

PIONEER UNION SCHOOL DISTRICT

6862 Mt. Aukum Road, Somerset, CA 95684

Comprehensive School Safety Plan

**Pioneer Elementary School
Walt Tyler Elementary School
Mountain Creek Middle School**

March 2025

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Pioneer Union School District
Comprehensive School Safety / Emergency Preparedness Plan

Introduction

Student safety is a top priority in the Pioneer Union School District. Therefore, the School Safety / Emergency Preparedness Plan is a detailed and thorough document that builds upon the knowledge of district staff, schools who have experienced crisis situations, state and national reports / recommendations and profession organizations. The plan also addresses all state requirements for a comprehensive school safety and emergency preparedness plan.

The plan was developed by reviewing legal requirements and learning from related documents. Based on recommendations a district Incident Management Team (IMT) was formed. Following is a description of the key components included in the plan.

Key Elements of the Plan

Incident Management Team / Crisis Response Box

As recommended by the California Department of Education and state law enforcement agencies, the Pioneer USD has adopted an Incident Command System for responding to crisis situations. This system has clear roles and procedures for district staff who are part of the Incident Team (IMT). This plan is based on levels of threat. The plan addresses what to do in a crisis situation and what to do after a crisis situation in the aftermath. The district has also developed a crisis response box. This is a recommended collection of materials that ranges from flashlights to school blue prints. This box ensures that materials are readily available in a crisis or emergency event. The contents of the box are identified in this plan.

Emergency Preparedness Manual / Emergency Binder

Ready access to a clear set of well thought out procedures is critical in an emergency or crisis situation. Therefore, an emergency manual has been developed to provide teachers with a set of directions for what to do in a variety of situations. The Comprehensive School Safety / Emergency Preparedness Plan is located at each district school and the district office.

In the process of developing the emergency preparedness manual, the IMT identified that teachers need to have a collection of materials readily available to take with them in an emergency situation. As described in the emergency preparedness manual, teachers will take an emergency binder with them when leaving the classroom in an emergency situation.

Annual Safety Plan Update Schedule

✓ = done	Date	By Whom	Task
	August	Superintendent	Meet with the IMT to establish the dates and type of drills for the year. There should be one scheduled drill per month.
	August	Superintendent	Update staff emergency contact list and cell phone numbers.
	August	Superintendent	Replenish supplies in the Crisis Response Box.
	August	Principal	Schedule staff development to review the safety / emergency preparedness plan.
	August	Maintenance / Custodial Staff	Conduct annual hazard assessment. Inspect school sites for storage of toxic, flammable or corrosive materials; safety of evacuation routes; securing of hanging fixtures; securing of storage cabinets, large bookcases and objects on shelves and cabinets; and securing of water heaters and boilers.
	September	Maintenance / Custodial Staff	Service and secure fire alarms. Confirm the accuracy on school maps of electrical, gas, and water shut off valves, switches and/or junction boxes. If there are changes, communicate changes to the Superintendent so that he/she can send a correct map to law enforcement. Test alarms to ensure that all alarms work properly.
	October	Superintendent	IMT does a practice scenario to ensure a state of readiness.
	January	Principal	Begin the annual school safety plan review process.

✓= done	Date	By Whom	Task
	January	Principal	Schedule a public hearing at the School Site Council meeting to get public input on the school safety plan. The SSC reviews the status of progress of goals set the previous year and sets new goals for the following school year.
	February	Superintendent	Consult with local law enforcement about the school safety plan.
	February	Principal	An action plan for working on the goals established by the SSC is developed and approved by the SSC.
	By March 1	Superintendent	Conclude the annual school safety plan review process. Place a copy of the plan in the district office so that it is available for public review.
	March	Superintendent	School safety plan is presented to the Board as an information item.
	March	Principal	IMT does a practice scenario to ensure a state of readiness.
	March	Maintenance / Custodial Staff	Test alarms to ensure that all alarms and bells work properly.

COMPLIANCE CHECKLIST FOR COMPREHENSIVE SCHOOL SAFETY PLANS

CA Education Code 32280 – 32288

Please initial next to each requirement to confirm that your Safety Plan includes the listed required element.

Required Component	Requirement Met (please initial)
Section 32280	
All school staff be trained on the CSSP	
Section 32281	
(b) (1) Plan is developed by a school site council or a safety planning committee. (2) The committee is made up of a principal/designee, teacher, parent of child who attends the school, classified employee, others.	
(b) (3) The committee consulted with a representative from a law enforcement agency, fire officials, and other first responders in the development of the plan. Any updates must be shared with the agencies.	
Section 32282	
(a) The comprehensive school safety plan includes, but is not limited to all of the following:	
(1) An assessment of the current status of school crime at the school. You may accomplish this by reviewing: <input type="checkbox"/> Office Referrals <input type="checkbox"/> Attendance rates/SARB data <input type="checkbox"/> Suspension/Expulsion data <input type="checkbox"/> CA Healthy Kids Survey data <input type="checkbox"/> School Improvement Plan <input type="checkbox"/> Local law enforcement juvenile crime data <input type="checkbox"/> Property Damage data	
(2) Identify the following policies:	
(A) Child Abuse Reporting procedures	
(B) Emergency Operations Plan (disaster procedures)	
(ii) Establish procedures to allow a public agency to use school buildings, grounds, and equipment for during an emergency	
(C) Suspension/Expulsion procedures	
(D) Teacher notification of dangerous students	
(E) Discrimination and Harassment policy (including bullying)	
(F) Dress code, including prohibition of gang-related apparel	
(G) Procedures for safe ingress and egress to the school site for everyone	
(H) A safe and orderly environment conducive to learning at the school	
(I) School rules and procedures for discipline	
(J) Procedures for conducting tactical responses to criminal incidents including guns on campuses	
After initial adoption, review/update the plan by March 1 every year. Keep the plan available for inspection by the public.	
Section 32288	
(a) Submit the plan to EDCOE for approval	

Staff Development Plan

In August, all staff will participate in an overview of the key elements of the school safety / emergency preparedness plan. This will include an overview of the processes and roles with the Incident Command System and the content and procedures in the Emergency Preparedness Manual. Staff will then practice responses to emergency and crisis situations.

There are several groups that will receive additional staff development based on their role in the school safety / emergency preparedness plan. This training may include:

Incident Management Team

The IMT needs to practice a range of scenarios and ensure that other staff members have the information and direction necessary for the IMT to take the lead in an emergency / crisis situation.

Staff With Identified Roles

Office staff, custodial / maintenance staff and transportation staff have specific support roles in an emergency / crisis situation. Staff needs to understand and practice these roles and defined procedures.

Staff With Direct Responsibility of Students

Teachers, in particular, will want some background on the resources available in the plan and an understanding of communications in crisis situations. Staff development should include:

- A review of information in the disaster procedures and first aid / medical care flip charts
- Classroom management and climate / conflict resolution skills
- Understanding emotional responses to crisis and aftermath
- Communication with a perpetrator, victim, students, parents and the public

<p>Pioneer Union School District</p> <p>Emergency Preparedness Employee Profile</p>
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California Government Code Section 3100 identifies that public employees are considered disaster service workers in the event of an emergency. The code section states that no public school employee may leave his/her site during an emergency until released. Certificated employees risk losing their teaching credential and classified employees may be charged with a misdemeanor for leaving the school site without being released.

The Pioneer USD recognizes that school staff has the same need to communicate with family members during an emergency situation as students. Therefore, the following confidential survey has been developed so that staff family members can be contacted in the event of an emergency situation which requires staff members to remain at the school site for an extended period of time. In the event of an emergency, designated staff members will call students and staff family members.

Your Name:

Emergency Contact's Name:

Contact's home number:

Work number:

Cell phone number:

The best number to contact or leave a message for the contact is:

Alternate emergency contact and phone number:

If you have a cell phone that you bring to work...Cell phone number:

Medical Release (optional):

If I am unable, I authorize the following person to make medical decisions for me.

Name

Relationship

Signature

Date

Medical Insurance Provider:

Policy #:

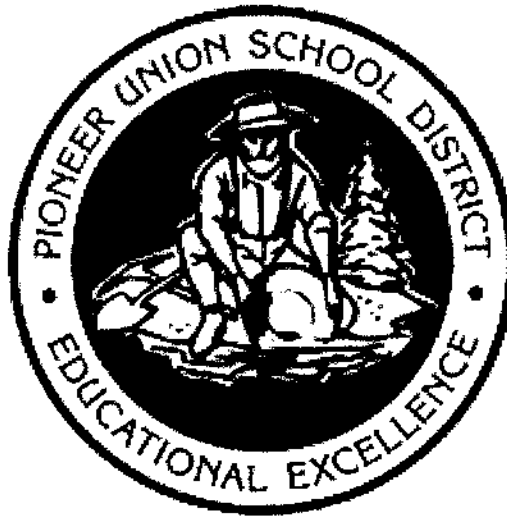
If you have any special medical conditions that you would like to have communicated to medical personnel, then please record this information on a separate sheet of paper and place it in a sealed envelope that is stapled to this form.

Response Skills/Resources: Please select yes or no in response to each question.

	Yes	No
Search and rescue training	<input type="checkbox"/>	<input type="checkbox"/>
CPR certified	<input type="checkbox"/>	<input type="checkbox"/>
First aid skills	<input type="checkbox"/>	<input type="checkbox"/>
Police background	<input type="checkbox"/>	<input type="checkbox"/>
Fire fighting training	<input type="checkbox"/>	<input type="checkbox"/>
Four wheel drive vehicle	<input type="checkbox"/>	<input type="checkbox"/>

Crisis Response Box Resources Needed

- | | | |
|-----|---|--|
| 1. | Maps - School location on related roadways
(All 3 sites) | Sarah Lemke |
| 2. | Campus Layouts
(All 3 sites) | Kelly Howard |
| 3. | Blueprint of School Buildings | Kelly Howard |
| 4. | Teacher/Employee Roster | Sarah Fike |
| 5. | Fire Alarm Turn-off Procedures | Chris Garrett |
| 6. | Sprinkler System Turn-off Procedures | Chris Garrett |
| 7. | Utility Shut-off Values (Locations) | Chris Garrett |
| 8. | Gas Line & Utility Lines Lay-out | Chris Garrett |
| 9. | First Aid Supplies | Michele Melton |
| 10. | Student Photos | Ann Sirochman
(Mtn. Creek) Tausha
Winn
(Pioneer/WT) |
| 11. | Student Enrollment w/Parent Information | Ann Sirochman (Mtn. Creek)
Tausha Winn (Pioneer/WT) |
| 12. | List of Students with Special Needs | Ann Sirochman (Mtn. Creek)
Tausha Winn (Pioneer/WT) |
| 13. | Incident Command System | Patrick Paturel |
| 14. | Student Disposition/Sign-out Form | Ann Sirochman (Mtn. Creek)
Tausha Winn (Pioneer/WT) |



PIONEER UNION SCHOOL DISTRICT
EMERGENCY PREPAREDNESS MANUAL
Pioneer, Walt Tyler and Mountain Creek

FOR IMMEDIATE HELP with LIFE or DEATH situations,

CALL 911

Cell Phones use 626-4911

(If no phone, contact office)

In an emergency, when possible, always take the following:

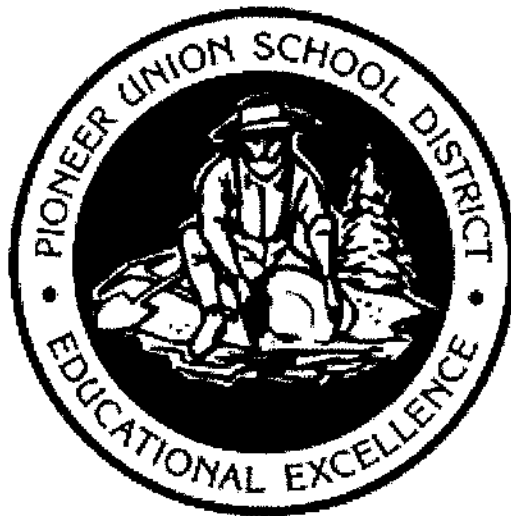
1. Emergency Binder
2. Class roster with day's attendance
3. Keys
4. Radio (Use only for critical communication, be brief and speak clearly)
5. First Aid Kit

Public employees are disaster service workers (CA Government Code Section 3100). This means that school employees must stay with their students in the event of an emergency or disaster.

Contents:

- Front Pocket – Class Rosters
- Emergency Preparedness Manual
- Evacuation Maps
- Emergency Student Listings [CONFIDENTIAL]
- Back Pocket – Student Medical History [CONFIDENTIAL]*

*Student Rosters & Medical Histories updated 2nd week of each trimester



PIONEER UNION SCHOOL DISTRICT EMERGENCY PREPAREDNESS MANUAL Pioneer and Mountain Creek

FOR IMMEDIATE HELP with LIFE or DEATH situations,

CALL 911

Cell Phones use 626-4911

(If no phone, contact office)

In an emergency, when possible, always take the following:

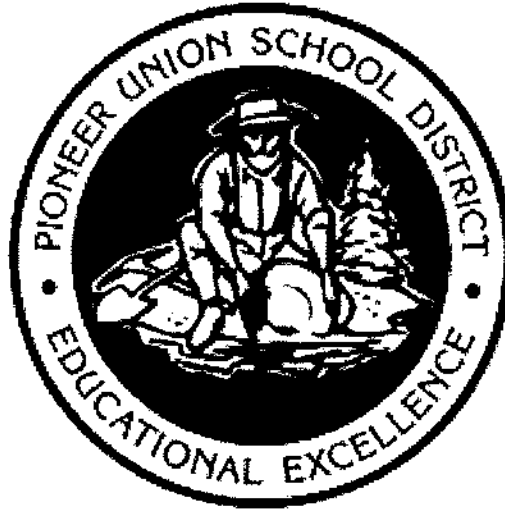
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PIONEER UNION SCHOOL DISTRICT EMERGENCY PREPAREDNESS MANUAL Pioneer and Mountain Creek

FOR IMMEDIATE HELP with LIFE or DEATH situations,

CALL 911

Cell Phones use 626-4911

(If no phone, contact office)

In an emergency, when possible, always take the following:

1. Emergency Binder
2. Class roster with day's attendance
3. Keys
4. Radio (Use only for critical communication, be brief and speak clearly)
5. First Aid Kit

Public employees are disaster service workers (CA Government Code Section 3100). This means that school employees must stay with their students in the event of an emergency or disaster.

Contents:

- First Tab – Emergency Preparedness Manual
- Second Tab – Evacuation Maps
- Third Tab – Class Rosters
- Fourth Tab – Emergency Student Listings [CONFIDENTIAL] *
- Fifth Tab – Student Medical History [CONFIDENTIAL] *

ALARM SIGNALS / DUCK AND COVER

Emergency	Alarm	Action
Fire	Continuous horn	Evacuate building. Use primary route. Use secondary route if directed.
Lockdown	Short bell tone & announcement	Stay in classroom, secure door, turn off lights, cover windows, stay out of sight.
Duck and Cover	Short bell tone & announcement	If inside, duck under tables, away from windows. If outside, duck in an open area.
Emergency is over	Regular bell & announcement	Return to class with students.

Once at the evacuation site, hand signals and/or the red placard may be held up by the teacher to communicate status amongst staff.

Thumbs Up = Everything is fine (*any injuries are minor*) and all students are accounted for.



Thumbs Sideways = Some students are not accounted for.



Thumbs Down or Red Placard = students or staff are injured and need immediate attention.

Duck and Cover Position

(In case of earthquake, bomb threat, tornado, or wind storm)

- With back to windows, drop to knees under desk, hold knees together (*If outside, keep back to blast/wind direction*).
- Hold elbows near knees, cross fingers over back of neck.
- Bury face between arms, close eyes tightly.
- A coat or sweater may be used for extra covering.

FIRE/BUILDING EVACUATION

Alarm – long continuous bell

When continuous fire/evacuation alarm is sounded ...

1. Pupils walk quietly to designated area (the area will either be announced or follow the map in the back of this plan).
2. Pupils out of their regular classroom report to designated area. When directed, they join their regular class.
3. Teachers/adults leave classroom last with:
 - A. Class attendance roster with day's attendance
 - B. Emergency Preparedness Binder
 - C. Keys
 - D. Radio
 - E. First Aid kit
4. Leave all doors **unlocked**
5. At designated area, teacher takes roll to identify if there are any missing students.
6. Display appropriate hand signal and/or red placard to indicate status of students and staff.

When staff member is first to find a fire...

1. Call school office.
2. School office staff will pull fire alarm and call 911 (cell phones use 626-4911).

Office Staff: When you receive a report of a fire...

