency Response Team: Employee group assigned to perform a specific emergency function, such as Communications, Medical, Safety and Security, or Search and Rescue.

School Emergency Operations Plan: Plan to protect the safety and welfare of students, employees and visitors in the offices, schools, and programs operated by the school and to assure the continued operation of the essential services of the school during a period of emergency.

Site Coordinator: One person per building who functions as liaison between the command site and work site during an emergency.

Acronyms

<u>ATF:</u>	Bureau of Alcohol, Tobacco, Firearms and Explosives
<u>ARC:</u>	American Red Cross
<u>BT:</u>	Bioterrorism
<u>CDC:</u>	Center for Disease Control
<u>CP:</u>	Command Post
<u>CT:</u>	Chemical Terrorism
<u>DMH:</u>	Department of Mental Health (Los Angeles County)
<u>DOH:</u>	Department of Health (Los Angeles County)
<u>DSR:</u>	Damage Survey Report
<u>EMA:</u>	Emergency Management Agency
<u>EOC:</u>	Emergency Operations Center
<u>FEMA:</u>	Federal Emergency Management Agency
<u>IC:</u>	Incident Commander
<u>ICP:</u>	Incident Command Post
<u>ICS:</u>	Incident Command System
<u>MACS:</u>	Multi-Agency Coordination System
<u>NIMS:</u>	National Incident Management System
<u>OES:</u>	Office of Emergency Services (California)
<u>PIO:</u>	Public Information Officer
<u>SEMS:</u>	Standardized Emergency Management System
<u>SERP:</u>	School Emergency Operations Plan
<u>SERT:</u>	School Emergency Response Team
<u>SOP:</u>	Standard Operating Procedure
<u>SVA:</u>	Security and Vulnerability Assessment

Sample Parent Letters

Emergency Preparedness
New Hope Elementary School

(date)

Dear Parents:

Should an emergency or disaster situation ever arise in our area while school is in session, we want you to be aware that the school has made preparations to respond effectively to such situations. In fact, public schools in Newhope Elementary are built to meet stringent construction standards and they may be safer than your own home in the event of a disaster.

Should we have a major disaster during school hours, your student(s) will be cared for at the school. Our school has a detailed emergency plan, which has been formulated to respond to a major catastrophe.

Your cooperation is necessary in any emergency.

1. Do not telephone the school. Telephone lines may be needed for emergency communication.
2. In the event of a serious emergency, students will be kept at school until they are picked up by an identified, responsible adult who has been identified as such on the school emergency card, which is required to be filled out by parents at the beginning of every school year. Please be sure to consider the following criteria when you authorize another person to pick up your child at school:
 - He/she is 18 years of age or older.
 - He/she is usually home during the day.
 - He/she could walk to school if necessary.
 - He/she is known to your child.
 - He/she is both aware and able to assume this responsibility.
3. Turn your radio to (insert stations) for emergency announcements. If students are to be kept at school, radio stations will be notified.
4. Impress upon your children the need for them to follow the directions of any school personnel in times of an emergency.

Students will be released only to parents or persons identified on the School Emergency Card. During an extreme emergency, students will be released at designated reunion gates/entrances located on school campuses. Parents should become familiar with the School Emergency Operations Plan and be patient and understanding with the student release process. Please instruct your student to remain at school until you or a designee arrives. Because local telephone service may be disrupted, including an out-of-state contact on the emergency card, as calls may still be made out of the area while incoming calls are affected.

The decision to keep students at school will be based upon whether or not streets in the area are open. If this occurs, radio stations will be notified. In the event that a natural disaster or crisis occurs at school or takes place during the time that students are being transported, students will be kept on the bus and the driver will ask for assistance through radio contact with the school. Any child who is home waiting for the bus will not be picked up (if roads are impassable) and remains the responsibility of the parent or guardian. In the event a natural disaster occurs in the afternoon, the driver will make every attempt to

continue delivering the students to their homes. Should road conditions prevent the driver from delivering students to home or to school in the morning, the students will be delivered to the nearest school site and that school will communicate with the home school to inform them of the students' whereabouts.

Insert information regarding lock-down

Please discuss these matters with your immediate family. Planning ahead will help alleviate concern during emergencies.

Sincerely,

[Clint Johnson](#)

Superintendent/Principal

Emergency Drills

Dear Parent or Guardian:

New Hope Elementary School will be participating in an earthquake (or other type of emergency) drill on _____ at _____.

This drill will simulate an earthquake in the Southern California area. Schools have been built to strict building standards and they are considered the safest buildings in the community.

The students and staff will implement the School Emergency Operations Plan during the drill. The goals of the drill are to identify our ability to save lives, reduce injuries, and protect property. You are encouraged to participate in this drill. On this day your child will be dismissed at the regular dismissal time.

Prior to the drill, please talk with your family about your own home preparedness plan. Several resources are available to help you prepare at home. The American Red Cross has outstanding materials, and your own telephone directory has valuable emergency information as well. Both resources cover CPR and home preparedness.

Should you have any questions regarding this drill, please contact me directly at _____. We appreciate your concern and will be pleased to answer your questions and address your concerns.

Sincerely,

Clint Johnson
Superintendent/Principal
(209) 794-2376

Sample Disaster Volunteer Program Notice

In the event of a major emergency occurring during the normal school day, your local elementary, middle, or high school will need the assistance of its neighbors. Supplies will be needed to provide for the children, and volunteers will be needed to assist with clean up and the care and shelter of the children until they are picked up by a designated family member or friend.

If you wish to be a volunteer at your local school campus after an emergency, you must register with the school.

After you have registered, you will receive a photo ID. Your skills inventory will be sent to the local school. That school will welcome you on campus after a disaster and have a task ready for you to complete. You may also be asked to participate in emergency drills.

Back-To-School Safety Reminders

With the new school year beginning it is important for students and the public to remember they need to exercise additional caution on or around school campuses. To ensure maximum safety of all students we suggest students and parents abide by the following guidelines set by the National Safe Kids Campaign.

Walking to School

Pedestrian injuries are the second leading cause of unintentional injury-related deaths among children ages 5-14. To avoid an injury, parents should:

- Never let a child under age 10 cross the street alone.
- Choose the safest route between home and school and practice walking it with children until they can demonstrate traffic safety awareness.
- Make sure children use the same route every day and teach them to avoid shortcuts.
- Teach children to recognize and obey traffic signals and pavement markings. A flashing “walk” signal at a crosswalk does not mean it is safe to cross. Children should know they must still look both ways for traffic before proceeding.
- Teach children to cross streets only in crosswalks and to walk – not run – across intersections.
- Emphasize to children that they should never enter streets between parked cars or from behind shrubbery. Such darting between objects results in the majority of child pedestrian deaths.
- Remind children not to speak to strangers (someone they don’t know). If a stranger approaches a student, they should tell their parents or a teacher.

Riding Bicycles

Bicycle riding is a favorite mode of transportation for children, but it can often be dangerous – bicycles are associated with more childhood injuries than any other consumer product except the car. To make sure children are safe when riding bicycles to school, parents should:

- Check with the school principal to make sure children are allowed to ride their bicycles to school, as some schools do not allow it.
- Make sure children wear their bicycle helmets at all times while on their bicycle. Head injury is the leading cause of death in bicycle accidents. Studies say helmets can reduce the risk of head injury by as much as 85 percent.
- Teach children to obey the rules of the road. They should know that the same rules that apply to other vehicles apply to them also. Bicycle riders should be on the right-hand side of the road, and should travel in the same direction as other traffic. They should also know and use appropriate hand signals.
- Choose the safest route between home and school and practice it with children until they can demonstrate traffic safety awareness.

Driving

Motor vehicle accidents are the leading cause of unintentional injury-related deaths among children age 14 and under, according to the National Safe Kids Campaign. Some 75 percent of these accidents occur within 25 miles of home, and 60 percent take place on roads with posted speed limits of 40 mph or less. Important safety guidelines parents should follow are:

- Always use child safety seats and/or safety belts correctly when driving or riding in a car.
- Drop children off as close to school as possible so they do not have to cross streets. Make sure children enter and leave the car on its curbside.
- Use the school's designated student drop-off and pick-up zone.

It is important for parents to remember to always set a good example for children, whether walking, riding or driving.

DEATH NOTIFICATION

The difficult task of delivering death notifications is the responsibility of the law enforcement personnel. They have the training and resources necessary in carrying out such a notification.

In the event a victim survivor comes into contact with school personnel prior to law enforcement providing notification, escorting the family to a private, comfortable setting until law enforcement personnel arrive, but defer giving out information.

Sample Statement

Initial Announcement

Date:

To: Student and Staff

From: Clint Johnson, Superintendent/Principal

Subject: (Student/Staff Member Death of Serious Injury)

We have just learned of a tragedy involving a member(s) of our school. I regret to announce that _____ has died/been in a serious accident. As soon as we have more details, we will pass the information on to you.

I will be contacting the family to offer our support. You will be informed as to what the family may need/have planned and how/what you might do to comfort them.

This is a very difficult time for all of us so it is important that everyone stays in their classes and adheres to their regular schedules.

Our Crisis Assistance Team is on campus to help students, staff and parents who may need support in dealing with this situation. Your teachers will advise you of the location and times available for this support. Our counseling is located in Room _____ beginning ___(time) through _____(time).

Remember we will give you additional information as soon as it is available.

Sample Faculty Memo

Date:

To: Faculty and Staff

From: Clint Johnson, Superintendent/Principal

Subject: Accident on Campus

We had a tragic accidental death of a student in one of our third grade classrooms this morning. You may have heard the commotion and seen emergency personnel enter the building.

The children may be anxious and upset. Please advise them there has been an accident and the police and fireman are here to help. Encourage them to express their fears and scary feelings. The sirens and ambulances may remind them of accidents in their neighborhood or home. Reassure them that there is no danger to them – they are safe.

Please do not permit students to enter the north hallway. Exit the building and re-enter the west entrance to reach the cafeteria or gym. If your classroom is located in the north wing, remain in class until you are notified further.

We will give you additional information as soon as it is available.

Sample Faculty Memo

Date:

To: Faculty and Staff

From: Clint Johnson, Superintendent/Principal

Subject: Death of a Staff Member

You may be aware that one of our teachers _____ died last night at 10:30 p.m. He/She collapsed at his/her home. The paramedics were called and he/she was transported to _____ hospital. He/she was unconscious and did not recover. The doctors assume it was a heart attack but the final 'cause of death' ruling is pending.

This is such a sad situation. It is difficult to lose a friend, colleague, and teacher who has been at _____ school for over _____ years. Thank you for being supportive and caring with each other at this difficult time.

Please advise your student so they will hear the sad news from you and hopefully prevent the spread of rumors.

The Crisis Assistance Team is available to all adults in the _____ and for students in the _____. Please send students needing assistance to the _____ with a pass.

If you would like a Crisis Assistance Team member to discuss the situation with your class, call the office and help will be there immediately. If any faculty or staff member needs assistance during class time, arrangements will be made to cover your class in your absence.

Information concerning services is pending and will be provided to you as soon as it is made available.

Sample Faculty Memo

Date:

To: Faculty and Staff

From: Clint Johnson, Superintendent/Principal

Subject: Student Death

On Tuesday, May 7th, one of our students, _____ was killed at an intersection near school. Apparently a car drove through a stop sign and hit _____ in the crosswalk. He/she was taken to _____ hospital where he/she died at 5:46 p.m.

The driver did not originally stop, but later returned to the scene and turned himself into the police.

Since the accident occurred near the school, a number of students witnessed the tragic event. The Crisis Assistance Team will be on campus to provide support and counseling for all students affected. Crisis team members will meet with students, in the library, to assess their needs.

Since a large number of students may be upset by this, enclosed are some special passes to be used to send students to the library.