1. Announce the location of the fire on the public address system, repeat location.
2. Pull fire alarm and call 911 (cell phones use 626-4911).
3. Call District Office (620-3556) to report fire.
4. Inform Transportation.
5. Evacuate the office, bring:
 - A. Radio
 - B. Student Sign In/Out Logs and Visitor Logs.
 - C. First aid supplies
 - D. Medicine box
 - E. Keys
 - F. Pencil and pen supply
 - G. Attendance information
 - H. Emergency cards/emergency contact
 - I. Bullhorn
6. Office staff members survey the status of students through radio contact and by looking at teacher hand signals and placards.
7. In consensus with administration or 1st responders, determine if returning to classrooms or school evacuation is prescribed. Make announcement of decision via PA or bullhorn.

Custodial/Maintenance Staff

1. Facilitate access to school for emergency personnel.
2. Maintain radio contact with the school office and District Office Personnel.
3. Sweep bathrooms and storage facilities for students/staff. Escort to responsible party at the evacuation site.
4. Survey and report damage to District Office Personnel.

Transportation Staff

1. Assist custodial/maintenance staff as needed.
2. Drivers remain in evacuated areas unless directed otherwise.
3. When directed, be prepared to transport students away from the school.

SCHOOL EVACUATION

Three Possible Plans. All plans begin with the assumption that students are at a BUILDING EVACUATION site.

Plan One – Mountain Creek Bus Evacuation

1. Pupils and supervising teachers walk quietly to front of Mountain Creek Middle School to wait for busses to arrive.
2. 7th & 8th Grades line up in 1st bus position (front of Room B1).
3. 5th/6th Grades line up in 2nd bus position (front of MC Office).
4. 2nd/3rd/4th Grades line up in 3rd bus position.
5. TK/K/1st grades line up in 4th bus position (entrance of land bridge)
6. Staff & students board appropriate bus quickly and quietly.
7. Teachers take roll to identify if there are any missing students.
8. Display appropriate hand signal and/or red placard to again indicate status of students and staff.

Plan Two – Bus Barn Evacuation

1. Pupils and supervising teachers walk quietly, but directly to Bus Barn north of Pioneer Campus.
2. The quickest and easiest path is between Room D3 and the kickball backstop.
3. Staff and students should group accordingly:
 - A. 7th & 8th Grades together
 - B. 5th/6th Grades together
 - C. 2nd/3rd/4th Grades together
 - D. TK/K/1st grades together
4. Staff & students will be directed to board an appropriate bus by transportation or administration.
5. Teachers take roll to identify if there are any missing students.
6. Display appropriate hand signal and/or red placard to again indicate status of students and staff.

Plan Three – West Evacuation to Somerset Dr.

1. Pioneer Elementary School:
 - A. Pupils and supervising teachers walk quietly across the Pioneer field near the creek fence and out a gap on the Southwest corner of the field.
 - B. Cross the open field due West, then follow the trail along the pond.
 - C. You will emerge onto Somerset Dr.
 - D. Group students along the siding of the road accordingly:
 - a) 2nd/3rd/4th Grades together
 - b) TK/K/1st grades together
2. Mountain Creek Middle School:
 - A. Pupils and supervising teachers walk quietly across the Mountain Creek field near the creek fence and out a gap on the Northwest corner of the field.
 - B. Continue following the trail leading West along the shoreline of the pond.
 - C. You will emerge onto Somerset Dr.
 - D. Group students along the siding of the road accordingly:
 - a) 7th/8th Grades together
 - b) 5th/6th grades together
3. Busses will be dispatched to Somerset Drive to retrieve staff and students.
4. Staff & students will be directed to board an appropriate bus by transportation or administration.
5. Teachers take roll to identify if there are any missing students.
6. Display appropriate hand signal and/or red placard to again indicate status of students and staff.

Custodial/Maintenance Staff

1. Assist staff and students to safely arrive at Somerset Dr.

Transportation Staff

1. Report directly to the bus barn, if possible. Take safest route to Somerset Drive and meet with staff and students.

Pioneer Union School District

Lockdown Levels, Actions, and Philosophy

The Importance of Preventative Diligence in School Safety

*Ensuring the safety of students and staff is the top priority in any school environment. While it is impossible to anticipate every emergency, the best defense is being vigilant and prepared for any scenario. This requires diligence in daily practices such as **keeping classroom doors locked at all times, maintaining a heightened awareness of surroundings, and reporting any suspicious activities immediately**. Early detection and swift action can mitigate potential threats and prevent situations from escalating.*

This lockdown plan provides guidance for responding to various levels of threats, ranging from environmental hazards to serious security breaches. Understanding and being prepared for each level is crucial for keeping students and staff safe.

The "**Run, Hide, Fight**" philosophy, which emphasizes adaptability in dangerous situations, is embodied in the actions of these levels of lockdown by empowering individuals to respond in the most effective way based on the circumstances.

In the event of an active threat, staff and students must use their best judgment to protect themselves. The "Run, Hide, Fight" mentality is a widely adopted philosophy for responding to violent intruders and focuses on three key principles:

Run: If it is safe to do so, evacuate the building and get as far away from the threat as possible. Know the nearest exits and have an escape plan in mind.

Hide: If running is not an option, find a secure place to hide. Lock doors, turn off lights, and stay quiet. The goal is to make it as difficult as possible for the intruder to find and harm you.

Fight: As a last resort, if you are confronted by the threat and cannot escape or hide, be prepared to defend yourself. Use any available objects as weapons and work with others to overcome the intruder.

Preparedness is key to ensuring the safety of students and staff. By understanding the three levels of lockdown and practicing the "Run, Hide, Fight" philosophy, everyone can contribute to a safe school environment. Always be vigilant, keep doors locked, and report any concerns promptly—small preventative actions can make a significant difference in protecting the school community.

School Lockdown Plan for Staff

There are **three levels of lockdown** that staff should be familiar with: **Hard Lockdown, Soft Lockdown, and Shelter in Place** . Each level requires specific actions to ensure the safety of everyone on campus. Familiarizing yourself with these steps and regularly practicing drills will help ensure a calm, coordinated response during emergencies.

Hard Lockdown (severe)

A Hard Lockdown is implemented when there is an immediate and serious threat to the safety of students and staff, such as an active shooter or violent intruder on campus. In this situation, all movement should cease, and strict safety protocols must be followed.

Checklist for Classroom Teachers:

- ✓ ___ Lock all doors immediately, turn off the lights and close blinds.
- ✓ ___ Move students to a safe area out of sight, such as away from windows and doors.
- ✓ ___ Instruct students to remain silent and calm.
- ✓ ___ Silence mobile phones and other devices, but stay alert for emergency communications.
- ✓ ___ Account for students, staff, and volunteers.
- ✓ ___ Email school secretary any missing students, staff or volunteers
- ✓ ___ Do not end Lockdown until law enforcement or administration gives the all-clear.

SCRIPT for PA System

Hard Lockdown (Severe Threat)

"LOCKDOWN, LOCKDOWN, LOCKDOWN. This is a **Hard** Lockdown. Lock doors immediately and take cover in a safe location. Stay calm and stay alert."

Soft Lockdown (medium)

A soft lockdown is used when there is a potential threat in the surrounding area, but not an immediate danger to the school. This could be triggered by law enforcement activity in the vicinity or an investigation of a suspicious individual near the school.

Checklist for Classroom Teachers:

- ✓ ___ Lock all classroom doors and windows.
- ✓ ___ Account for students, staff, and volunteers.
- ✓ ___ Email school secretary any missing students, staff or volunteers
- ✓ ___ Close blinds or curtains.
- ✓ ___ Maintain a normal instructional environment while staying alert for updates.
- ✓ ___ Monitor communication from administration and be prepared for a potential escalation to a Hard Lockdown.

SCRIPT for PA System

Soft Lockdown (Medium Threat)

"Attention, staff and students. This is a **Soft** Lockdown. All exterior doors are to be locked. Stay in your classrooms or designated safe areas and continue with your current activities. Do not open doors for anyone unless you are instructed by a staff member. Thank you."

Shelter in Place (low)

This is used for environmental concerns, such as severe weather, hazardous materials, or animals on campus. In a Shelter in Place scenario, the school is secured, but normal classroom activities can generally continue with modifications to limit exposure to the external hazard.

Checklist for Classroom Teachers:

- ✓ ☐ Close and lock all windows and doors.
- ✓ ☐ Ensure all students are accounted for and remain inside.
- ✓ ☐ Turn off HVAC systems if advised.
- ✓ ☐ Monitor communication channels for updates.
- ✓ ☐ Continue normal classroom activities while ensuring safety precautions are followed.

SCRIPT for PA System

Shelter in Place (Low Threat)

"Attention, staff and students. This is a **Shelter-in-Place** announcement. Please remain inside your classrooms and close all doors and windows. Continue normal activities but stay alert. Do not leave the building until further notice. Follow any additional instructions from staff. Thank you."

DUCK & COVER

Earthquakes, Explosions, Tornadoes, Severe Windstorms

Alarm – Public Address “Duck and Cover” Announcement followed by a short bell tone.

Duck and Cover (D&C) Position

- *With back to windows, drop to knees under desk, hold knees together (If outside, keep back to blast/wind direction).*
- *Hold elbows near knees, cross fingers over back of neck.*
- *Bury face between arms, close eyes tightly.*
- *A coat or sweater may be used for extra covering.*

When outside...

- Instruct students to duck and cover in an area away from power lines and trees.

When inside...

- Instruct students to duck and cover under desks, tables or inner hallways/doorways and away from windows.

When in the cafeteria...

- Students should go to the perimeter of the cafeteria (*away from windows*) to duck and cover.

In all areas...

- Students should stay in D&C position for the duration of the alarm; until notified by the office to either evacuate the school or return to their classroom.
- If returning to areas remaining in classrooms, roll should be taken to account for all students. Any missing students should be reported to the office.

Office Staff

1. In the event of an earthquake, if safe, Announce “Duck & Cover, Duck & Cover, Duck & Cover” on the public address system.
2. Press: PAGE 915 to sound the short bell tone alarm signaling D&C conditions.
3. If public address (PA) system is unavailable, use the bullhorn to announce “duck and cover.”
4. Contact the District Office for direction (620-3556) by phone, cell phone or radio.
5. Once the shaking has stopped, silence the alarms and announce via PA or bullhorn “remain in duck and cover position until further notice.” Be prepared to sound the alarm for aftershocks if necessary.
6. In consensus with administration or 1st responders, determine if returning to classrooms or evacuation is prescribed. Make announcement of decision via PA or bullhorn.
7. Send available personnel to rooms and/or evacuation sites to ascertain condition of students, staff, and infrastructure.

Custodial/Maintenance Staff

1. Establish radio contact with the school office.
2. Close main gas, diesel and water valves and shut off utilities as needed.
3. Identify any structural damage or unsafe conditions and communicate findings to administration.
4. If there are safety hazards, communicate to the administration that a staff member is needed to keep students at a safe distance.

Transportation Staff

1. If an earthquake occurs on the way to school, pull over to a safe location and then direct students to duck and cover.
2. When safe, continue to school with students.
3. If an earthquake occurs on the way home from school, pull over to a safe location and then direct students to duck and cover.
4. When safe, contact the transportation office and continue with the route.
5. If the earthquake is severe; students should not be left at a bus stop unless there is an authorized adult present to meet them.
6. If an earthquake occurs during school, drivers remain in protected positions until directed.

EMERGENCIES

BOMB THREAT/EXPLOSION:

- Do not use radios, cell phones, or electronic devices. Switch electronic devices to 'off' position.
- You will be directed by public address announcement to switch electronic devices off and either Duck & Cover or Evacuate, followed by a short bell tone.
- If ordered to Duck and Cover, follow DUCK & COVER procedures, p. 6 (yellow)
- If ordered to Evacuate, follow either FIRE/BUILDING EVACUATION PROCEDURES p. 3 (red) or SCHOOL EVACUATION, p. 4 (purple) as directed by public address.

DANGEROUS ANIMAL:

- Office staff will make a public address announcement alerting staff and students of the presence of a dangerous animal on campus or in the area, followed by a short bell tone.
- Follow LOCKDOWN instructions on p. 5 (green) with the following exceptions:
 - Regular instruction may continue.
 - The doors and windows do not need to be secured or covered.
 - Radios may be audible.
 - The alarm will be silenced once all students are indoors.

TORNADO/SEVERE WINDSTORM:

- Office staff will make a public address announcement alerting staff and students return to or remain in classrooms due to tornado or windstorm, followed by a short bell tone.
- Follow DUCK & COVER instructions on p. 6 (yellow) with the following exceptions:
 - When outside, all students and staff must quickly go indoors.
 - WINDSTORM - Secure doors and windows, close blinds or drapes.
 - TORNADO - Open windows to equalize indoor/outdoor pressure, close blinds or drapes.
 - The alarm will be silenced once danger has passed.

CHEMICAL ACCIDENT/GAS LEAK:

- You will be directed by public address announcement to either Duck & Cover or Evacuate, followed by a short bell tone.
- If ordered to Duck and Cover, follow DUCK & COVER procedures, p. 6 (yellow)
 - Heating, Ventilation, Air Conditioning (HVAC) units will be turned off by Maintenance and Operations.
 - Surgical masks may be distributed.
- If ordered to Evacuate, follow either FIRE/BUILDING EVACUATION PROCEDURES p. 3 (red) or SCHOOL EVACUATION, p. 4 (purple) as directed by public address.

Regulation 3516.3: Earthquake Emergency Procedure System

Status: ADOPTED

Original Adopted Date: 10/13/2016

Earthquake Preparedness

Earthquake emergency procedures shall be established in every school building having an occupant capacity of 50 or more students, or more than one classroom, and shall be incorporated into the comprehensive safety plan. (Education Code 32282)

(cf. 0450 - Comprehensive Safety Plan)

Earthquake emergency procedures shall be aligned with the Standardized Emergency Management System and the National Incident Management System. (Government Code 8607; 19 CCR 2400-2450)

(cf. 3516 - Emergencies and Disaster Preparedness Plan)

The Superintendent or designee may work with the California Governor's Office of Emergency Services and the Seismic Safety Commission to develop and establish the earthquake emergency procedures. (Education Code 32282)

Earthquake emergency procedures shall outline the roles and responsibilities of students and staff during and after an earthquake.

Earthquake emergency procedures shall include, but not be limited to, all of the following: (Education Code 32282)

1. A school building disaster plan, ready for implementation at any time, for maintaining the safety and care of students and staff
2. A drop procedure whereby each student and staff member takes cover under a table or desk, dropping to his/her knees, with the head protected by the arms and the back to the windows

Drop procedures shall be practiced at least once each school quarter in elementary schools and at least once each semester in secondary schools.

3. Protective measures to be taken before, during, and following an earthquake
4. A program to ensure that students and staff are aware of and properly trained in the earthquake emergency procedure system

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

Staff and students shall be informed of the dangers to expect in an earthquake and procedures to be followed. Students shall be instructed to remain silent and follow directions given by staff in such an emergency. Staff and students also shall be taught safety precautions to take if they are in the open or on the way to or from school when an earthquake occurs.

Earthquake emergency procedures shall designate primary and alternative locations outside of buildings, which may include areas off campus if necessary, where individuals on a school site will assemble following evacuation. In designating such areas, the Superintendent or designee shall consider potential post-earthquake hazards outside school buildings including, but not limited to, power lines, trees, covered walkways, chain link fences that may be an electric shock hazard, and areas near buildings that may have debris.

Earthquake emergency procedures also shall outline primary and alternative evacuation routes that avoid areas with potential hazards to the extent possible. The needs of students with disabilities shall be considered when planning evacuation routes.

The Superintendent or designee shall consider the danger of a post-earthquake tsunami when developing evacuation routes and locations, including the need to evacuate to higher ground.

The Superintendent or designee shall identify at least one individual within each building to determine if an

evacuation is necessary, the best evacuation location, and the best route to that location when an earthquake occurs.

The Superintendent or designee shall identify potential earthquake hazards in classrooms and other district facilities, including, but not limited to, areas where the main gas supply or electric current enters the building, suspended ceilings, pendant light fixtures, large windows, stairwells, science laboratories, storage areas for hazardous materials, shop areas, and unsecured furniture and equipment. To the extent possible, dangers presented by such potential hazards shall be minimized by securing equipment and furnishings and removing heavy objects from high shelves.

Earthquake While Indoors at School

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

1. Staff shall have students perform the drop procedure. Students should stay in the drop position until the emergency is over or until further instructions are given.
2. In laboratories, burners should be extinguished, if possible, before taking cover.
3. As soon as possible, staff shall move students away from windows, shelves, and heavy objects or furniture that may fall.
4. After the earthquake, the principal or designee shall determine whether planned evacuation routes and assembly locations are safe and shall communicate with teachers and other staff.
5. When directed by the principal or designee to evacuate, or if classrooms or other facilities present dangerous hazards that require immediate evacuation, staff shall account for all students under their supervision and shall evacuate the building in an orderly manner.

Earthquake While Outdoors on School Grounds

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

1. Staff shall direct students to walk away from buildings, trees, overhead power lines, power poles, or exposed wires.
2. Staff shall have students perform the drop procedure.
3. Staff shall have students stay in the open until the earthquake is over or until further directions are given.