Information regarding funeral arrangements will be provided as soon as it is made available.

Date

Dear Parents:

It is with deep sorrow that I report to you that one of our first grade students was struck and killed by a vehicle while walking to school this morning. I know you join me in extending our prayers and sympathy to the family.

A team of counselors has been made available today and will be available throughout the week to provide comfort and support to students, parents, and staff. If you would like your child to speak with a counselor regarding this tragedy, please feel free to contact the school office to let us know.

We have no further information available at this time however; we will keep you informed as information becomes available regarding services and donations to the family.

Sincerely,

Clint Johnson
Superintendent/Principal

Date

Dear Parents:

It is with deep sorrow that I report to you that one of our 3rd grade students, _____, died from a sudden illness. I know that you join me in extending our prayers and sympathy to the family.

A team of counselors has been made available today and will be available throughout the week to provide comfort and support to students, parents, and staff. If you would like your child to speak with a counselor regarding this tragedy, please feel free to contact the school office to let us know.

We have no further information available at this time; however, we will keep you informed, as information becomes available regarding services and donations to the family.

Sincerely,

Clint Johnson
Superintendent/Principal

Sample Internet Safety Letter

Dear Parents and Guardians:

The (insert school name) prides itself on providing a safe learning environment for its students. An emerging national concern is the inappropriate use of the Internet by students. This problem has the potential to be harmful, and we ask your support in assisting us with this challenge.

Across the nation, schools have seen an increase in negative student behavior as a result of messages written from home computers and posted to popular “chat rooms” or “message exchange” Web sites. Such sites as MySpace.com contain instant messaging components that allow students to chat with other students and to post statements that ordinarily would not be said in a face-to-face conversation.

The popularity of these Web sites seems to be growing. Facebook.com, Instagram, MySpace.com, for example, is said to have over 57 million members and has become one of the most popular “message exchange” sites among students nationwide.

Unfortunately, some of these Websites are being used by child predators, “cyber bullies,” and con artists. To our knowledge, there are no adults officially responsible for monitoring the content on such Web sites, and some students use the sites to participate in online bullying or to threaten harm to other students. The so-called “cyber bullies,” mostly children between the ages of 9 and 14, use the anonymity of the Web to hurt others without witnessing the consequences. Students who are bullied online sometimes do not report these occurrences for fear that they will be barred from using the Internet.

Outside of our schools, there have been instances of adults posing as youths and gaining access to student chat rooms. In some cases, these contacts have led to tragedy. Some unsuspecting students post enough personal information that predators are able to locate students’ home or school addresses, thereby becoming easy targets for predators.

The (insert school name) has blocked the use of Myspace.com and similar Web sites from our school computers. We will continue to block objectionable material, as we deem appropriate.

Parents should be aware of what their children are writing on the Internet and what others are posting in reply. Myspace.com, for example, is public domain, and anything posted there can be seen by anyone who has Internet access. Although most of what is written at Myspace.com is not immoral, offensive, or illegal, some of it is. If you choose to do so, you may investigate this site by personally going to Facebook, Myspace, etc.. (outside source). The service is free, and users may register using an e-mail address. Once you have registered, you can search by name and e-mail address to see if your child is registered. You can narrow the search results by entering the name of your city. You will be able to view the kinds of personal information, messages, diaries, and photographs that students post to this Web site.

Helpful Tips and Resources

We encourage you to talk with your son or daughter about the potential of the Internet. Ask if they have an account with Myspace.com or similar Web sites. If your child is using such a site with your permission, you may want to review his or her profile to ensure that no personal and identifiable information has been posted.

We also encourage you to establish rules and guidelines to ensure the safety of your child while on the Internet. Some Web sites offer parental or family guidance for Internet safety; for example: SafeKids.com, located at [Safe Kids Worldwide \(https://www.safekids.org/\)](https://www.safekids.org/) and Web Wise Kids, located online at, by telephone at 866-web-wise, or at [Web Wise Kids \(http://www.webwisekids.org/\)](http://www.webwisekids.org/)

The (insert school name) will continue to provide Internet security within our school. It is important that parents also monitor Internet use at home.

Thank you for your support and cooperation in keeping our students safe. If you have questions or would like more information, please feel free to contact _____.

Sincerely,

Clint Johnson
Superintendent/Principal

Four Phases of Emergency Response and Crisis Management

General Information Regarding Emergencies

Some emergencies will be preceded by a build-up or warning period, providing sufficient time to warn the population and implement mitigation measures designated to reduce loss of life and property damage. Other emergencies occur with little or no advance warning, thus requiring immediate activation of the emergency preparedness plan and commitment of resources. All employees must be prepared to respond promptly and effectively to any foreseeable emergency, including the provision and use of mutual aid.

Emergency management activities during peacetime and national security emergencies are often associated with the phases indicated below. However, not every disaster necessarily includes all indicated phases.

Mitigation Phase

Mitigation is perhaps the most important phase of emergency management. However, it is often the least used and generally the most cost effective. Mitigation is often thought of as taking actions to strengthen facilities, abatement of nearby hazards, education of parents, students and teachers, and reducing the potential damage either to structures or their contents.

While it is not possible to totally eliminate either the destructive force of a potential disaster or its effects, doing what can be done to minimize the effects may create a safer environment that will result in lower response costs, and fewer casualties.

Preparedness Phase

The preparedness phase involves activities taken in advance of an emergency. These activities develop operational capabilities and responses to a disaster. Those identified in this plan as having either a primary or support mission relative to response and recovery review Standard Operating Procedures (SOPs) or checklists detailing personnel assignments, policies, notification procedures, and resource lists. Personnel are acquainted with these SOPs and checklists and periodically are trained in activation and execution.

Response Phase

Pre-Impact: Recognition of the approach of a potential disaster where actions are taken to save lives and protect property. Warning systems may be activated and resources may be mobilized, EOCs may be activated and evacuation may begin.