Earthquake While on the Bus

If students are on the school bus when an earthquake occurs, the bus driver shall take proper precautions to ensure student safety, which may include pulling over to the side of the road or driving to a location away from outside hazards, if possible. Following the earthquake, the driver shall contact the Superintendent or designee for instructions before proceeding on the route or, if such contact is not possible, drive to an evacuation or assembly location.

(cf. 3543 - Transportation Safety and Emergencies)

Subsequent Emergency Procedures

After an earthquake episode has subsided, the following actions shall be taken:

1. Staff shall extinguish small fires if safe.
2. Staff shall provide first aid to any injured students, take roll, and report missing students to the principal or designee.
3. Staff and students shall refrain from lighting any stoves or burners or operating any electrical switches until the area is declared safe.
4. All buildings shall be inspected for water and gas leaks, electrical breakages, and large cracks or earth slippage affecting buildings.
5. The principal or designee shall post staff at safe distances from all building entrances and instruct staff and

students to remain outside the buildings until they are declared safe.

6. The principal or designee shall request assistance as needed from the county or city civil defense office, fire and police departments, city and county building inspectors, and utility companies and shall confer with them regarding the advisability of closing the school.

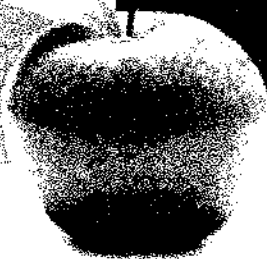
7. The principal or designee shall contact the Superintendent or designee and request further instructions after assessing the earthquake damage.

8. The Superintendent or designee shall provide updates to parents/guardians of district students and members of the community about the incident, any safety issues, and follow-up directions.

(cf. 1112 - Media Relations)



Pioneer Union School District
Emergency Operations Plan
Revised 03/01/2024



EMERGENCY FIRST RESPONDERS

In order to remain in compliance with California Education Code sections 32280-32289.5, Pioneer Union School District shall update the comprehensive safety plan every year. This information, once filed with the El Dorado County Office of Education, and will be made electronically available to law enforcement personnel in the event of an emergency.

To provide the best information to first responders coming to the aid of a school during an emergency or critical incident, the school safety plan is developed into three sections, as follows:

- Incident Response Plan - The Incident Response Plan template was developed to provide critical information to first responders during their immediate response to an incident. This template should be provided as the first few pages of the school's safety plan, so that it may be prominently displayed to responders when retrieving the information from the Ohio Law Enforcement Gateway (OHLEG). Schools are advised to update the Incident Response Plan whenever information on the plan changes and resubmit the update to the Attorney General's Office.
- Floor Plans - School floor plans (not a building blueprint) shall be submitted to the Attorney General's Office. The Ohio Attorney General's School Safety Taskforce has provided suggested guidelines for the development of standardized floor plans to ensure the information presented is clear and provides the most critical information in responding to an emergency in a school facility.
- School Safety Plan Protocols - The larger school safety plan should provide the more comprehensive information necessary for both school and public safety officials in developing an all hazards approach to school safety planning. This plan should be customized to meet your school's specific needs and circumstances. Meeting with emergency first responders and other community stakeholders is recommended as you develop and customize your plan.

INCIDENT RESPONSE PLAN

School District Name: Pioneer Union School District

School District Building Street Address: 6862 Mt. Aukum Rd., Somerset, CA 95684

School District Type: Elementary and Middle School

Schools in the District:

Pioneer Elementary School / Walt Tyler Elementary School

6860 Mt. Aukum Rd.

Somerset, CA 95684

Mountain Creek Middle School

6862 Mt. Aukum Rd.

Somerset, CA 95684

Submitting Official's Name: Patrick Paturel

Position: Superintendent

Date of Submission: March 1, 2025

Key Contact Information

School Decision-Maker's Name: Patrick Paturel Cellular Telephone: 530.663.3225

Secondary School Decision-Makers' Names:

Kelly Howard Cellular Telephone: 530.651.4061

Sarah Fike Cellular Telephone: 925.285.6612

Maintenance Coord. Name: Kelly Howard Cellular Telephone: 530.651.4061

Walt Tyler Safety Officer: Patrick Paturel Cellular Telephone: 530.663.3225

Primary Jurisdiction of Responding Agencies

El Dorado County Sheriff Department: Contact Number: 530.621.5655

Pioneer Fire Protection District: Contact Number: 530.620.4444

Emergency: Contact Number: 911 / 530.626.4911

Office of Emergency Services: Contact Number: 530.621.7660

Location of School Safety Plan Documents

Hard copies are located at the District Office and the main office of each school.

SAFETY PLAN

Basic Plan:

I.	Introduction	5
II.	Concept of Operations	8
III.	Organization and Assignment of Responsibilities	10
IV.	Direction, Control, and Coordination	13
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VI.	Recovery After An Incident	22
VII.	Administration, Finance and Logistics.....	23
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Addendum:

Compliance Checklist for School Safety Plan

Emergency Preparedness Manual - Disaster Procedures

District / Board Policies

- Child Abuse Reporting
- Suspension/Expulsion
- Employee Security
- Discrimination and Harassment
- Dress Code
- Positive School Climate
- Site Ingress/Egress (Visitors/Outsiders)
- School Discipline
- Bullying
- Student Behavior: Policies and Interventions Manual

El Dorado County Law Enforcement MOU

Red Cross Agreement

Site Maps

Assessment of School Safety

I. INTRODUCTION

A. Purpose of the Plan

The purpose of the Pioneer Union School District Emergency Operations Plan (School EOP) is to provide information on how to respond to emergency incidents by outlining the responsibilities and duties of Pioneer Union School District and its employees. Customization of this plan to meet Pioneer Union School District needs and circumstances is important. Developing, maintaining, and exercising the plan empowers employees to act quickly and knowledgeably. The plan educates staff, faculty, students, and other key stakeholders on their roles and responsibilities before, during, and after an incident. This plan provides parents and other members of the community with assurances that Pioneer Union School District has established guidelines and procedures to respond to incidents/hazards in an effective way.

Developing, maintaining, and exercising the School EOP increases legal protection. Schools without established incident management procedures may be found liable for their absence. While no set of policies rules out the potential for legal problems, establishing procedures and guidelines on the best professional practices provides a margin of protection against liability.

B. Scope of the Plan

The School EOP provides guidelines and procedures for dealing with existing and potential school incidents. The basic plan and the functional and hazard-specific annexes outline an organized, systematic method to mitigate, prevent, prepare for, respond to, and recover from incidents. The plan discusses the expectations of staff; roles and responsibilities; direction and control systems; internal and external communications; training and sustainability; authority and references as defined by local, state, and federal government mandates; common and specialized procedures; and specific hazard vulnerabilities and responses/recovery.

C. Coordination with Emergency First Responders

Various agencies and services are involved in responding to school incidents, including emergency responders from law enforcement, safety, fire, emergency agencies, as well as mental health and other community organizations. An important component of the School EOP is advanced planning with various federal, state, and/or local agencies and community service providers to aid in timely communication and response to an incident. Advance planning may or may not include written agreements to help coordinate services between the agencies and school. If mutual aid agreements are created, a copy should be maintained with other important documents related to this safety plan. Advanced planning should specify the type of communication and services provided by one agency to another.

D. Situation Overview

1. School Population

a. General Population

Current enrollment at Pioneer Union School District is approximately 280 elementary and middle-school students located in three schools: Pioneer Elementary, Walt Tyler Elementary, and Mountain Creek Middle School. These students are supported by a committed staff and faculty consisting of:

- ☐ 17 Teachers and specialists
- ☐ 1 Administrator
- ☐ 6 Office/support staff
- ☐ 12 Preschool Teacher and Instructional Assistants
- ☐ 2 Cafeteria staff
- ☐ 3 Maintenance and custodial staff

A master schedule of where classes, grade levels, and staff are located during the day is provided to each classroom and is available in the main office of each school site.

b. Functional Needs Population

Pioneer Union School District is committed to the safe evacuation and transport of students and staff with functional needs. The functional needs population includes, but is not limited to, students/staff with:

- ☐ Limited English proficiency,
- ☐ Blindness or visual disabilities,
- ☐ Cognitive or emotional disabilities,
- ☐ Deafness or hearing loss,
- ☐ Mobility/physical disabilities (permanent and temporary), and
- ☐ Medically fragile health (including asthma and severe allergies).

The school's current enrollment of students with functional needs is approximately 1; however, this number will fluctuate. Students and/or staff may require additional assistance if they are temporarily on crutches, wearing casts, etc.

Classrooms containing students and staff that require additional assistance during an incident will be noted by an asterisk next to the room number during the applicable class period(s) on the master schedule. The list of students and staff names with functional needs along with their schedules is available in main office of each school site. A list of staff members that have been trained and assigned to assist the functional needs population during drills, exercises, and incidents is also available.

2. Building Information

Available in the Addendum to this School EOP are maps and/or floor plans of the buildings annotated with evacuation routes, shelter locations, fire alarm pull stations, fire hydrants, fire extinguishers, first aid kits, hazardous materials storage, and utility shutoffs is included at the beginning of this plan. All staff members are required to know these locations as well as how to operate the utility shutoffs.

E. Planning Assumptions and Limitations

1. Planning Assumptions

Planning assumptions allow for deviation from the plan if certain assumptions prove not to be true during operations. The following are standard assumptions. Additional assumptions may be needed depending on your school's circumstances:

- ☐ The school community will continue to be exposed and subject to hazards and incidents, as well as lesser hazards and others that may develop in the future.
- ☐ A major disaster could occur at any time and at any place. In many cases, dissemination of warning to the public and implementation of increased readiness measures may be possible; however, some emergency situations occur with little or no warning.
- ☐ A single site incident (e.g., fire, gas main breakage) could occur at any time without warning and the employees of the school affected cannot and should not, wait for direction from local emergency response agencies. Action is required immediately to save lives and protect school property.
- ☐ Following a major or catastrophic incident, the school may have to rely on its own resources to be self-sustaining for up to 72 hours.
- ☐ There may be a number of injuries of varying degrees of seriousness to faculty, staff, and/or students. Rapid and appropriate response will reduce the number and severity of injuries.
- ☐ Outside assistance from local fire, law enforcement and emergency managers will be available in most serious incidents. Because it takes time to request and dispatch external assistance, it is essential for the school to be prepared to carry out the initial incident response until responders arrive at the incident scene.
- ☐ Proper prevention and mitigation actions, such as creating a positive school environment and conducting fire and safety inspections, will prevent or reduce incident-related losses.
- ☐ Maintaining the School EOP and providing frequent opportunities for stakeholders (staff, students, parents, emergency responders, etc.) to exercise the plan through live drills and table-top exercises can improve the school's readiness to respond to incidents.
- ☐ A spirit of volunteerism among school employees, students and families will result in their providing assistance and support to incident management efforts.

II. CONCEPT OF OPERATIONS

The overall strategy of a School EOP is to execute effective and timely decisions and actions that prevent harm, protect lives and property, mitigate damages, restore order and aid recovery.

This plan is based upon the concept that the incident management functions that must be performed by the school generally parallel some routine day-to-day functions. To the extent possible, the same personnel and material resources used for day-to-day activities will be employed in responding to an incident in the school. Because personnel and equipment resources are limited, some routine functions that do not contribute directly to the incident may be suspended. The personnel, equipment and supplies that would typically be required for those routine functions will be redirected to accomplish assigned incident management tasks.

In addition, the incident may require coordinated operations with others. The key to successful operations is an organized command structure. It is important to understand that the school's command of the incident and the school's incident management structure may change once official emergency responders arrive on the scene. Emergency responders are knowledgeable in the Incident Command System (ICS) and may be best equipped to command the response to a specific incident. If this is to occur, the school may transition command of the incident to a more qualified Incident Commander (IC). These concepts are more fully discussed below.

It is critical for school administration officials and all segments of the community emergency response system to work together in advance of an incident to develop a working relationship and understanding of how the school's initial response would transition into the overall response to a critical incident at the school.

A. National Incident Management System (NIMS)

The National Incident Management System (NIMS) is a set of principles that provides a systematic, proactive approach guiding government agencies, nongovernmental organizations and the private sector to work seamlessly to prevent, protect against, respond to, recover from and mitigate the effects of incidents, regardless of cause, size, location, or complexity, to reduce the loss of life or property and harm to the environment. This system ensures that those involved in incident response/recovery understand their roles and have the tools they need to be effective.

According to Homeland Security Presidential Directive 5 and the U.S. Department of Education, school districts are among local agencies that must adopt NIMS if they receive Federal grant funds.

Pioneer Union School District recognizes that staff and students will be first responders during an incident. Adopting NIMS enables staff and students to respond more effectively to an incident and enhances cooperation, coordination, and communication among school officials, first responders, and emergency managers.

As part of its NIMS implementation, Pioneer Union School District participates in the local government's NIMS preparedness program to remain NIMS compliant and believes it is essential to ensure that response/recovery services are delivered to schools in a timely and effective manner. NIMS compliance for school districts includes completing the following:

- ☐ Adopt the use of the Incident Command System (ICS). All staff and students who assume roles described in this plan will receive ICS-100 training.
- ☐ Complete NIMS awareness course IS-700 NIMS: An Introduction.
- ☐ Participate in local government's NIMS preparedness program and incorporate the School EOP into the [name of your County] EOP.
- ☐ Train and exercise the plan. All staff and students are expected to participate in training and exercising the plan's procedures and hazard-specific incident plans. The school is charged with ensuring that the training and equipment necessary for an appropriate response/recovery operation are in place.

B. Initial Response and Implementation of the Incident Command System (ICS)

In a major emergency or disaster, Pioneer Union School District may be damaged or need to be evacuated, people may be injured, and/or other incident management activities may need to be initiated. School personnel are usually first on the scene of an incident in a school setting. School officials and staff are expected to take charge and manage the incident until it is resolved or command is transferred to someone more qualified, usually an emergency responder agency with legal authority to assume responsibility. School personnel will seek guidance and direction from local officials and technical assistance from state and federal agencies where appropriate.

All activities necessary in managing an incident must be organized and coordinated to ensure the most efficient response. The Incident Command System (ICS) will be used to manage all incidents.

Until non-school emergency responders arrive on-scene, the School Decision-Maker (usually the principal or his/her designee) is responsible for activating the School EOP, including common and/or specialized procedures, as well as hazard-specific incident plans. The School Decision-Maker shall designate a School Incident Commander with authority to direct all incident activities. The designated School Incident Commander should be the person most qualified to manage the specific type of incident.

Once an emergency responder agency with legal authority to assume responsibility arrives on scene, the School Incident Commander should transition command to that Incident Commander and move to serving within the incident command structure.

Again, it is critical that school officials and all segments of the community emergency response system work together in advance of an incident to develop a working relationship and understanding of how the school's initial response would transition into the overall response to a critical incident at the school.

III. ORGANIZATION AND ASSIGNMENT OF RESPONSIBILITIES

This section establishes the operational organization that will be relied on to manage the incident and includes:

- ☐ A list of the kinds of tasks to be performed by position and organization.
- ☐ An overview of who does what.

A building principal and/or assistant principals are not always able to manage all the aspects associated with an incident without assistance. As indicated, the Incident Command System (ICS) uses a team approach to manage incidents and allows school officials to assign tasks to other key school personnel.

Staff are assigned to serve within the ICS based on their expertise and training and the needs of the incident. Roles should be pre-assigned based on training and qualifications. Each staff member and volunteer must be familiar with his or her role and responsibilities before an incident occurs. School staff may be required to remain at school to assist in an incident.

A. Principal/Building Administrator

The principal/designee may serve as the School Incident Commander or delegate that authority to a qualified individual. While the principal retains the overall responsibility for the safety of students and staff, delegating certain duties to manage the incident may allow the principal to focus on policy-level activities and interfacing with other agencies and parents. The principal shall coordinate between the Superintendent's office and the School Incident Commander.

B. School Incident Commander

The School Incident Commander will establish an Incident Command Post (ICP) and provide an assessment of the situation to the principal/designee or other officials, identify resources required, and direct the on-scene incident management activities. The Incident Commander's responsibilities include:

- ☐ Assuming overall direction of all incident management activities based on procedures outlined in the School EOP.
- ☐ Taking steps deemed necessary to ensure the safety of students, staff and other individuals.
- ☐ Determining whether to implement incident management protocols established in the School EOP (e.g., Evacuation, Reverse Evacuation, Shelter in Place, etc. as described more fully in the annexes).
- ☐ Arranging for transfer of students, staff and other individuals when safety is threatened by a disaster.
- ☐ Working with and ensuring communication with emergency services personnel.
- ☐ Keeping the principal and other officials informed of the situation.
- ☐ Ensuring the proper transfer of command when/if a more qualified Incident Commander arrives on scene.