Immediate Impact: Emphasis is placed on saving lives, controlling the situation, and minimizing the effects of the disaster. Command Posts and EOCs may be activated, and emergency instructions may be issued.

Sustained: As the emergency continues, assistance is provided to victims of the disaster and efforts are made to reduce secondary damage. Response support facilities may be established. The resource requirements continually change to meet the needs of the incident.

Recovery Phase

Recovery is taking all actions necessary to restore the area to pre-event conditions or better, if possible. Therefore, mitigation for future hazards plays an important part in the recovery phase for many emergencies. There is no clear time separation between response and recovery. In fact, planning for recovery should be a part of the response phase.

Four phases of Emergency Management and Crisis Response

Phase One: Prevention/Mitigation

Objective: Lessening the Probability of a crisis

- Establishing a safe learning environment for all students and staff.
- Staff development and training for all members of the school community including parents, volunteers, and neighbors.
- Collaboration with community agencies, health and social services agencies, neighbors, law enforcement, faith organizations, chamber of commerce, and political entities.
- Youth Development Programs that serve as resources to the school, students, parents, and community.
- Evidence-based model programs.
- School safety assessments by an outside agency – School Safety Plan.
- Policies and Procedures.
- Accessibility.

Phase Two: Preparing

- Give police an updated blueprint of the school for their files – update annually.
- Develop a school Emergency Response Kit.
- Adopt district School Emergency Operations Plan and update site-specific information.
- Develop School Emergency Response Team.
- Adopt district procedures related to emergency response.
- Assign roles and responsibilities to staff members.
- Practice emergency response drills.
- Develop a communication system proximal (on campus) and distal (off campus).
- Translators/Bilingual resources – parent’s unification center.
- List of Community Support Services/Resources.
- Be prepared to deal with a variety of crises (i.e.: natural disasters, riot, see EOP for complete list).
- Legal issues/confidentiality.

Phase Three: Response

- Follow procedures outlined in the School Emergency Operations Plan.

Phase Four: Recovery

- Be aware of legal issues.
- Return to school.
- Conduct an impact assessment.
- Implement the recovery plan (based on the assessment).
- Provide on-going debriefing for students, staff and parents.
- Provide for physical needs.
- Coordinate mental health services for students, staff and parents.
 - Assess psychological needs (on-going)
 - Provide safe rooms
 - Provide on-going support and debriefing as needed
 - Provide classroom activities for teacher
 - Communicate with parents
 - Be aware of connection between trauma and suicidal thoughts and actions
- Decide how to handle funerals and memorials.
- Be sure to acknowledge and thank those who assisted.
- Know and connect with resources.
- Prepare for later reactions.

School Administrator's Emergency Planning Checklist

Preparedness

- Has your school fully implemented the School Emergency Operations Plan?
- Are you, your teachers, and your staff aware of everyone's roles and responsibilities under the plan?
- Does your plan incorporate the principles of NIMS?
- Is your staff trained to perform the responsibilities under NIMS and the School Emergency Response Team?
- Have you had drills and exercises that involve the performance of NIMS and SERT responsibilities?
- Have you conducted an inventory of the kinds of skills or needs of your staff? Have you conducted training in first aid, damage assessment, search and rescue and fire suppression?
- Does your staff know the location of the main gas, electricity and water shut-off valves? How many staff have been trained to check for damage and turn them off if the need arises?
- Have you made a list and a map of the location and availability of First Aid and other emergency supplies?
- Does your school have sufficient supplies (water, food, blankets) to handle emergency periods that may last up to 24 hours?
- Is everyone aware of primary evacuation routes and alternative routes? Do you drill using all evacuation possibilities?

Mitigation

What have you done to reduce your potential losses? Which of the nonstructural hazard mitigation measures below have been completed at your school?

- Has the School Emergency Operations Plan and the performance expectation been communicated to all employees?
- Is everyone educated on how NIMS works? Do they understand the basic principles?
- Is everyone trained in how to perform the (one or two) functions they will most likely be assigned to?

The five functions of NIMS provide for the performance of many tasks. Below are some specific tasks that must be attended to:

- Do you know how to survey for damage and report your damage to the appropriate agencies?
- Does the school have an arrangement with structural engineers who will report to the school directly after a disaster to determine the damage?
- How will you determine whether total or partial evacuation is necessary?
- Have you identified an evacuation site? Is there an alternate location if you cannot use your initial site? How will students go to the alternate site?
- Do you know whether or not your school has been designated as a potential mass care shelter?
- If some students are seriously injured, do you know what you will do with them?
- Has your school established check-out procedures to be taken before a student is released to an adult?
- Have you developed emergency sanitation procedures?
- Have you identified personnel who can translate information to non-English speaking parents?

NIMS also provides for certain facilities and equipment:

- Has a primary and secondary Command Post or other central planning area been identified?
- Has the Command Post been equipped with maps of the campus, facilities and hazards in the area, an enrollment sheet for the current year, First Aid supplies, and other tools necessary to manage the emergency response activities after a disaster?
- Does your school have a back-up communications system such as a 800 megahertz or CB radio, a ham operation, or two-way radio to communicate with the Emergency Operations Center? Are a number of people trained to use this equipment?
- Does your school have an internal communication system such as walkie-talkies, megaphones, or intercom?

Recovery

- Identify record keeping requirements and sources of financial aid for disaster relief?
- Establish absentee policies for teachers/students after a disaster?
- Establish an agreement with mental health organizations to provide counseling to students and their families after the disaster?
- Establish alternative teaching methods for students unable to return immediately to classes: correspondence classes, tele-teaching, group tutoring, etc.?
- Develop a plan for conducting classes if some of your facilities are damaged including half-day sessions, alternative sites, and/or portable classrooms?
- Become familiar now with the procedures involved, and forms used, in claiming disaster assistance from the state and federal governments. Work with your local emergency service professionals to polish your cost-recovery abilities?