C. Teachers

Teachers shall be responsible for the supervision of students and shall remain with students until directed otherwise. Responsibilities include:

- ☐ Supervising students under their charge.
- ☐ Taking steps to ensure the safety of students, staff and other individuals in the implementation of incident management protocols established in the School EOP.
- ☐ Directing students in their charge to inside or outside assembly areas, in accordance with signals, warning, written notification or intercom orders according to incident management procedures established in the School EOP.
- ☐ Taking attendance when class relocates to an outside or inside assembly area or evacuates to another location.
- ☐ Reporting missing students to the Incident Commander.
- ☐ Executing assignments as directed by the Incident Commander.
- ☐ Obtaining first-aid services for injured students from the school nurse or person trained in first-aid. Arrange for first-aid for those unable to be moved.
- ☐ Rendering first-aid if necessary. School staff will be trained and certified in first-aid and CPR.

D. Instructional Assistants

Responsibilities include assisting teachers as directed.

E. Counselors, Social Workers, and Psychologists

Counselors, social workers and psychologists provide assistance with the overall direction of the incident management procedures at the site. Responsibilities may include:

- ☐ Taking steps to ensure the safety of students, staff and other individuals in the implementation of incident management protocols established in the School EOP.
- ☐ Rendering first-aid if necessary.
- ☐ Assisting in the transfer of students, staff and other individuals when their safety is threatened by a disaster.
- ☐ Executing assignments as directed by the Incident Commander.
- ☐ Assisting with crisis intervention and recovery processes.

F. School Nurses/Health Assistants

Responsibilities include:

- ☐ Administering first-aid or emergency treatment as needed.
- ☐ Supervising administration of first-aid by those trained to provide it.
- ☐ Organizing first-aid and medical supplies.

G. Custodians/Maintenance Personnel

Responsibilities include:

- ☐ Surveying and reporting building damage to the Incident Commander.
- ☐ Controlling main shutoff valves for gas, water and electricity and ensure that no hazard results from broken or downed lines.
- ☐ Providing damage control as needed.
- ☐ Assisting in the conservation, use and disbursement of supplies and equipment.
- ☐ Keeping the Incident Commander informed of school conditions.

H. School Secretary/Office Staff

Responsibilities include:

- ☐ Answering phones and assisting in receiving and providing consistent information to callers.
- ☐ Providing for the safety of essential school records and documents.
- ☐ Executing assignments as directed by the Incident Commander.
- ☐ Providing assistance to the principal.
- ☐ Monitoring radio emergency broadcasts.
- ☐ Assisting with health incidents as needed, acting as messengers, etc.

I. Food Service/Cafeteria Workers

Responsibilities include:

- ☐ Using, preparing, and serving food and water on a rationed basis when the feeding of students and staff becomes necessary during an incident.
- ☐ Executing assignments as directed by the Incident Commander.

J. Bus Drivers

Responsibilities include:

- ☐ Supervising the care of students if disaster occurs while students are on a bus.
- ☐ Transferring students to new location when directed.
- ☐ Executing assignments as directed by the Incident Commander.
- ☐ Transporting individuals in need of medical attention.

K. Other Staff (e.g., Itinerant Staff, Substitute Teachers)

Responsibilities include reporting to the Incident Commander for assignments, if requested to do so.

L. Students

Responsibilities include:

- ☐ Cooperating during emergency drills and exercises and during an incident.
- ☐ Learning to be responsible for themselves and others in an incident.
- ☐ Understanding the importance of not being a bystander by reporting situations of concern.
- ☐ Developing an awareness of natural, technological, and human-caused hazards and associated prevention, preparedness and mitigation measures.
- ☐ Taking an active part in school incident response/recovery activities, as age appropriate.

M. Parents/Guardians

Responsibilities include:

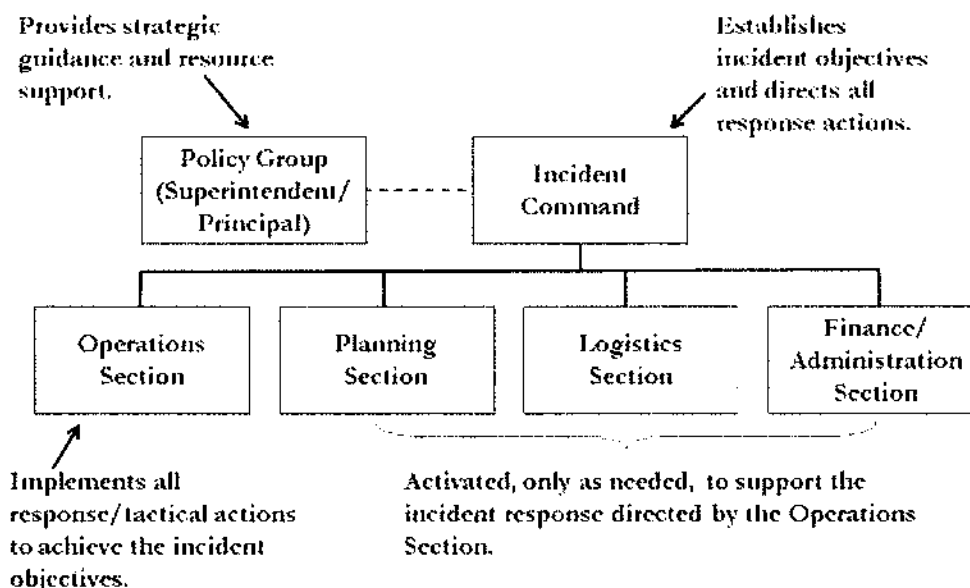
- ☐ Encouraging and supporting school safety, violence prevention and incident preparedness programs within the school.
- ☐ Participating in volunteer service projects for promoting school incident preparedness.
- ☐ Providing the school with requested information concerning the incident, early and late dismissals, and other related release information.
- ☐ Practicing incident management preparedness in the home to reinforce school training and ensure family safety.
- ☐ Understanding their roles during a school emergency.

IV. DIRECTION, CONTROL, AND COORDINATION

A. School Incident Command System

A school's command system can be used to manage emergency incidents or non-emergency events such as graduations, athletic events, or celebrations. The system is flexible to meet the school's needs. See Figure 1 on next page.

Figure 1. School Incident Command System



Staff are assigned to serve within the ICS based on their expertise and training and the needs of the incident. Roles should be pre-assigned based on training and qualification. The School ICS is organized into the following functional areas:

1. School Incident Commander

Directs tactical on-scene operations until/unless a coordinated incident command system (ICS) is established with local authorities. In complex incidents, a Policy/Coordination Group may be convened at the school district operations center. The role of the Policy/Coordination Group is to:

- ☐ Support the on-scene Incident Commander.
- ☐ Provide policy and strategic guidance.
- ☐ Help ensure that adequate resources are available.
- ☐ Identify and resolve issues common to all organizations.
- ☐ Keep elected officials and other executives informed of the situation and decisions.
- ☐ Provide factual information, both internally and externally. See Part V of this plan on Communications for additional information related to role/responsibility of an information officer.

The Pioneer Union School District Principal/designee and/or School Incident Commander will keep the Policy/Coordination Group informed.

2. Operations Section

When activated, the Operations Section coordinates all tactical operations including implementation of response/recovery activities according to procedures and protocols established by Pioneer Union School District in an incident action plan. Procedures and protocols will address care of students, first-aid, crisis intervention, search and rescue, site security, damage assessment, evacuations and the release of students to parents. Specific responsibilities include:

- ☐ Analyzing school staffing to develop a Family Reunification Plan, and implementation.
- ☐ Monitoring site utilities (i.e., electric, gas, water, heat/ventilation/air conditioning) and shutting them off only if danger exists or if directed by the Incident Commander and assisting in securing facility.
- ☐ Establishing medical triage with staff trained in first-aid and CPR, providing and overseeing care given to injured persons, distributing supplies and requesting additional supplies.
- ☐ Providing and accessing psychological first-aid services for those in need and accessing local/regional providers for ongoing crisis counseling for students, staff and parents.
- ☐ Coordinating the rationed distribution of food and water, establishing secondary toilet facilities in the event of water or plumbing failure and requesting needed supplies.
- ☐ Documenting all activities.

See Table 2 on the next page for the types of Strike Teams that may be established within the Operations Section.

TABLE 2. OPERATIONS SECTION TEAMS

Search & Rescue Teams search the entire school facility, entering only after they have checked the outside for signs of structural damage and determined that it is safe to enter. Search & Rescue Teams are responsible for ensuring that all students and staff evacuate the building (or, if it is unsafe to move the persons, that their locations are documented so that professional responders can locate them easily and extricate them). Search and Rescue Teams are also responsible for:

- ☐ Identifying and marking unsafe areas.
- ☐ Conducting initial damage assessment.
- ☐ Obtaining injury and missing student reports from teachers.

First-Aid Teams provide triage, treatment, and psychological first-aid services. First-Aid Teams are responsible for:

- ☐ Setting up first-aid area for students.
- ☐ Assessing and treating injuries.
- ☐ Completing master injury report.

Evacuation/Shelter/Care Team. Evacuation, shelter and student care in an incident are among the most important tasks faced by schools. These tasks include student accounting, protection from weather, providing for sanitation needs and providing for food and water. This team is responsible for:

- ☐ Accounting for the whereabouts of all students, staff and volunteers.
- ☐ Setting up a secure assembly area.
- ☐ Managing sheltering and sanitation operations.
- ☐ Managing student feeding and hydration.
- ☐ Coordinating with the Student Release Team.
- ☐ Coordinating with the Logistics Section to secure the needed space and supplies.

Facility & Security Response Team is responsible for:

- ☐ Locating all utilities and turning them off, if necessary.
- ☐ Securing and isolating fire/HazMat.
- ☐ Assessing and notifying officials of fire/HazMat.
- ☐ Conducting perimeter control.

Crisis Intervention Team is responsible for:

- ☐ Assessing need for onsite mental health support.
- ☐ Determining need for outside agency assistance.
- ☐ Providing onsite intervention /counseling resources.
- ☐ Monitoring well-being of School Incident Command Team, staff and students and reporting all findings to the Operations Section Chief.

Student Release/Reunification Team. Responsible for getting students reunited with their parents or guardians in an efficient and orderly manner. This can be an enormous challenge and takes a lot of planning. This team is responsible for:

- ☐ Setting up secure reunion area.
- ☐ Checking student emergency cards for authorized releases and completing release logs.
- ☐ Coordinating information officers on internal and external communications and messages.

3. Planning Section

When activated, the Planning Section is responsible for collecting, evaluating and disseminating information needed to measure the size, scope and seriousness of an incident and planning appropriate incident management activities. Duties may include:

- ☐ Assisting the Incident Commander in the collection and evaluation of information about an incident as it develops, assisting with ongoing planning efforts and maintaining the incident time log.
- ☐ Documenting all activities.

4. Logistics Section

When activated, the Logistics Section supports incident management operations by securing and providing needed personnel, equipment, facilities, resources and services required for incident resolution; coordinating personnel; assembling and deploying volunteer teams; and facilitating communication among incident responders. This function may involve a major role in an extended incident. Additional responsibilities include:

- ☐ Establishing and overseeing communications center and activities during an incident (two-way radio, battery-powered radio, written updates, etc.), and developing a telephone tree for after-hours communication.
- ☐ Establishing and maintaining school and classroom first-aid kits, coordinating access to and distribution of supplies during an incident and monitoring inventory of supplies and equipment.
- ☐ Documenting all activities.

5. Finance/Administration Section

When activated, the Finance/Administration Section oversees all financial activities including purchasing necessary materials, tracking incident costs, arranging contracts for services, timekeeping for emergency responders, submitting documentation for reimbursement and recovering school records following an incident. Additional duties may include:

- ☐ Assuming responsibility for overall documentation and recordkeeping activities; when possible, photographing or videotaping damage to property.
- ☐ Developing a system to monitor and track expenses and financial losses and secure all records.

School and school district management offices may assume responsibility for these functions and perform these duties off-site.

TABLE 3 SCHOOL INCIDENT COMMAND SYSTEM

Patrick Paturel, Superintendent

School Incident Commander

1. Kelly Howard, Chief Business Officer

2. Sarah Fike, Admin/HR/IT. Coord.

Alternate School Commander(s)

Public Information Officer

Patrick Paturel,
Superintendent

Alternates

1. Kelly Howard

2. Sarah Fike

*Acts as a liaison between school and
public (including media)*

Policy Group

1. Superintendent

2. School Attorney or other key staff

*Support Incident Commander, provide
guidance on policy, help resolve issues
and find resources, assist with
communications.*

Operations

Patrick
Paturel

*Handle all emergency
response jobs,
including taking care
of students as well as
handling the
challenges of the
emergency.*

Planning

Rich
Romo

Alternates

1. Kelly Howard

2. Sarah Fike

*Responsible for
tracking both available
and needed resources,
assessing the
changing situation,
documenting the
response and
managing the large
site map at the
Command Post.*

Logistics

Kelly
Howard

Maintenance Coord.

Alternate

1. Chris Garrett

*Manages personnel,
supplies and
equipment During a
response, the Logistics
Team is responsible
for handing out
supplies, equipment
and deploying
unassigned people for
work.*

Finance &

Administration

Kelly Howard, Chief
Business Officer

*Responsible for buying
materials and keeping
financial records of
expenditures and
employee hours*

V. COMMUNICATIONS

Communication is a critical part of incident management. This section outlines Pioneer Union School District's communications plan and supports its mission to provide clear, effective internal and external communication between the school, staff, students, parents, emergency responders, the community and media.

The School EOP must include policies and procedures governing school incident communications with law enforcement and emergency responders, as well as with students, parents, staff, the school community, and the media. Templates for statements/press releases to the media, and a detailed communications plan, including standard procedures and protocols should be developed and made available in advance of an incident.

Templates for statements/ press releases, the communication plan and media contacts at the major television, Internet, and radio stations are maintained by the Superintendent.

A. Communication Between School and with Law Enforcement and Emergency Responders

Pioneer Union School District utilizes the Communication Platform/Capabilities described in the beginning of the School EOP to contact and maintain communications with law enforcement and other emergency responders during an incident. The School Incident Commander will transfer command to the appropriate emergency responder who arrives on the scene to assume management of the incident, including coordination of internal and external communications. Pioneer Union School District and emergency responders will coordinate the release of information to ensure that information is consistent, accurate and timely.

B. Internal Communications

Pioneer Union School District has identified the Superintendent as school spokesperson who will be responsible to:

- ☐ Help create the policies and plans for communicating emergency information internally and to the public.
- ☐ Follow the communications policies and procedures established by Pioneer Union School District.
- ☐ Help establish alternative means to provide information in the event of a failure of power, phone or other lines of communication.
- ☐ Develop materials for use in media briefings.
- ☐ Act as the contact for emergency responders and assist in coordination of media communications.

1. Communication Between School Officials and Staff Members

School personnel will be notified when an incident occurs and kept informed as additional information becomes available and as plans for management of the incident evolve. The following practices will be utilized to disseminate information internally when appropriate:

- ☐ Telephone Tree: A telephone tree is a simple, widely used system for notifying staff of an incident when they are not at school. The tree originates with the principal/designee, who contacts the members of the School Incident Command Team. Team members then in turn will contact groups of staff (teachers, administrators and support staff).
- ☐ Text-Messaging System/E-mail System: A text-messaging or e-mail system is available to provide those who are registered to receive messages with updates during an incident.
- ☐ Morning Faculty Meeting: As appropriate, updated information about an incident will be presented at the morning faculty meeting or Daily Bulletin, as appropriate. Any new procedures for the day will also be reviewed at this time.
- ☐ End-of-Day Faculty Meeting: As appropriate, updated information and a review of the day's events will be presented at the end-of-day meeting. Staff will also have the opportunity to address any misinformation or rumors.

C. External Communications

School officials must communicate with the larger school community on how incidents will be addressed on a regular basis. However, once an incident does occur, parents, media and the community at large will require clear and concise messages from Pioneer Union School District about the incident, what is being done and the safety of the children and staff.

1. Communication with Parents

Before an incident occurs, Pioneer Union School District will:

- ☐ Develop a relationship with parents so that they trust and know how to access alerts and incident information.
- ☐ Inform parents about the School's EOP, its purpose, and its objectives, although detailed response tactics should not be shared if they will impede the safe response to an incident.
- ☐ Identify parents who are willing to volunteer in case of an incident and include them in preparation efforts and training.
- ☐ Be prepared with translation services for non-English-speaking families and students with limited English proficiency.

Pioneer Union School District Emergency Operations Plan

In the event of an incident, Pioneer Union School District will:

- ☐ Disseminate information via Blackboard Connect emails to inform parents about what is known to have happened.
- ☐ Implement a plan to manage phone calls and parents who arrive at school.
- ☐ Describe how the school and school district are handling the situation.
- ☐ Provide information regarding possible reactions of their children and ways to talk with them.
- ☐ Provide a phone number, Web site address, or recorded hotline where parents can receive updated incident information.
- ☐ Inform parents and students when and where school will resume.

After an incident, Pioneer Union School District administrators will schedule and attend an open question-and-answer meeting for parents as soon as possible.