Preventing the Crisis

Key Points

- Establish a safe learning environment
- Be knowledgeable of the characteristics of students and staff
- Improve Accessibility
- Foster Resiliency
- Provide Youth Development Programs
- Provide Evidence-based Prevention Programs
- Provide individualized intervention strategies
- Provide prevention and intervention training and/or staff development in diverse youth issues
- Collaborate with community agencies, health and social service agencies, law enforcement, volunteers, parents, faith-community and neighbors
- Develop School Policies and Procedures which involve youth in decision-making and which are clear and consistently enforced
- Seek periodic school safety assessment from an outside agency

Reunification Procedures

Student/Parent Reunification

I. AUTHORITY

See School Emergency Operations Plan, section Introduction and Promulgation.

II. PURPOSE

The purpose of this appendix is to provide for the orderly and coordinated reunification of students and families of all or any part of the population of the New Hope Elementary School District, if an emergency situation occurs that warrants evacuating and/or closing a district or school site early.

III. SITUATION & ASSUMPTIONS

A. Situation

1. There are a wide variety of emergency situations that might require student/parent reunification.
 - a. Student/parent reunification may be needed if the school or district facility is evacuated or closed as a result of a hazardous materials transportation accident, major fire, natural gas leak, localized flash flooding, school violence, bomb threat, or terrorist attack.

B. Assumptions

1. Some parents will refuse to cooperate with the student/parent reunification process
2. Parents may be emotional when arriving at the school
3. While some emergency situations are slow to develop, others occur without warning. Hence, there may be time for deliberate student/parent reunification or a student/parent reunification may have to be conducted with minimal preparation time. In the case of short notice, there may be little time to obtain personnel and equipment from external sources to support reunification operations.
4. Persons other than those on the student's emergency release form will try to pick up students during an emergency

IV. CONCEPT OF OPERATIONS

A. General

1. Student/parent reunification is the means for safe and orderly reunion of students and families in the event of an emergency evacuation or school closing. In planning for Student/parent reunification, the characteristics of the hazard and its magnitude, intensity, speed of onset, and anticipated duration are all significant factors. These will determine the number of people to be reunited, the need for reception facilities, and the extent of traffic control and security required.
2. New Hope Elementary School District school and facilities must be prepared to conduct both small-scale and large-scale reunification at all times of the day both from known hazard areas and from unexpected incident locations.
3. New Hope Elementary School District will use a double-gate system. Student/Parent Reunification Team members will be located in two areas. The first area, the “holding area,” will be where students can wait for their parents. The second area will include both the “report point” and the “student release point” where adult caregivers will report and wait for their students to join them. These will be two distinctly separate areas, but they will be in close proximity to one another. Red Cross assistance, if available, will be utilized to increase staffing, to improve the communications capabilities and the conditions at both areas, and to make available refreshments at both areas.
 - a. Holding Area Operations - Designated classroom teachers will remain with their assigned students in the holding area. Each will have the list of the students assigned to their supervision, including the exact name of their parents/guardians. Anyone who was absent at the start of the school day or who departed prior to the incident will be noted.
 - b. Release Gate Operations - **When** a parent/guardian arrives at the release point, s/he will be asked for the name of the student(s) being picked up. The parent/guardian will then be required to show proof of their identification (driver’s license or other government issued photo identification). When the staff member confirms the parent/guardian’s identity and authority to pick up the student, the staff member will use a runner or a radio/cellular telephone to notify the staging area that the designated student(s) are to be escorted to the release point. When the student(s) reports to the release point, the staff member will have the parent/guardian sign for the student(s) on Student Release Form and the student(s) are released to the adult caregiver.
 - c. If the parent/guardian must be notified that their child(ren) have been injured or for some other reason are not available for release to them, the staff member at the release point will not indicate the status of the child but will ask the parent to report to a nearby room for further processing. The “notification room(s)” will be manned by members of the Crisis Response team.

- d. Notification Room Operations - **Crisis** Response Team members will be responsible for notifying parents that their child is not available for pick-up for any of the following reasons: injured, dead, arrested, witness, etc. The staff member will:
- Provide available information regarding the child(ren) in a sensitive way.
 - Will assure the parent/guardian that everything possible is being done to safeguard their child or their child's remains.
 - Will inform the parent/guardian where they are to await further information about how they will be reunited with their child(ren) or the remains of their child(ren).
 - Will assist the parent/guardian with their trauma.
 - Will make available to the parent/guardian means for communicating with other family members and supporters.
 - Will shelter the parent/guardian from media representatives.
- e. At the end of the day, teachers or designated team members will call all those parents/guardians who have not yet picked up their child(ren). If the parent cannot be reached, the student will be transported to his or her home by school district personnel.

B. Student/Parent Reunification Decisions

1. The Incident Commander shall assess the need for evacuation, plan evacuations, or school closures that may require activating the student/parent reunification process. Student/Parent Reunification planning should resolve the following questions:
 - a. How will parents and guardians be advised of what to do?
 - b. What do evacuees need to take with them?
 - c. What travel routes should be used by parents and guardians?
 - d. What transportation support is needed?
 - e. What traffic control is needed?
 - f. Does the anticipated duration of the evacuation make it necessary to activate shelter and mass care facilities?
 - g. How will reunion areas be secured?

Reunification that must be conducted because of incidents that occur without warning may have to be planned quickly and carried out with only those resources that can be mobilized rapidly.

C. Traffic Control

1. Traffic will be controlled by local law enforcement agencies.
2. If at all possible, two-way traffic will be maintained on all routes to allow continued access for emergency vehicles
3. Where time permits, traffic control devices such as signs and barricades will be provided by the local government or first responder agencies, upon request.
4. Law enforcement will request wrecker services needed to clear disabled vehicles from traffic routes.

D. Warning & Public Information

1. The Incident Commander will normally arrange for dissemination of information on the reunification process.
2. Advance Notice of Possible Early School Closure
 - a. For slowly developing emergency situations, advance warning should be given to parents as soon as it is clear that early school closure may be required. Such advance notice is normally disseminated through the media.
3. Reunification Notification
 - a. Reunification notification should be disseminated through all available warning systems.
4. Emergency Public Information
 - a. Warning messages disseminated through warning systems alert the public to a threat and provide basic instructions. They are necessarily short and to the point. The public will often require amplifying information on what to do during the reunification process. The Public Information Officer (PIO) will ensure that such information is provided to the media on a timely basis for further dissemination to the public. Provisions must be made to disseminate information to individuals with special needs, including the blind and hearing impaired.
 - b. Amplifying instructions for reunification may include information on the location of holding area, and specific traffic routes,
 - c. When the incident that generated the need for reunification is resolved, parents and guardians must be advised when schools will reopen.

E. Access Control & Security

1. During reunification, the security of the holding area is extremely important. Staff and students must be removed from any and all danger. Student Release Team, Site Security Coordinator, Search and Rescue Teams, , and local law enforcement should establish access control points to limit entry into holding areas.

F. Actions by Phases of Emergency Management

1. Mitigation

- a. Where possible, undertake mitigation for known hazards that have in the past led to situations requiring reunification.
- b. Seek improvement to preplanned holding areas if needed.
- c. Enhance warning systems to increase warning times and reduce the need for hasty evacuations.

2. Preparedness

- a. To the extent possible, identify staff, students or parents with special needs who would require assistance during the reunification process and maintain contact information for those individuals.
- b. Identify primary and alternate reunification areas, taking into account capacities of holding areas.
- c. Review the disaster preparedness plans of special facilities and advise facility operators of any changes that may be needed to make them more workable.
- d. Include reunification in the scenario of periodic emergency drills and exercises.
- e. Conduct public information programs to increase staff, student and parent awareness of possible reasons for reunification, and preplanned reunification procedures.

3. Response

See the General Reunification Checklist.

4. Recovery

- a. Initiate return of staff and students, when it is safe to do so.
- b. Coordinate temporary supervision for those whose parents or guardians cannot be contacted.
- c. Provide traffic control for return.
- d. Carry out appropriate public information activities.

V. ORGANIZATION & ASSIGNMENT OF RESPONSIBILITIES

A. Organization

1. The normal emergency organization, described in Section 4 of the MUSD School Emergency Operations Plan, will plan and carry out student/parent reunification.
2. Incident Command System (ICS) – Emergency Operations Center (EOC) Interface
 - a. As noted previously, the Incident Commander will normally determine the need for, organize, and activate the student/parent reunification team.
 - b. The Incident Commander will normally manage reunification operations at the scene.

B. Assignment of Responsibilities

1. The Superintendent/Public Information Officer/Designee will:
 - a. Approve release of warnings, instructions, and other emergency public information relating to reunification
 - b. Direct the opening of shelter and mass care facilities, if needed.
2. The Incident Commander will:
 - a. Identify risk areas in the vicinity of the incident site and determine protective actions for people in those risk areas.
 - b. If evacuation of risk areas and special facilities is required, plan, organize, and conduct the evacuation with the resources assigned.
 - c. Activate the Student Release Team to coordinate the reunification process
3. Student Release Team will:
 - a. Develop materials for this annex
 - b. Staff the Holding and Release Areas.
 - c. Coordinate staffing for the Notification Room
 - d. Follow all policies and procedures for reunification
 - e. Supervise the reunification site
 - f. Supervise releasing of students to their parents/guardians.

- g. Communicate with Operations regarding the number of students remaining in the holding area.
 - h. Coordinate with transportation regarding transport of students whose parents or guardians are unable to pick up their child.
 - i. Make arrangements for shelter of students whose parents or guardians are unavailable to pick –up their child.
4. The Student Release Team Leader will:
- a. Direct team activities
 - b. Interact with the Incident Commander to identify problems and report status.
 - c. Refer all outside requests for information to the Public Information Officer.
5. The Student Release Team Members will:
- a. Greet parents, guardians, or designees
 - b. Greet and direct parents, guardians, or designees to the notification room as appropriate.
 - c. Providing reassurance to parents, guardians, or designees
 - d. Maintain order.
 - e. Issuing a tag or other identifications only to an authorized person.
 - f. Dispatch runners to bring students to the release point.
6. Holding Area Team Leader/Assembly Area will:
- a. Report missing persons to the Incident Commander.
 - b. Direct team activities
 - c. Interact with the Incident Command to identify problems and report status.

- d. Collect the Injury and Missing Persons Report from the Team Members and make them readily available to the Incident Commander.

7. Assembly Area Team Members will:

- a. Maintain order
- b. Obtain reports of missing students
- c. Interact with the Holding Area Team Leader
- d. Verify release information when a student is requested
- e. Assist the reunion gate team

8. Local law enforcement and/or Site Security Coordinator and Search and Rescue Teams will:

- a. Assist in reunification by providing traffic control.
- b. Limited access to all areas of the school including reunification holding are.
- c. Coordinate law enforcement activities with other emergency services.
- d. Assist in warning the staff, students, and families.
- e. Provide information to the PIO for news releases to the public on the reunification process

9. The Fire Service will:

- a. Be responsible for fire protection in the reunification holding area.
- b. Assist in warning the staff, students, and family
- c. Assist in evacuating the disabled and other special needs groups to the reunification holding area.

10. The Public Information Officer (PIO) will:
 - a. Disseminate emergency information from the Superintendent/Principal/designee advising the public of reunification actions to be taken.
 - b. Coordinate with area news media for news releases.
11. The local government or first responder agencies will:
 - a. Provide traffic control devices upon request.
 - b. Assist in keeping traffic routes to school open.
 - c. Provide barricades and barriers to restrict entry to school areas and other areas where entry must be controlled.
12. The Transportation Officer will
 - a. Coordinate transportation for students whose parents or guardians are without vehicles or who need assistance in reuniting with their children, determining and establishing pickup points if necessary.
 - b. Provide information to the PIO on pickup points or special pickup routes for those who require transportation, so that this information may be provided to the public.
13. Arrange for use of suitable host facilities.
 - a. Request emergency assistance from the local government if assistance cannot be obtained from other sources.
 - b. Ensure assigned personnel are trained and have knowledge of reunification procedures.
 - c. Disseminate public information to advise relatives and the general public of the status of their facilities and the students.