2. Communication with the Media

In the event of an incident, the School Incident Commander or the emergency responder Incident Commander (in the event command has been transferred), will:

- ☐ Establish a media site and reception area away from the school and any established Incident Command Post.
- ☐ Provide regular updates to media and school community.
- ☐ Provide only information that has been approved to be released by the Incident Commander in charge of the scene.
- ☐ Monitor release of information and correct misinformation.

All Pioneer Union School District employees are to refer all requests for information and questions to the Superintendent.

3. Handling Rumors

In addressing rumors, the most effective strategy is to provide facts as soon as possible. To combat rumors, Pioneer Union School District will:

- ☐ Provide appropriate information to internal groups, including teachers, students, custodians, secretaries, instructional assistants, cafeteria workers and bus drivers. These people are primary sources of information and are likely to be contacted in their neighborhoods, at grocery stores, etc.
- ☐ Inform staff members before they are allowed to go home so that what is (and is not) known can be clearly communicated.
- ☐ Designate and brief personnel answering calls to help control misinformation.
- ☐ Conduct briefings for community representatives directly associated with the school.
- ☐ Enlist the help of the media to provide frequent updates to the public, especially to provide accurate information where rumors need to be dispelled.

After the immediate incident response period, Pioneer Union School District will conduct public meetings as needed. These meetings are designed to provide the opportunity for people to ask questions and receive accurate information.

D. Communication Tools

Some common internal and external communication tools that Pioneer Union School District uses, include the following [customize to your school's resources]:

- ☐ Standard telephone
- ☐ Cellular telephones: These phones may be the only tool working when electric service is out; they are useful to school personnel en route to or from a site.
- ☐ Intercom systems: The intercom system includes teacher-initiated communication with the office using a handset rather than a wall-mounted speaker.
- ☐ Bullhorns and megaphones: A battery-powered bullhorn to address students and staff who are assembling outside the school. Procedures governing storage and use will help ensure readiness for use.
- ☐ Two-way radio: Two-way radios provide a reliable method of communication between rooms and buildings at a single site.
- ☐ Computers: A wireless laptop computer may be used for communication both within the school and to other sites. Email may be a useful tool for updating information for staff, other schools in an affected area and the district superintendent. The District website may be used to post information such as school evacuation, closure or relocation on the home page of the school and district Web site.
- ☐ Fax machines: Possible uses include off-site access to receive and send critical information concerning students and staff members, their locations, and needed telephone numbers, including but not limited to, medical information, release forms and authorizations.
- ☐ Alarm systems: Bells or buzzers are in place and sound in different ways to signal different types of incidents – for example, fire, lockdown, or special alert (see information in Addendum). All school staff, students, and volunteers will be trained on what the sounds mean and how to respond to them.
- ☐ Whistles: Whistles should be provided to staff in order to signal a need for immediate attention or assistance.

VI. RECOVERY AFTER AN INCIDENT

After the safety and status of staff and students have been assured and emergency conditions have abated following an incident, staff, teachers and school officials will assemble to support the restoration of the school's educational programs. Defining mission-critical operations and staffing this effort is the starting point for the recovery process. Collecting and disseminating information will also facilitate the recovery process.

Pioneer Union School District Emergency Operations Plan

Pioneer Union School District will designate appropriate personnel and collaborate with external resources to work in teams to accomplish the following:

- ☐ Conduct a comprehensive assessment of the physical and operational recovery needs.
- ☐ Assess physical security, data access and all other critical services (e.g., plumbing, electrical).
- ☐ Examine critical information technology assets and personnel resources and determine the impact on the school operations for each asset and resource that is unavailable or damaged.
- ☐ Document damaged facilities, lost equipment and resources and special personnel expenses that will be required for insurance claims and requests for state and federal assistance.
- ☐ Identify recordkeeping requirements and sources of financial aid for state and federal disaster assistance.
- ☐ Provide detailed facilities data to the school district office so that it can estimate temporary space reallocation needs and strategies.
- ☐ Arrange for ongoing status reports during the recovery activities to: a) estimate when the educational program can be fully operational; and b) identify special facility, equipment and personnel issues or resources that will facilitate the resumption of classes.
- ☐ Educate school personnel, students and parents on available crisis counseling services.
- ☐ Establish absentee policies for teachers/students after an incident.
- ☐ Establish an agreement with mental health organizations to provide counseling to students and their families after an incident.
- ☐ Develop alternative teaching methods for students unable to return immediately to classes: correspondence classes, videoconferencing, telegroup tutoring, etc.
- ☐ Create a plan for conducting classes when facilities are damaged (e.g., alternative sites, half-day sessions, portable classrooms).
- ☐ Get stakeholder input on prevention and mitigation measures that can be incorporated into short-term and long-term recovery plans.

VII. ADMINISTRATION, FINANCE AND LOGISTICS

A. Agreements and Contracts

If school resources prove to be inadequate during an incident, Pioneer Union School District will request assistance from local emergency services, other agencies and the school community in accordance with existing mutual aid agreements and contracts. Such assistance includes equipment, supplies and/or personnel. All agreements entered into by authorized school officials should be in writing. All pre-negotiated agreements and contracts are kept at the District Office.

B. Recordkeeping

1. Administrative Controls

Pioneer Union School District is responsible for establishing the administrative controls necessary to manage the expenditure of funds and to provide reasonable accountability and justification for expenditures made to support incident management operations. These administrative controls will be done in accordance with established local fiscal policies and standard cost accounting procedures.

2. Activity Logs

Staff assigned within the School ICS will maintain accurate logs recording key incident management activities, including:

- ☐ Activation or deactivation of incident policies, procedures and resources.
- ☐ Significant changes in the incident situation.
- ☐ Major commitments of resources or requests for additional resources from external sources.
- ☐ Issuance of protective action recommendations to the staff and students.
- ☐ Evacuations.
- ☐ Casualties.
- ☐ Containment or termination of the incident.

C. Incident Costs

School ICS Finance and Administration staff are responsible for maintaining records summarizing the use of personnel, equipment and supplies to obtain an estimate of annual incident response costs that can be used in preparing future school budgets. The detailed records of costs for incident management and operations include:

- ☐ Personnel costs, especially overtime costs.
- ☐ Equipment operations costs.
- ☐ Costs for leased or rented equipment.
- ☐ Costs for contract services to support incident management operations.
- ☐ Costs of specialized supplies expended for incident management operations.

These records may be used to recover costs from the responsible party or insurers, or as a basis for requesting financial assistance for certain allowable response and recovery costs from the state and/or federal government.

D. Preservation of Records

In order to continue normal school operations following an incident, vital records must be protected. These include legal documents and student files as well as property and tax records. The principal causes of damage to records are fire and water. Essential records should be protected and are maintained by the District Office.

VIII. PLAN DEVELOPMENT, MAINTENANCE, AND DISTRIBUTION

A. Approval and Dissemination of the Plan

In developing the safety plan for each building, the Pioneer Union School District must involve community law enforcement, fire, and safety officials, parents of students who are assigned to the building and teachers and nonteaching employees who are assigned to the building as described in E.C. 32281. The safety plan should clearly identify the latest revision date and the signature of individuals involved in its creation and/or revision.

B. Record of Distribution

Copies of the school safety and floor plans will be distributed to emergency organizations with a role in responding to an incident. A record of distribution will be kept as proof that organizations have acknowledged their receipt, review and/or acceptance of the plan. School administrators will record the title and name of the person receiving the plan, the agency to which the receiver belongs, the date of delivery and the number of copies delivered. This record is kept on file at the District Office.

School Safety Planning documents should not be shared with those who do not have a need to know the details of the plan unless all sensitive, security-related information has been properly redacted. Copies of the plan may be made available to the public and media without the sensitive information at the discretion of the School Board.

C. Review and Updates to the Plan

In order to remain in compliance with E.C. 32281, the Pioneer Union School District shall update the comprehensive safety plan once a year. Each update or change to the plan will be tracked. The record of changes will include: the change number, the date of the change and the name of the person who made the change.

To ensure timely updates to the School EOP, the school board or governing authority has established a schedule for an annual review of planning documents. The basic plan and its annexes will be reviewed at least once per year by school officials and local emergency management agencies and others deemed appropriate by school administration.

The School EOP will be updated based upon changes in information; deficiencies identified during incident management activities and exercises; and when changes in threat hazards, resources and capabilities or school structure occur.

D. Training and Exercising the Plan

Pioneer Union School District understands the importance of training, drills, and table top exercises in maintaining and planning for an incident. To ensure that district personnel and community emergency responders are aware of their duties and responsibilities under the school plan and the most current procedures, the following training, drill and exercise actions will occur. School officials will coordinate training efforts with guidance from El Dorado County Emergency Management Agency.

Basic training and refresher training sessions will be conducted as necessary and required for all school personnel in coordination with local fire, law enforcement and emergency managers.

Additional training will include drills and tabletop exercises. Drills will be conducted monthly. Records of the training provided including date(s), type of training, and participant roster will be maintained and are located at the District Office. Approved parent volunteers and community members will also be incorporated into larger training efforts.

All Pioneer Union School District staff members are encouraged to develop personal and family emergency plans. Each family should anticipate that a staff member may be required to remain at school following a catastrophic event. Knowing that the family is prepared and can handle the situation will enable school staff to do their jobs more effectively.

SCHOOL SAFETY PLANNING GLOSSARY

Hazards: Hazards shall include situations involving threats of harm to students, personnel and/or facilities. Hazards include but are not limited to natural, technological and human-caused incidents. Hazards may require an interagency response involving law enforcement and/or emergency services agencies, depending on the size and scope of the incident.

Incident: An incident is an occurrence – natural, technological, or human-caused – that requires a response to protect life or property.

Incident Command System (ICS): The response infrastructure designed under the National Incident Management System (NIMS) to facilitate effective and efficient management of an incident by (1) identifying key team roles and functions; (2) assessing staff skills; (3) pre-designating staff for each ICS function (command, operations, planning, logistics, finance/administration); (4) coordinating with community partners; and (5) providing for transfer or command and backup of resources.

Incident Commander: The individual responsible for overall policy, direction and coordination of the emergency response effort. Usually this will be the local emergency official on site who has legal jurisdiction over the incident.

Keyholder: The school should identify the individual with access to keys to all parts of the school facility in the event of a critical incident or hazard. This individual should be reachable at the telephone number listed in the event of an emergency.

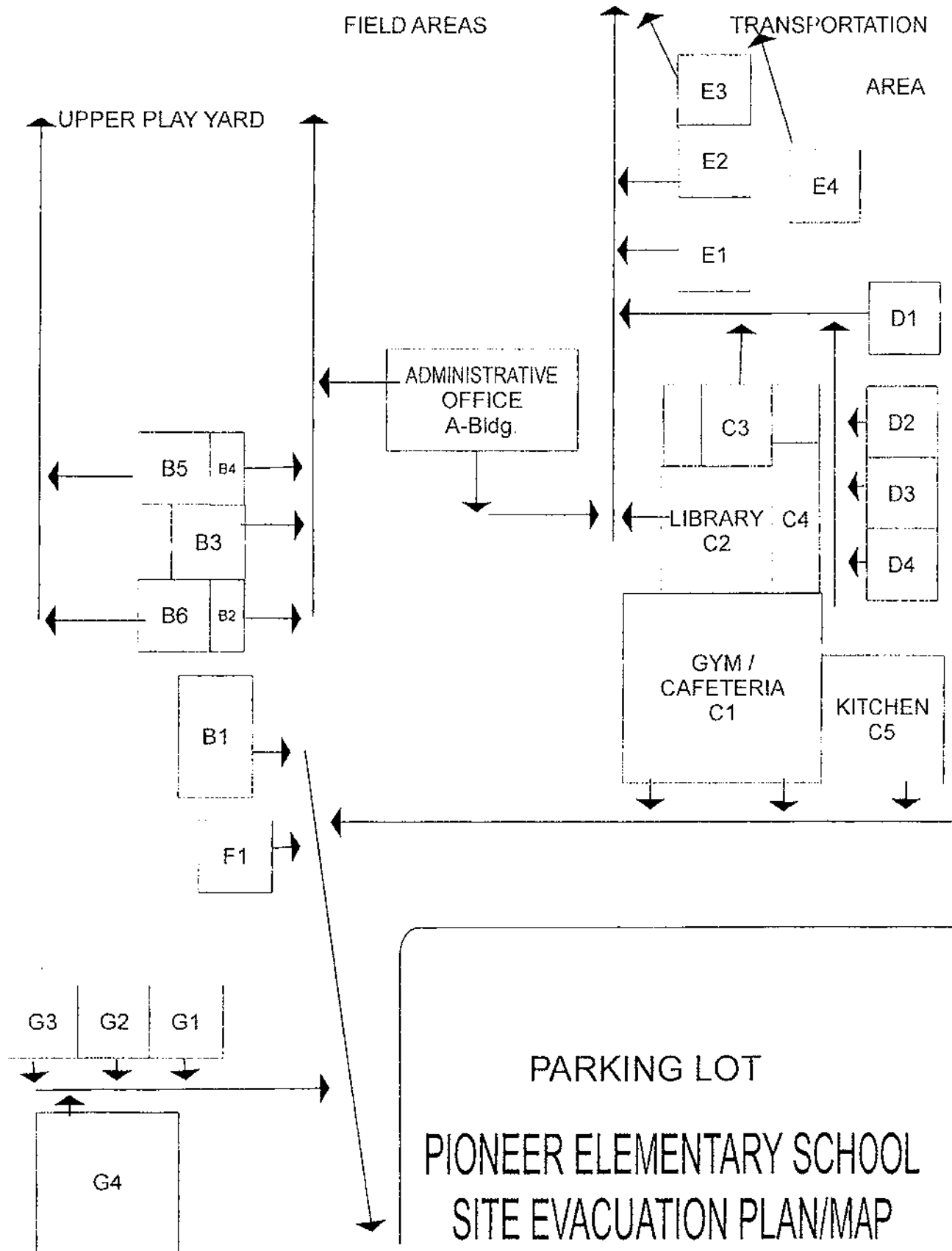
National Incident Management System (NIMS): A set of principles that provides a systematic, proactive approach guiding government agencies, nongovernmental organizations, and the private sector to work seamlessly to prevent, protect against, respond to, recover from, and mitigate the effects of incidents, regardless of cause, size, location or complexity, to reduce the loss of life or property and harm to the environment. This system ensures that those involved in an incident understand their roles and have the tools they need to be effective.

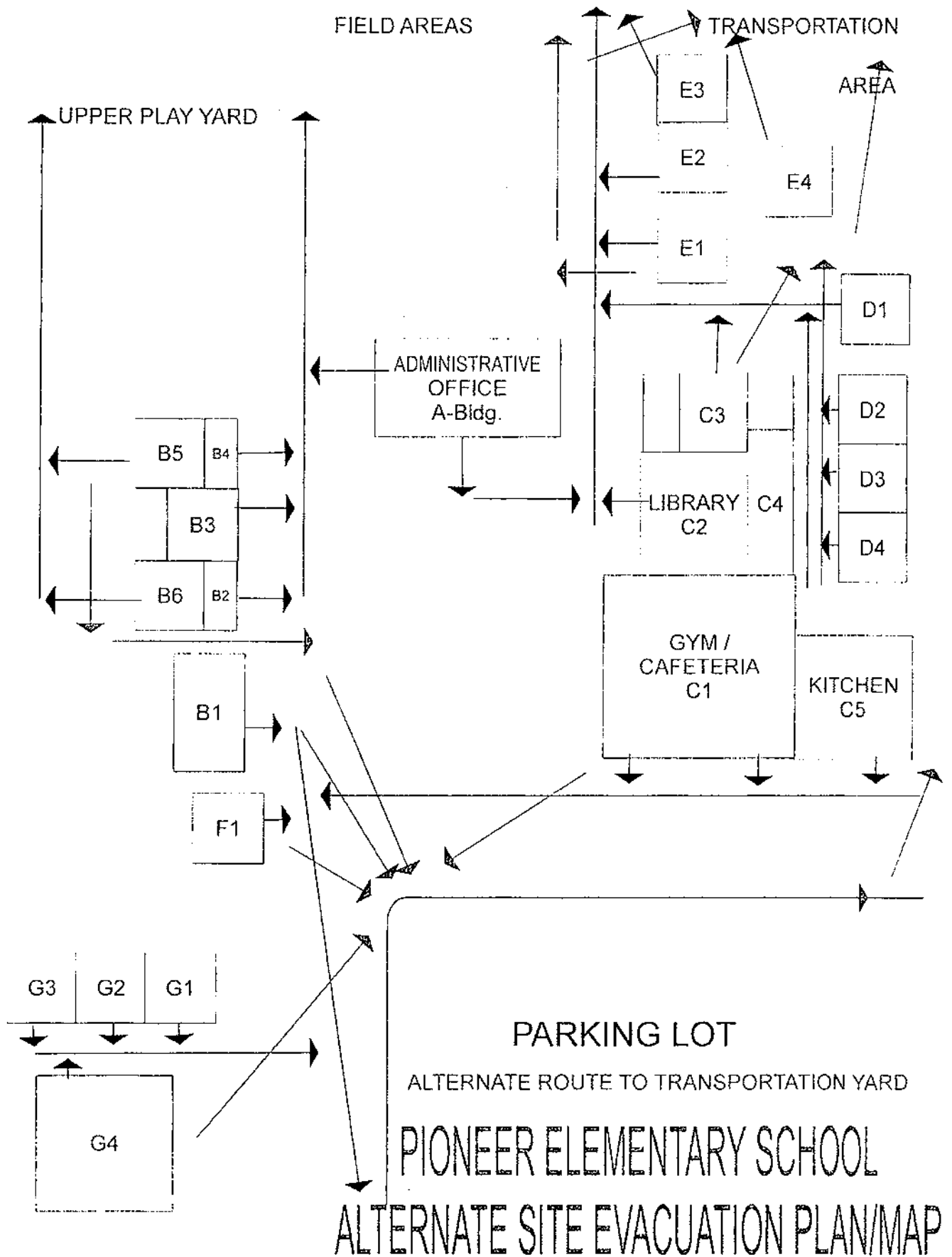
School Decision Maker: The school should identify the individual at the building level, usually the principal, who is authorized to make decisions for the school in the event of a critical incident or hazard. This individual should be reachable at the telephone number listed in the event of an emergency. The School Decision Maker may or may not serve as the Incident Commander during a critical incident or emergency. The school should identify a secondary individual who is authorized to make decisions for the school in the event that the primary school decision maker is not available during an emergency situation.