VI. DIRECTION AND CONTROL

A. General

1. The Superintendent has the general responsibility for recommending evacuation or school closure when that is the most suitable means of protecting the staff and students from a hazard.

B. Evacuation Area Definition

1. The hazard situation which gave rise to the need for reunification should be continually monitored in case changing circumstances, such as an increase in rainfall or wind shift, change the potential impact area and, thus, the area that is being used for reunification.

C. Continuity of Government

1. The lines of succession for the Superintendent/Principal are outlined in the District Emergency Operations Plan.
2. Lines of succession for each department and agency head shall be according to the standard operating procedures established by each department.

VII. ADMINISTRATION AND SUPPORT

A. Reporting

Student/parent reunification efforts should be reported to the command function and disseminated during major emergency operations. The Situation Report format is provided in EOP Forms and Resources CD.

B. Records

1. Activity Logs.

The Incident Commander shall maintain accurate logs recording reunification decisions, significant reunification activities, and the commitment of resources to support reunification operations.

2. Documentation of Costs.

Expenses incurred in carrying out reunification for certain hazards, such as radiological accidents or hazardous materials incidents, may be recoverable from the responsible party. Hence, all departments and agencies will maintain records of personnel and equipment used and supplies consumed during the reunification process.

C. Post Incident Review

For reunifications, the Superintendent/Principal shall organize and conduct a review of emergency operations by those tasked in this appendix. The purpose of this review is to identify needed improvements in this plan, procedures, facilities, and equipment.

D. Exercises

Local drills, tabletop exercises, functional exercises, and full-scale exercises shall periodically include a reunification scenario based on the hazards faced by Newhope Elementary School District.

VIII. ANNEX DEVELOPMENT AND MAINTENANCE

- A.** The Student Release Team is responsible for developing and maintaining this appendix. Recommended changes to this appendix should be forwarded as needs become apparent.
- B.** This appendix will be revised annually or on an as-needed basis.
- C.** Departments and agencies assigned responsibilities in this appendix are responsible for developing and maintaining SOPs covering those responsibilities.

IX. REFERENCES

1. FEMA, Guide for All-Hazard Emergency Operations Planning (SLG-101).

X. APPENDICES

Appendix 1 Example and Explanation of Double Gate System

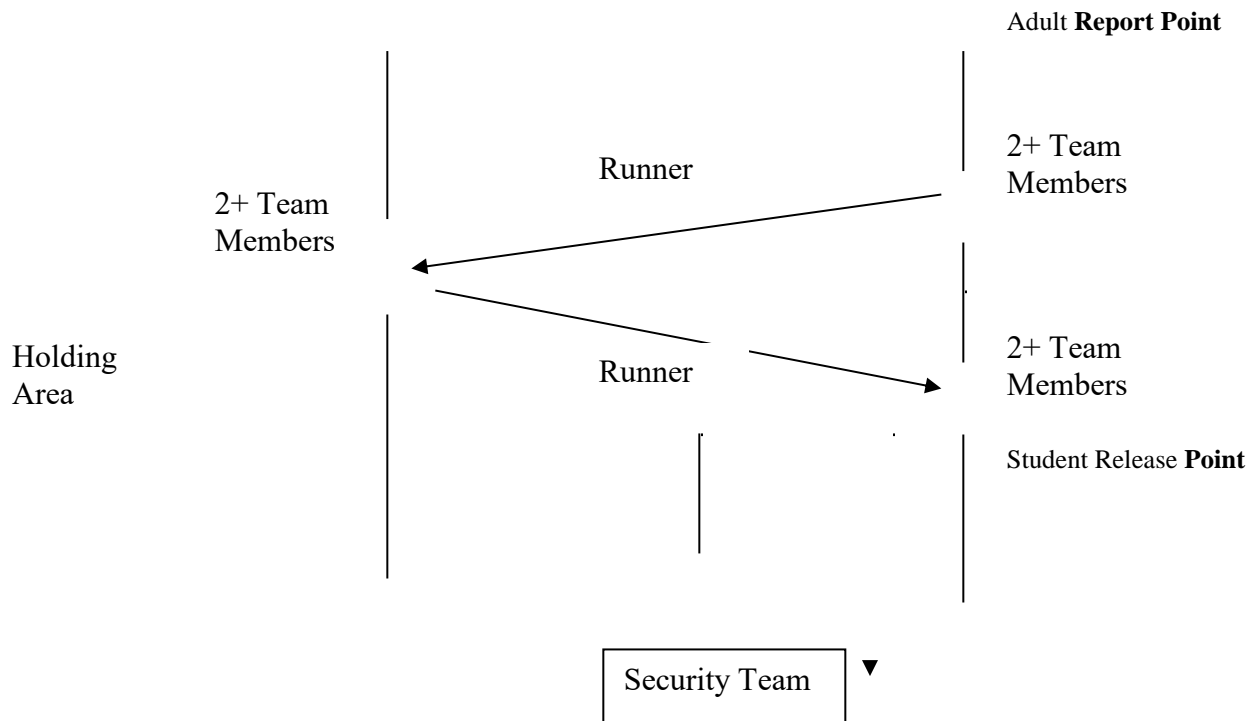
Appendix 2 Directions for Parent/Student Reunion Drill

Appendix 3 Reunion Sites

Appendix 4 Reunification Checklist

APPENDIX 1

Double Gate System



The double-gated system to be utilized when laying out the Student/Parent Reunification Site is depicted above. The parents or guardians picking up a student will report to the “Adult Report Point” at the upper right. Signs will be posted by the Student/Family Reunification Team and Security Team Members will be stationed to assist parents or guardians in finding the “Adult Report Point.” The arriving parents or guardians will be greeted by two or more members of the Student/Family Reunification Team who are working the report point. The Team Members will provide the parents or guardians a copy of the “Student Release Form” in Appendix 2, asking the parents or guardians to complete the first section. A Team Member will then confirm the identity of the parents or guardians utilizing a government issued picture identification (driver’s license, military ID, passport, etc.) and confirm that the parents or guardians are listed on the emergency data card for the student as being authorized to pick up the student. A Team Member will then complete the second section of the “Student Release Form” and hand it to a Runner to be carried to the Student Holding Area. The parents or guardians will be asked to step around to the “Student Release Point” and wait for the Runner to return. [NOTE: The “Adult Reporting Point” and the “Student Release Point” may be consolidated if there are too few Student/Family Reunification Team Members to run both locations.]