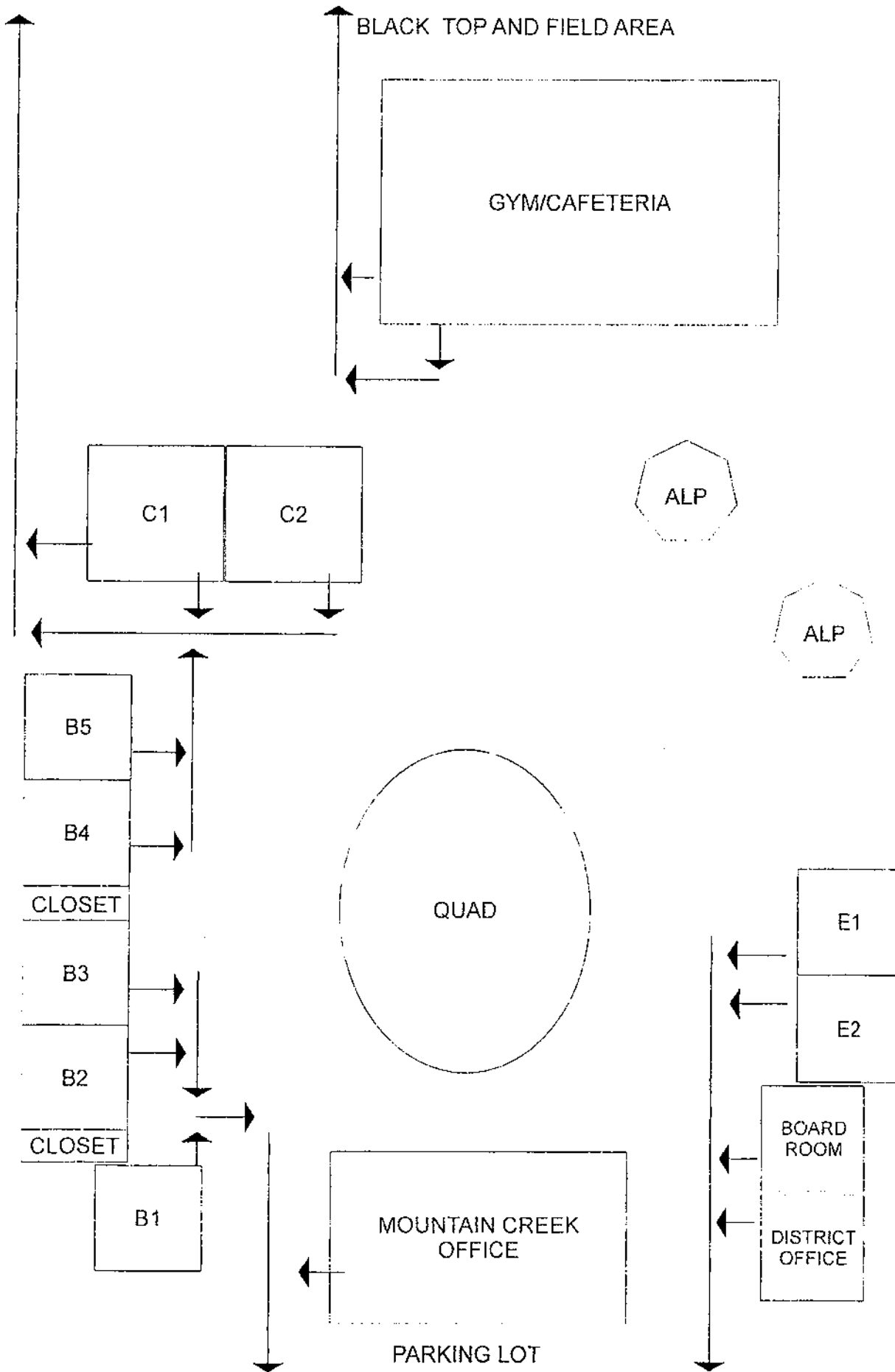
School Incident Commander: The school official who has been designated by the School Decision Maker, if not the same, who is authorized to make decisions for the school in the event of a critical incident or hazard. The School Incident Commander may transfer command to the emergency responder Incident Commander, such as law enforcement, fire, or other safety officials who assumes control of the incident. The School Incident Commander will usually continue to operate within the overall ICS structure.

SCHOOL SAFETY AUTHORITIES AND REFERENCES

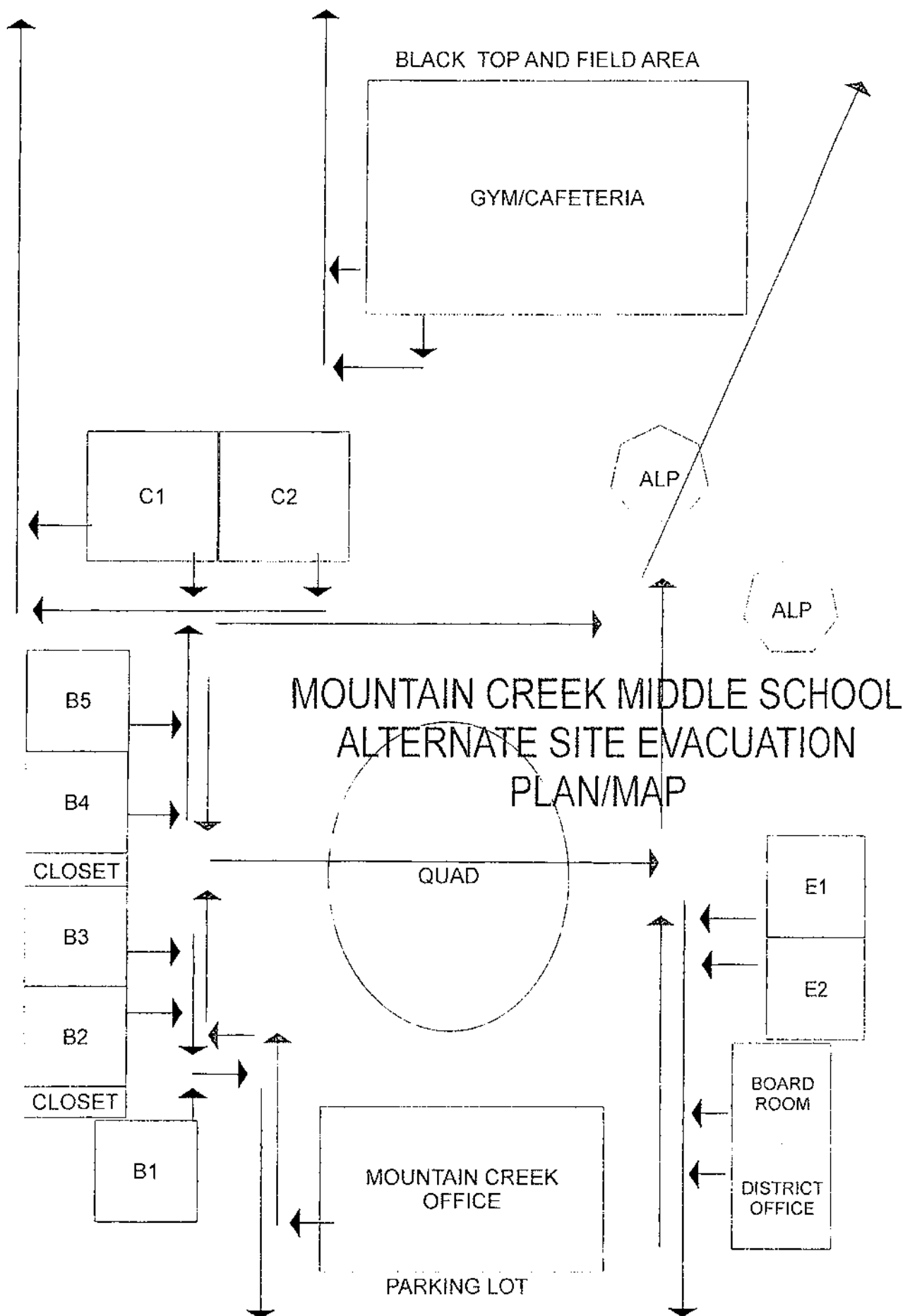
- California Education Code Article 5. School Safety Plans (32280 – 32289.5)
- California Department of Education School Safety Plan Checklist, January 2021
- Homeland Security Act of 2002, PL 107-296 (Nov. 25, 2002).
- Robert T. Stafford Disaster Relief and Emergency Assistance Act, PL 100-707 (Nov. 23, 1988), amending the Disaster Relief Act of 1974, PL 93-288.
- NIMS, Department of Homeland Security, FEMA:
<http://www.fema.gov/national-incident-management-system>.
- NIMS, Department of Homeland Security, FEMA: IS-700 National Incident Management System (NIMS) an Introduction:
<http://training.fema.gov/EMIWeb/IS/courseOverview.aspx?code=is-700.a>.
- Homeland Security Presidential Directive No. 5 (2003).
- FEMA: IS-100 Introduction to Incident Command System:
<http://training.fema.gov/EMIWeb/IS/courseOverview.aspx?code=is-100.b>.
- Franklin County Emergency Management & Homeland Security Site Safety & Emergency Plan Template, Sept. 2012: <http://www.franklincountyohio.gov/emahs/>.
- FEMA All-Hazards Training Document:
<http://training.fema.gov/EMIWeb/emischool/EL361Toolkit/assets/SamplePlan.pdf>







MOUNTAIN CREEK MIDDLE SCHOOL



Policy 5137: Positive School Climate

Status: ADOPTED

Original Adopted Date: 04/11/2002 | **Last Revised Date:** 09/11/2008

The Governing Board desires to enhance student learning by providing an orderly, caring, and nurturing educational and social environment in which all students can feel safe and take pride in their school and their achievements. The school environment should be characterized by positive interpersonal relationships among students and between students and staff.

All staff are expected to serve as role models for students by demonstrating positive, professional attitudes and respect toward each student and other staff members. Teachers shall use effective classroom management techniques based on clear expectations for student behavior.

Staff shall consistently enforce Board policies and regulations which establish rules for appropriate student conduct, including prohibitions against bullying, cyberbullying, harassment of students, hazing, other violence or threats of violence against students and staff, and drug, alcohol, and tobacco use.

The district's curriculum shall include age-appropriate character education which includes, but is not limited to, the principles of equality, human dignity, mutual respect, fairness, honesty, and citizenship. Teachers are encouraged to employ cooperative learning strategies that foster positive interactions in the classroom among students from diverse backgrounds.

The Superintendent or designee may develop other strategies to enhance students' feelings of connectedness with the schools, such as campus beautification projects, graffiti removal, development of extracurricular activities and after-school programs, pairing of adult mentors with individual students, recognition of student achievement, and encouragement of strong family and community involvement in the schools.

Students shall have opportunities to voice their concerns about school policies and practices and to share responsibility for solving problems that affect their school.

The schools shall promote nonviolent conflict resolution techniques in order to encourage attitudes and behaviors that foster harmonious relations. As part of this effort, students shall be taught the skills necessary to reduce violence, including communication skills, anger management, bias reduction, and mediation skills.

Staff shall receive professional development designed to improve classroom management, conflict resolution techniques, and communications with students and parents/guardians including persons of diverse backgrounds.

Regulation 1250: Visitors/Outsiders

Status: ADOPTED

Original Adopted Date: 07/09/1987 | **Last Revised Date:** 01/13/2011

The Superintendent or designee shall post at every entrance to each school and school grounds a notice describing registration requirements, school hours or hours during which registration is required, the registration location, the route to take to that location, and the penalties for violation of registration requirements. (Education Code 32211; Penal Code 627.6)

Visitors/Outsider Registration

Visitors/outsideis shall register upon entering school premises during school hours. Any person other than the following is considered an outsider: (Evidence Code 1070; Penal Code 627.1, 627.2)

1. A student of the school, unless currently under suspension
2. A parent/guardian of a student of the school
3. A Governing Board member or district employee
4. A public employee whose employment requires being on school grounds, or any person who is on school grounds at the school's request
5. A representative of a school employee organization who is engaged in activities related to the representation of school employees
6. An elected public official
7. A publisher, editor, reporter, or other person connected with or employed by a newspaper, magazine, other periodical publication, press association or wire service, radio station, or television station

Registration Procedure

In order to register, an outsider shall, upon request, furnish the principal or designee with the following information: (Penal Code 627.3)

1. His/her name, address, and occupation
2. His/her age, if less than 21
3. His/her purpose for entering school grounds
4. Proof of identity
5. Other information consistent with the provisions of law

Principal's Registration Authority

The principal or designee may refuse to register any outsider if he/she reasonably concludes that the individual's presence or acts would disrupt the school, students, or employees; would result in damage to property; or would result in the distribution or use of a controlled substance. The principal or designee or school security officer may revoke any outsider's registration if he/she has a reasonable basis for concluding that the individual's presence on school grounds would interfere or is interfering with the peaceful conduct of school activities or would disrupt or is disrupting the school, students, or staff. (Penal Code 627.4)

When an outsider fails to register, or when the principal or designee denies or revokes an outsider's registration privileges, the principal or designee may request that the individual promptly leave school grounds. When an outsider is directed to leave, the principal or designee shall inform him/her that if he/she reenters the school within seven days he/she may be guilty of a misdemeanor subject to a fine and/or imprisonment. (Penal Code 627.7)

Appeal Procedure

Any person who is denied registration or whose registration is revoked may appeal to the Superintendent or principal by submitting, within five days after the person's departure from school, a written request for a hearing. This request

must state why he/she believes the denial or revocation was improper and must provide an address to which the hearing notice may be sent. Upon receipt of the request for a hearing, the Superintendent or principal shall promptly mail a notice of the hearing to the person requesting it. A hearing before the Superintendent or principal shall be held within seven days after receipt of the request. (Penal Code 627.5)

Policy 5132: Dress And Grooming

Status: ADOPTED

Original Adopted Date: 11/14/2019

The Governing Board believes that appropriate dress and grooming contribute to a productive learning environment. The Board expects students to wear clothing that is suitable for the school activities in which they participate. Students shall not wear clothing that presents a health or safety hazard or causes a substantial disruption to the educational program.

(cf. 4119.22/4219.22/4319.22 - Dress and Grooming)

District and school rules pertaining to student attire shall be included in student handbooks, may be posted in school offices and classrooms, and may be periodically reviewed with all students as necessary.

Students shall not be prohibited from dressing in a manner consistent with their gender identity or gender expression or with their religious or cultural observance.

(cf. 5145.3 - Nondiscrimination/Harassment)

(cf. 5145.7 - Sexual Harassment)

In addition, the dress code shall not discriminate against students based on hair texture and protective hairstyles, including, but not limited to, braids, locks, and twists. (Education Code 212.1)

The principal or designee is authorized to enforce this policy and shall inform any student who does not reasonably conform to the dress code. The dress code shall not be enforced in a manner that discriminates against a particular viewpoint or results in a disproportionate application of the dress code based on students' gender, sexual orientation, race, ethnicity, household income, or body type or size.

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

(cf. 0415 - Equity)

(cf. 5145.2 - Freedom of Speech/Expression)

School administrators, teachers, and other staff shall be notified of appropriate and equitable enforcement of the dress code.

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

When practical, students shall not be directed to correct a dress code violation during instructional time or in front of other students.

Repeated violations or refusal to comply with the district's dress code may result in disciplinary action.

(cf. 5144 - Discipline)

Gang-Related Apparel

The principal, staff, and parents/guardians at a school may establish a reasonable dress code that prohibits students from wearing gang-related apparel when there is evidence of a gang presence that disrupts or threatens to disrupt the school's activities. Such a proposed dress code shall be presented to the Board, which shall approve the plan upon determining that it is necessary to protect the health and safety of the school environment. The dress code policy may be included in the school's comprehensive safety plan. (Education Code 35183)

(cf. 0450 - Comprehensive Safety Plan)

(cf. 5136 - Gangs)

When determining specific items of clothing that may be defined as gang apparel, the school shall ensure that the

determination is free from bias based on race, ethnicity, national origin, immigration status, or other protected characteristics.

Uniforms

The Board may approve a school-initiated dress code requiring students at the school to wear a school uniform whenever the Board determines that such a dress code will promote student achievement, a positive school climate, and/or student safety.

The Superintendent or designee shall establish procedures whereby parents/guardians may choose to have their children exempted from the school uniform policy. Students shall not be penalized academically, otherwise discriminated against, or denied attendance to school if their parents/guardians so decide. (Education Code 35183)

The Superintendent or designee shall ensure that resources are identified to assist economically disadvantaged students in obtaining uniforms. (Education Code 35183)

Regulation 5132: Dress And Grooming

Status: ADOPTED

Original Adopted Date: 06/20/2019

In cooperation with teachers, students, and parents/guardians, the principal or designee may establish school rules governing student dress and grooming which are consistent with law, Board policy, and administrative regulations. These school dress codes shall be regularly reviewed.

(cf. 0420 - School Plans/Site Councils)

The following guidelines shall apply to all regular school activities:

1. Clothing, jewelry, and personal items shall be free of writing, pictures, or any other insignia which is vulgar, lewd, obscene, profane, or sexually suggestive or which promotes the use of alcohol, drugs, tobacco, or other illegal activity.
2. Appropriate shoes must be worn at all times.
3. Hats, caps, and other head coverings shall not be worn indoors.
4. Clothes shall be sufficient to conceal undergarments. See-through tops and bare abdomens are prohibited.

The dress code shall be modified as appropriate to accommodate a student's religious or cultural observance, health condition, or other circumstance deemed necessary by the principal or designee. In addition, the principal or designee may impose dress requirements to accommodate the needs of special school activities, physical education classes, athletic activities, and other extracurricular and cocurricular activities.

(cf. 3260 - Fees and Charges)

(cf. 6142.7 - Physical Education and Activity)

(cf. 6145 - Extracurricular and Cocurricular Activities)

(cf. 6145.2 - Athletic Competition)

No grade of a student participating in a physical education class shall be adversely affected if the student does not wear standardized physical education apparel because of circumstances beyond the student's control. (Education Code 49066)

(cf. 5121 - Grades/Evaluation of Student Achievement)

Students shall be allowed to wear sun-protective clothing, including but not limited to hats, for outdoor use during the school day. (Education Code 35183.5)

(cf. 5141.7 - Sun Safety)

Gang-Related Apparel

At individual schools that have a dress code prohibiting gang-related apparel at school or school activities, the principal, staff, and parents/guardians participating in the development of the school safety plan shall define "gang-related apparel" and shall limit this definition to apparel that reasonably could be determined to threaten the health and safety of the school environment if it were worn or displayed on a school campus. (Education Code 32282)

Because gang-related symbols are constantly changing, definitions of gang-related apparel shall be reviewed at least once each semester and updated whenever related information is received. As necessary, the school shall collaborate with law enforcement agencies to update definitions of gang-related apparel.

Uniforms

In schools that require a schoolwide uniform, the principal, staff, and parents/guardians of the school shall jointly select the specific uniform to be worn. (Education Code 35183)

At least six months before a school uniform policy is implemented, the principal or designee shall notify parents/guardians of this policy. (Education Code 35183)

(cf. 5145.6 - Parental Notifications)

Parents/guardians shall also be informed of their right to have their child exempted.

The Superintendent or designee shall establish criteria for determining student eligibility for financial assistance when purchasing uniforms.

Students who participate in a nationally recognized youth organization shall be allowed to wear organization uniforms on days when the organization has a scheduled meeting. (Education Code 35183)

Policy 5131.2: Bullying

Status: ADOPTED

Original Adopted Date: 01/09/2020 | **Last Revised Date:** 01/11/2024 | **Last Reviewed Date:** 01/11/2024

This policy shall apply to all acts constituting bullying related to school activity or to school attendance occurring within a district school, 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, and to all acts of the Governing Board and the Superintendent in enacting policies and procedures that govern the district.

The Board recognizes the harmful effects of bullying on student well-being, student learning, and school attendance and desires to provide a welcoming, safe, and supportive school environment that protects students from physical, mental, and emotional harm. No individual or group shall, through physical, written, verbal, visual, or other means, harass, sexually harass, threaten, intimidate, cyberbully, cause bodily injury to, or commit hate violence against any student or school personnel, or retaliate against them for filing a complaint or participating in the complaint resolution process.

The Superintendent or designee shall develop strategies for addressing bullying in district schools with the involvement of students, parents/guardians, and staff. As appropriate, the Superintendent or designee may also collaborate with social services, mental health services, law enforcement, courts, and other agencies and community organizations in the development and implementation of effective strategies to promote safety in schools and the community.

Such strategies shall be incorporated into the comprehensive safety plan and, to the extent possible, into the local control and accountability plan and other applicable district and school plans.

Any complaint of bullying shall be investigated and, if determined to be discriminatory, resolved in accordance with law and the district's uniform complaint procedures specified in Administrative Regulation 1312.3. If, during the investigation, it is determined that a complaint is about nondiscriminatory bullying, the principal or designee shall inform the complainant and shall take all necessary actions to resolve the complaint.

If the Superintendent or designee believes it is in the best interest of a student who has been the victim of an act of bullying, as defined in Education Code 48900, the Superintendent or designee shall advise the student's parents/guardians that the student may transfer to another school. If the parents/guardians of a student who has been the victim of an act of bullying requests a transfer for the student pursuant to Education Code 46600, the Superintendent or designee shall allow the transfer in accordance with law and district policy on intradistrict or interdistrict transfer, as applicable.

District families are encouraged to model respectful behavior, contribute to a safe and supportive learning environment, and monitor potential causes of bullying.

Any employee who permits or engages in bullying or retaliation related to bullying shall be subject to disciplinary action, up to and including dismissal.

Regulation 5131.2: Bullying

Status: ADOPTED

Original Adopted Date: 01/09/2020 | **Last Revised Date:** 01/11/2024 | **Last Reviewed Date:** 01/11/2024

Examples of Prohibited Conduct

Bullying is an aggressive behavior that involves a real or perceived imbalance of power between individuals with the intent to cause emotional or physical harm. Bullying can be physical, verbal, or social/relational and may involve a single severe act or repetition or potential repetition of a deliberate act. Bullying includes, but is not limited to, any act described in Education Code 48900(r).

Cyberbullying includes the electronic creation or transmission of harassing communications, direct threats, or other harmful texts, sounds, or images, which may be shared, sent, or posted publicly. Cyberbullying may include, but is not limited to, personal or private information that causes humiliation, false or negative information to discredit or disparage, or threats of physical harm. Cyberbullying may also include breaking into another person's electronic account or assuming that person's online identity in order to damage that person's reputation.

Examples of the types of conduct that may constitute bullying and are prohibited by the district include, but are not limited to:

1. Physical bullying: An act that inflicts harm upon a person's body or possessions, such as hitting, kicking, pinching, spitting, tripping, pushing, taking or breaking someone's possessions, or making cruel or rude hand gestures
2. Verbal bullying: An act that includes saying or writing hurtful things, such as teasing, name-calling, inappropriate sexual comments, taunting, or threats to cause harm
3. Social/relational bullying: An act that harms a person's reputation or relationships, such as leaving a person out of an activity on purpose, influencing others not to be friends with someone, spreading rumors, or embarrassing someone in public
4. Cyberbullying: An act that occurs on electronic devices such as computers, tablets, or cell phones, such as sending demeaning or hateful text messages, direct messages or public posts on social media apps, gaming forums, or emails, spreading rumors by email or by posting on social networking sites, shaming or humiliating by allowing others to view, participate in, or share disparaging or harmful content, or posting or sharing embarrassing photos, videos, website, or fake profiles

Measures to Prevent Bullying

The Superintendent or designee shall implement measures to prevent bullying in district schools, including, but not limited to, the following:

1. Developing a strategic plan for school connectedness and social skills with benchmark tracking, which may include providing regular opportunities and spaces for students to develop social skills and strengthen relationships and promoting adult support from family and school staff, peer-led programs, and partnerships with key community groups, implementing socially based educational techniques such as cooperative learning projects that can improve educational outcomes as well as peer relations, creating a supportive school environment that fosters belonging through equitable classroom management, mentoring, and peer support groups that allow students to lean on each other and learn from each other's experiences, and building social connection into health education courses including information on the consequences of social connection on physical and mental health, key risk and protective factors, and strategies for increasing social connection
2. Ensuring that each school establishes clear rules for student and staff conduct and implements strategies to promote a positive, supportive, and collaborative school climate
3. Providing information to students, through student handbooks, district and school websites and social media, and other age-appropriate means, about district and school rules related to bullying, mechanisms available for reporting incidents or threats, and the consequences for engaging in bullying
4. Encouraging students to notify school staff when they are being bullied or when they suspect that another student is being bullied, and providing means by which students may report threats or incidents confidentially

and anonymously

5. Conducting an assessment of bullying incidents at each school and, if necessary, increasing supervision and security in areas where bullying most often occurs, such as playgrounds, hallways, restrooms, and cafeterias
6. Annually notifying district employees that, pursuant to Education Code 234.1, any school staff who witnesses an act of bullying against a student has a responsibility to immediately intervene to stop the incident when it is safe to do so

Staff Development

The Superintendent or designee shall annually make available to all certificated staff and to other employees who have regular interaction with students the California Department of Education (CDE) online training module on the dynamics of bullying and cyberbullying, including the identification of bullying and cyberbullying and the implementation of strategies to address bullying. (Education Code 32283.5)

The Superintendent or designee shall provide training to teachers and other school staff to raise their awareness about the legal obligation of the district and its employees to prevent discrimination, harassment, intimidation, and bullying of district students. Such training shall be designed to provide staff with the skills to:

1. Discuss the diversity of the student body and school community, including their varying immigration experiences
2. Discuss bullying prevention strategies with students, and teach students to recognize the behavior and characteristics of bullying perpetrators and victims
3. Identify the signs of bullying or harassing behavior
4. Take immediate corrective action when bullying is observed
5. Report incidents to the appropriate authorities, including law enforcement in instances of criminal behavior

Information and Resources

The Superintendent or designee shall post on the district's website, in a prominent location and in a manner that is easily accessible to students and parents/guardians, information on bullying and harassment prevention which includes the following: (Education Code 234.6)

1. The district's policy on student suicide prevention, including a reference to the policy's age appropriateness for students in grades K-6
2. The definition of sex discrimination and harassment as described in Education Code 230, including the rights set forth in Education Code 221.8
3. Title IX information included on the district's website pursuant to Education Code 221.61, and a link to the Title IX information included on CDE's website pursuant to Education Code 221.6
4. District policies on student sexual harassment, prevention and response to hate violence, discrimination, harassment, intimidation, bullying, and cyberbullying
5. A section on social media bullying that includes all of the references described in Education Code 234.6 as possible forums for social media
6. A link to statewide resources, including community-based organizations, compiled by CDE pursuant to Education Code 234.5
7. Any additional information the Superintendent or designee deems important for preventing bullying and

harassment

Student Instruction

As appropriate, the district shall provide students with instruction, in the classroom or other educational settings, that promotes social-emotional learning, effective communication and conflict resolution skills, character development, respect for cultural and individual differences, self-esteem development, assertiveness skills, digital and media literacy skills, and appropriate online behavior.

The district shall also educate students about the negative impact of bullying, discrimination, intimidation, and harassment based on actual or perceived immigration status, religious beliefs and customs, or any other individual bias or prejudice.

Students should be taught the difference between appropriate and inappropriate behaviors, how to advocate for themselves, how to help another student who is being bullied, and when to seek assistance from a trusted adult. As role models for students, staff are responsible for teaching and modeling respectful behavior and building safe and supportive learning environments, and are expected to demonstrate effective problem-solving and anger management skills.

To discourage cyberbullying, teachers may advise students to be cautious about sharing passwords, personal data, or private photos online and to consider the consequences of making negative comments about others online.

Reporting and Filing of Complaints

Any student, parent/guardian, or other individual who believes that a student has been subjected to bullying or who has witnessed bullying may report the incident to a teacher, the principal, a compliance officer, or any other available school employee.

When a report of bullying is submitted, the principal or a district compliance officer shall inform the student or parent/guardian of the right to file a formal written complaint in accordance with Administrative Regulation 1312.3 - Uniform Complaint Procedures. The student who is the alleged victim of the bullying shall be given an opportunity to describe the incident, identify witnesses who may have relevant information, and provide other evidence of bullying.

Within one business day of receiving such a report, a staff member shall notify the principal of the report, regardless of whether a uniform complaint is filed. In addition, any school employee who observes an incident of bullying involving a student shall, within one business day, report such observation to the principal or a district compliance officer, regardless of whether the alleged victim files a complaint.

Within two business days of receiving a report of bullying, the principal shall notify the district compliance officer identified in Administrative Regulation 1312.3.

Any individuals with information about cyberbullying activity shall save and print any electronic or digital messages that they feel constitute cyberbullying and shall notify a teacher, the principal, or other employee so that the matter may be investigated. When an investigation concludes that a student used a social networking site or service to bully or harass another student, the Superintendent or designee may report the cyberbullying to the social media platform and may request the material be removed.

Discipline/Corrective Actions

Corrective actions for a student who commits an act of bullying of any type may include counseling, behavioral intervention, and education, and, if the behavior is severe or pervasive as defined in Education Code 48900, may include suspension or expulsion in accordance with district policies and regulations.

When a student has been suspended, or other means of correction have been implemented against the student, for an incident of racist bullying, harassment, or intimidation, the principal or designee shall engage both the victim and

perpetrator in a restorative justice practice suitable to the needs of the students. The principal or designee shall also require the perpetrator to engage in a culturally sensitive program that promotes racial justice and equity and combats racism and ignorance and shall regularly check on the victim to ensure that the victim is not in danger of suffering from any long-lasting mental health issues. (Education Code 48900.5)

When appropriate based on the severity or pervasiveness of the bullying, the Superintendent or designee shall notify the parents/guardians of victims and perpetrators and may contact law enforcement.

Support Services

The Superintendent, principal, or designee may refer a victim, witness, perpetrator, or other student affected by an act of bullying to a school counselor, school psychologist, social worker, child welfare attendance personnel, school nurse, or other school support service personnel for case management, counseling, and/or participation in a restorative justice program as appropriate. (Education Code 48900.9)

If any student involved in bullying exhibits warning signs of suicidal thought or intention or of intent to harm another person, the Superintendent or designee shall, as appropriate, implement district intervention protocols which may include, but are not limited to, referral to district or community mental health services, other health professionals, and/or law enforcement, in accordance with Board Policy and Administrative Regulation 5141.52 - Suicide Prevention.

Policy 4158: Employee Security

Original Adopted Date: 08/09/2018

The Governing Board desires to provide a safe and orderly work environment for all employees. As part of the district's comprehensive safety plan, the Superintendent or designee shall develop strategies for protecting employees from potentially dangerous persons and situations and for providing necessary assistance and support when emergency situations occur.

(cf. 0450 - Comprehensive Safety Plan)

(cf. 3515 - Campus Security)

(cf. 5131.4 - Student Disturbances)

Any employee against whom violence or any threat of violence has been directed in the workplace shall notify the Superintendent or designee immediately. As appropriate, the Superintendent or designee shall initiate legal and security measures to protect the employee and others in the workplace.

The Superintendent or designee may pursue legal action on behalf of an employee against a student or his/her parent/guardian to recover damages to the employee or his/her property caused by the student's willful misconduct that occurred on district property, at a school or district activity, or in retaliation for lawful acts of the employee in the performance of his/her duties. (Education Code 48904, 48905)

(cf. 3320 - Claims and Actions Against the District)

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

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

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

The Superintendent or designee shall ensure that employees receive training in crisis prevention and intervention techniques in order to protect themselves and students. Staff development may include training in classroom management, effective communication techniques, procedures for responding to an active shooter situation, and crisis resolution.

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

The Superintendent or designee also shall inform teachers, in accordance with law, of crimes and offenses committed by students who may pose a danger in the classroom. (Education Code 48201, 49079; Welfare and Institutions Code 827)

The Superintendent or designee may make available at appropriate locations, including, but not limited to, district and school offices, gyms, and classrooms, communication devices that would enable two-way communication with law enforcement and others when emergencies occur.