The Runner will deliver the “Student Release Form” to the two or more members of the Student/Family Reunification Team who are working at the entrance to the “Student Holding Area.” The Team Members will have the requested student report to them if the requested

student is present in the holding area. A Team Member will then record on a roster they maintain that the student has been released from the holding area, check off the “Sent with Runner” entry in the third section of the “Student Release Form” and send the student with a Runner to the “Student Release Point.” If, however, the student was never at school that day (absent), is being attended to at the First Aid station, has been taken to the hospital, is not available for pickup due to some other situation, or is missing, the Team Member will make the appropriate entry in third section of the “Student Release Form” and enter comments to clarify the status. The Runner will deliver the “Student Release Form” to the “Student Release Point.”

When the Runner delivers the “Student Release Form” and the student (if available) to the two or more Student/Family Reunification Team Members at the “Student Release Point,” the Team Members will call for the parents or guardians picking up the student. The parent’s or guardian’s identification will again be confirmed utilizing a government issued picture identification. The parents or guardians will then sign for the student and depart the area with the student. If, however, the parents or guardians must be notified that the student is not available for pickup, a Student/Family Reunification Team Member will escort the adult to the Notification Room, where the notification will be made privately based on the information provided in the third section of the “Student Release Form.” The Team members in the Notification Room will be responsible for helping the adult and finding answers to the resulting questions.

APPENDIX 2
Directions for Student / Parent Reunification Drill

What you need to do the drill:

Identification tags / volunteers:

- ✓ 3-7 Green - Runners – can be staff / volunteers / students
- ✓ 3 Red - security /counselor type person - staff / adult volunteers -1 at each post to help calm & explain process; prevent parents from running to field to pick up students without following the process. 1 at Request & 1 at Release, & 1 at First Aid.
- ✓ 3 Yellow – request gate -staff only
- ✓ 2-3 Blue – release gate adult or older student volunteers
- ✓ 2 Orange – staff or adult volunteers - student holding & attendance station
- ✓ 1 First Aid volunteer
- ✓ Parents 4 total - BJSB; (2 B parents, 1 J parent, 1 S parent)
- ✓ Students 3 total – BSJ (if not enough people to participate, use teddy bears)
- ✓ Teacher
- ✓ Emergency Information forms completed for each of the students
- ✓ Student Release / Runner forms at Request Gate
- ✓ Orange Binders “Confidential Student Emergency Information” at Request Gate
- ✓ Signs identifying the Request, Release, Holding Areas, etc.
- ✓ Location pre-identified for parent reunion (small signs – not so visible to avoid confusion)
- ✓ Pens and/or pencils / tape / paper

Prior to the drill:

- Train staff and student runners in the reunion procedures
- Determine the date and time the drill will begin
- Decide location for parent request / check-in
- Post visible signs
- Place students with ID Tags in various locations - holding and first aid
- Distribute Parent ID tags to volunteers and ask them to wait at the check-in area
- Keep Emergency forms alphabetized in orange CONFIDENTIAL Emergency Information binders

Now you are ready to start the drill

Parents begin arriving at request / check-in

- Parent completes Release Form box 1 at Request Gate or at location in front of Request Gate
- Only Staff members can check Emergency Information forms (kept alphabetically in orange books– confidential information); staff to verify Photo ID & sign off in box 2
- Parent goes to Student Release Area to wait (may be escorted by runner if necessary)

- Runner takes form with them then gets student from Holding-Area
- Holding-Area Staff complete box 3 & return form to runner informing runner of the student location
- Runner takes form, gets student, and goes to Release Gate personnel. If a student is in first aid, attendance /holding area staff will mark the first aid box on the form; runners will then go to First Aid. First Aid Security/Counselor Staff will either direct the runner to bring the parent back to First Aid or if student is okay to leave, release student at that point to go with runner to Release Gate. If student is missing, seriously injured or dead, the parents or guardian will be led to the Notification Room for further information
- Release Gate personnel checks box 4, verifies it is the same person as box 1, verifies photo ID if available or student / adult verification of identity if ID not available; Release Gate personnel signs off on box 4
- Parent or person picking up student signs in box 5, writes destination/phone, time & date
- Runner takes form back to Request Gate staff to file behind Student Emergency Form in case someone comes there looking for same student at a later time
- Runner is now ready for next form

APPENDIX 3 Student/Parent Reunification Sites
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Indoor Reunification site #1

Release Gate Location:

Holding Area Location:

Notification Room Location:

Indoor Reunification site #2

Release Gate Location:

Holding Area Location:

Notification Room Location:

Outdoor Reunification site #1

Release Gate Location:

Holding Area Location:

Notification Room Location:

Outdoor Reunification site #2

Release Gate Location:

Holding Area Location:

Notification Room Location:

Appendix 4
Student/Parent Reunification Checklist

A. Student Release Team members:

Team Leader(s) _____

Team Members _____

B. Reunion Box

- _____ 1. Copy Student Emergency Release Form
- _____ 2. Authorization to Release Student in Emergency forms
- _____ 3. Student Accounting
- _____ 4. Runner Form
- _____ 5. Signage (**REUNION SITE**)
- _____ 6. Class Rosters