(cf. 5141 - Health Care and Emergencies)

Use of Pepper Spray

Employees shall not carry or possess pepper spray on school property or at school activities, except when authorized by the Superintendent or designee for self-defense purposes. When allowed, an employee may only possess pepper spray in accordance with administrative regulations and Penal Code 22810. Any employee who is negligent or careless in the possession or handling of pepper spray shall be subject to appropriate disciplinary measures.

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

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

Reporting of Injurious Objects

The Board requires employees to take immediate action upon being made aware that any person is in possession of a weapon or unauthorized injurious object on school grounds or at a school-related or school-sponsored activity. The employee shall use his/her own judgment as to the potential danger involved and shall do one of the following:

1. Confiscate the object and deliver it to the principal immediately
2. Immediately notify the principal, who shall take appropriate action
3. Immediately call 911 and the principal

(cf. 3515.7 - Firearms on School Grounds)

(cf. 5131.7 - Weapons and Dangerous Instruments)

(cf. 5144 - Discipline)

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

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

When informing the principal about the possession or seizure of a weapon or dangerous device, the employee shall report the name(s) of persons involved, witnesses, location, and the circumstances of any seizure.

Regulation 4158: Employee Security

Status: ADOPTED

Original Adopted Date: 08/09/2018

An employee may use reasonable and necessary force for self-defense or defense of another person, to quell a disturbance threatening physical injury to others or damage to property, or to obtain possession of weapons or other dangerous objects within the control of a student. (Education Code 44807, 49001)

(cf. 5131.7 - Weapons and Dangerous Instruments)

(cf. 5144 - Discipline)

An employee shall promptly report to the principal or other immediate supervisor any attack, assault, or physical threat made against him/her by a student or by any other individual in relation to the employee's performance of his/her duties, and any action the employee took in response. When appropriate, the employee and the principal or other immediate supervisor shall report the incident to law enforcement.

(cf. 3515.2 - Disruptions)

Reports of attack, assault, or threat shall be forwarded immediately to the Superintendent or designee.

(cf. 3320 - Claims and Actions Against the District)

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

(cf. 3530 - Risk Management/Insurance)

Notice Regarding Student Offenses Committed While Under School Jurisdiction

The Superintendent or designee shall inform the teacher(s) of each student who, during the previous three school years, has engaged in or is reasonably suspected to have engaged in any act, except the possession or use of tobacco products, that would constitute a ground for suspension or expulsion as specified in AR 5144.1 - Suspension and Expulsion/Due Process. This information shall be based upon district records maintained in the ordinary course of business or records received from a law enforcement agency. (Education Code 49079)

(cf. 5125 - Student Records)

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

Upon receiving a transfer student's record regarding acts committed by the student that resulted in his/her suspension or expulsion, the Superintendent or designee shall inform the student's teacher(s) that the student was suspended from school or expelled from his/her former district and of the act that resulted in the suspension or expulsion. (Education Code 48201)

Information received by teacher(s) shall be received in confidence for the limited purpose for which it was provided and shall not be further disseminated by the teacher. (Education Code 49079)

Notice Regarding Student Offenses Committed While Outside School Jurisdiction

When a minor student has been found by a court of competent jurisdiction to have illegally used, sold, or possessed a controlled substance or committed specified crimes involving serious acts of violence, the district police or security department may provide written notification to the Superintendent. (Welfare and Institutions Code 828.1)

(cf. 3515.3 - District Police/Security Department)

When informed by the court that a minor student has been found by a court to have committed any felony or any misdemeanor involving curfew, gambling, alcohol, drugs, tobacco products, carrying of weapons, a sex offense listed in Penal Code 290, assault or battery, larceny, vandalism, or graffiti, the Superintendent or designee shall so inform the school principal. (Welfare and Institutions Code 827)

The principal shall disseminate this information to any counselor who directly supervises or reports on the student's behavior or progress. The principal shall also inform any teacher or administrator directly supervising or reporting on the student's behavior or progress whom he/she thinks may need the information so as to work with the student appropriately, avoid being needlessly vulnerable, or protect others from vulnerability. (Welfare and Institutions Code

827)

Any court-initiated information that a teacher, counselor, or administrator receives shall be kept confidential and used only to rehabilitate the student and protect other students and staff. The information shall be further disseminated only when communication with the student, parent/guardian, law enforcement staff, and probation officer is necessary to rehabilitate the student or to protect students and staff. (Welfare and Institutions Code 827)

When a student is removed from school as a result of his/her offense, the Superintendent shall hold the court's information in a separate confidential file until the student is returned to the district. If the student is returned to a different district, the Superintendent shall transmit the information provided by the student's parole or probation officer to the superintendent of the new district of attendance. (Welfare and Institutions Code 827)

Any confidential file of court-initiated information shall be kept until the student becomes 18, graduates from high school, or is released from juvenile court jurisdiction, whichever occurs first, and shall then be destroyed. (Welfare and Institutions Code 827)

Procedures to Maintain Confidentiality of Student Offenses

In order to maintain confidentiality when providing information about student offenses to counselors and teachers of classes/programs to which a student is assigned, the principal or designee shall send the staff member a written notification that one of his/her students has committed an offense that requires his/her review of a student's file in the school office. This notice shall not name or otherwise identify the student. The staff member shall be asked to initial the notification and return it to the principal or designee. He/she shall also initial the student's file when reviewing it in the school office.

Use of Pepper Spray

The Superintendent or designee shall notify employees of the district's policy prohibiting the possession of pepper spray on school property or at school-related activities without prior approval of the Superintendent or designee. Employees wishing to carry pepper spray shall submit to the Superintendent or designee a written request setting forth the need for the pepper spray. The Superintendent or designee shall notify the employee in writing as to whether the request was approved or denied.

When approving an employee's request, the Superintendent or designee shall inform the employee of the following conditions:

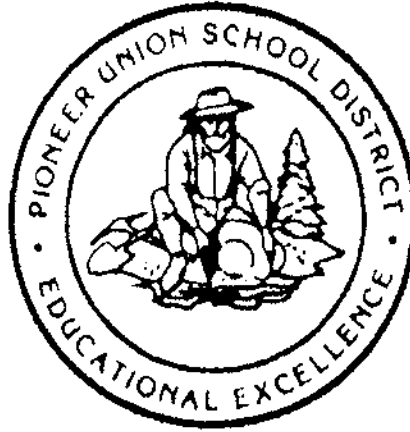
1. The pepper spray shall be used only in self-defense.
2. An employee who uses pepper spray other than in self-defense shall be subject to disciplinary action by the district and, in accordance with law, a fine and/or imprisonment.

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

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

3. The pepper spray must be stored in a secure place and not be accessible to students or other individuals. Negligent storage of the pepper spray may subject the employee to disciplinary action.

Pioneer Union School District



Student Behavior Policies and Interventions

Pioneer Elementary School
Walt Tyler Elementary School
Mountain Creek Middle School

2023-2024

Introduction

This section is the Pioneer Union School District Student Behavior Policies and Interventions Handbook. We have taken the discipline section that was previously located in the Student handbook and placed it, with additional information, in its own document. Our intention is to provide a central place for students and parents/guardians to find detailed information regarding student behavior at Pioneer, on the bus, in the district, and on trips out of the district.

We strongly encourage parents/guardians to review this handbook with their student(s) to ensure they have an accurate understanding of what is expected of their behavior at school.

If you have any questions or concerns regarding this handbook, we welcome you to contact Patrick Paturel, Superintendent/Principal at 620-3556.

Patrick Paturel
Superintendent/Principal

Philosophy

The Governing Board believes that all students have the right to be educated in a positive learning environment free from disruptions. On school grounds and at school activities, students shall be expected to exhibit appropriate conduct that does not infringe upon the rights of others or interfere with the school program (BP 5131a).

The Governing Board desires to prepare students for responsible citizenship by fostering self-discipline and personal responsibility. The Board believes that high expectations for student behavior, effective classroom management and parent involvement can minimize the need for discipline. Staff shall use preventative measures and positive conflict resolution techniques whenever possible (BP 5144a).

It has been our experience that a majority of the students at Pioneer Union School District make good choices involving behavior. We would like to continue this trend by providing thorough information.

Student Rights

At Pioneer Elementary, Walt Tyler Elementary and Mountain Creek Middle School, we respect student's rights given them by the constitution. In respecting those rights, students will always be given the opportunity to present their perspective in situations regarding misbehavior. In addition to this, many sources of information will be sought out and taken into consideration as situations arise requiring thorough examination.

Carrying Out the Discipline Plan

When misconduct occurs, staff shall implement appropriate discipline and attempt to identify and address the causes of the student's behavior. Continually disruptive students may be assigned to alternative programs or removed from school. At all times, the safety of students and staff and the maintenance of an orderly school environment shall be priorities in determining appropriate discipline.

Staff shall enforce disciplinary rules fairly, consistently and without discrimination. (BP 5144a)

General Tenets

General Student Behavior

Behavior is considered appropriate when students are diligent in study, neat and clean, careful with student property, and courteous and respectful toward their teachers, other staff, other students and volunteers (BP 5131a).

Prohibited student conduct includes but is not limited to:

- A. Behavior that endangers other students and/or staff
- B. Behavior that disrupts the orderly classroom or school environment
- C. Harassment of other students or staff
- D. Damage to or theft of property belonging to the district, staff or other students
- E. Possession, use or sale of alcohol, tobacco or other drugs
- F. Except with prior written consent for health reasons, possession or use of electronic signaling devices (EC 48901.5) Electronic signaling devices may include, but not be limited to, pagers, beepers, and cellular/digital telephones. **For students in grades 6-8, cell phones may be used prior to staff assuming responsibility for students and after the final bell of the school day, after the student has walked to the front of the school complex.**
- G. Possession or use of laser pointers, unless used for a valid instructional or other school-related purpose, including employment (Penal Code 417.27)
- H. Prior to bringing a laser pointer on school premises, students shall first obtain permission from the principal or designee. The principal or designee shall determine whether the requested use of the laser pointer is for a valid instructional or other school-related purpose.
- I. Profane, vulgar or abusive language
- J. Plagiarism or dishonesty in school work or on tests.
- K. Inappropriate dress
- L. Tardiness and unexcused absence from school
- M. Failure to remain on school premises in accordance with school rules

Our goal is to provide a safe environment to encourage our students to learn. **Our school buses will be treated as if they were classrooms.** Bus citations will be issued IN ADDITION to school consequences for inappropriate behavior.

Diversity and Racism

School is a place where students are to take advantage of their learning opportunities. Recognizing and valuing diversity creates a school environment that is welcoming and productive. The California Education Code states: "All pupils have the right to participate fully in the educational process, free from discrimination and harassment. Harassment on school grounds directed at an individual on the basis of personal characteristics or status creates a hostile environment and jeopardizes equal educational opportunity as guaranteed by the California Constitution and the United States Constitution (Ed Code 201)." Harassment based on personal characteristics or status will be viewed as significant and will be addressed with significant disciplinary action.

In the Pioneer Union School District, we appreciate diversity and make every effort to guarantee the rights, safety and learning opportunities of all students at Pioneer Union School District. In working to accomplish our goal of establishing a bias-free environment, the Pioneer Union School District staff and administration will uphold the Education Code as it states: "There is an urgent need to prevent and respond to acts of hate violence and bias-related incidents that are occurring at an increasing rate in California's public schools. California's public schools have an affirmative obligation to combat racism, sexism, and other forms of bias, and a responsibility to provide equal educational opportunity (Ed Code 201)." Any act of racism or discrimination will be viewed as significant and will be addressed with significant disciplinary action.

Harassment

School is a place where students are to take advantage of their learning opportunities. Students have the right to be free from threats, intimidation, inappropriate teasing and name-calling that create an intimidating and/or hostile school environment. Because harassment can have significant effects on students and lead to even more serious behaviors, it will be taken seriously and will be responded to with significant disciplinary action.

Sexual Harassment

School is a place where students are to take advantage of their learning opportunities. The Governing Board is committed to maintaining a school environment that is free from harassment. The Board prohibits sexual harassment of any student by another student, an employee or other person at school or at a school-sponsored or school-related activity. Any student who engages in sexual harassment of anyone at school or a school-sponsored or school-related activity is in violation of this policy and shall be subject to disciplinary action (BP 5145.7).

Respect for Staff

It is the job of all staff on campus to insure that all students are safe and have the opportunity to learn. In order to carry out the duties of their job, it is important for all staff members to be treated with respect. This means students must act and speak in a manner that recognizes the staff's authority in the classroom, on the school campus and at school related events. All pupils shall comply with the regulations, pursue the required course of study, and submit to the authority of the teachers of the schools (Ed Code 48909).

Students are to respond courteously to the direction of staff members even if they are in disagreement with the direction being given. If a student has questions or concerns about the direction(s) they are being given by staff, the student is expected to still comply with the directions, unless it is illegal or unethical. Then, at an appropriate time later, the student should talk individually with the staff member explaining their concerns regarding the direction given. Students who demonstrate disrespectful behavior toward staff members will be addressed with appropriate discipline.

School Attendance

School is a place where students are to take advantage of their learning opportunities. The Governing Board believes that regular attendance plays an important role in student achievement. The Board recognizes its responsibility under the law to ensure the students attend school regularly. Parents/guardians of children aged 6 to 18 are obligated to send their children to school unless otherwise provided by law. The Board shall abide by all state attendance laws and may use appropriate legal means to correct the problems of excessive absence or truancy (BP 5113a).

Absence from school shall be allowed only for health reasons, family emergencies and justifiable personal reasons, as permitted by law. Student absence for religious instruction or participation in religious exercises away from school property may be considered excused subject to law and administrative regulations.

Violence

A safe environment is essential if students are to be focused and ready to take advantage of the learning experiences on campus. Students who are involved in the use of physical force or violence on another person on campus will be addressed with appropriate, significant disciplinary actions.

Weapons and Dangerous Instruments

The Governing Board desires students at school to be free from the fear and danger presented by firearms and other weapons. The Board therefore prohibits students from possessing weapons, replicas of weapons, or dangerous instruments of any kind in school buildings, on school grounds or buses, or at any school related or school-sponsored activity away from school.

Any school employee may confiscate any weapon, dangerous instrument or replica from any person on school grounds under the power granted by the Board to maintain order and discipline in the schools and to protect the safety of students, staff and the public (BP 5131.7a).

Positive Interventions

Students who demonstrate an exceptional level of helpfulness, courtesy or concern for others and the school may be rewarded positive recognition.

Pioneer Union School District uses a Citizenship Development Plan (see the matrix at the end of this handbook). Students will receive strikes when they are in violation of behavioral standards or other infractions. The number of strikes lost is dependent on the severity of the incident. See the Discipline Guidelines at the end of this handbook for the number strikes received for each particular incident.

Access to privileges such as participation in extra-curricular activities is determined by strikes. Eighth grade students will be notified if they are in jeopardy of losing the privilege of participating in the end of year graduation activities. See "Graduation Activities" in the student handbook.

Student Dress: "Dress Code"

"The Governing Board expects that students will present themselves in an orderly manner which will not disrupt the educational program of the school. Their appearance should be neat, clean and acceptable to the general society and in keeping with the activity at the school. The Governing Board considers this to be a judgment area of the site administrator of the school (BP 5132)." The dress code also applies to activities after school (i.e. dances, sports) and off campus (i.e. field trips, away sports).

The school administration recognizes that fashion trends may keep it from being easy for students to find appropriate clothing; however, it is important to maintain a proper learning environment. Parents/Guardians and students are requested to take the proper steps to ensure their school wardrobe meets the standards of the dress code.

The following guidelines are intended to define appropriate student attire and personal grooming for students at school. **The appropriateness of the clothing will be determined by the normal wear of the clothes, that is to say, they will be judged not just by the way the clothes fit when the student is standing still, but by the way they fit as the student participates in regular activities of the school day (i.e. walking, sitting, moving around, etc.).** The dress code also applies to activities after school such as dances, sports, etc.

UNACCEPTABLE attire at school includes the following:

1. No see-through clothing, stockings, fishnet blouses, or shirts. No bare midriffs, off the shoulder tops, halter or tube tops. No cutoffs. Shirt straps must be at least two finger-widths wide. **Spaghetti straps are not allowed at any time. Bra straps should not be seen.**
2. Low-cut dresses or tops that are deemed inappropriate by school personnel may not be worn.
3. Clothing with inappropriate lettering, printing, artwork, etc. are prohibited. These include references to drugs, alcohol, sex, violence, gang affiliations, etc.
4. Students may wear hats to school. Hats may be worn in all school buildings, but classroom teachers may require removal in his/her classroom.
5. Shorts should be of modest length - not shorter than a 3 inch inseam.
6. Skirts shorter than finger-tips when arms are relaxed at side are prohibited. If slits go above the accepted length, they are unacceptable.
7. *Leggings must be covered by appropriate shorts or a skirt (see guidelines 5 & 6)*
8. Baggy pants may be worn, but waistband must be kept at the hip, not below (No boxer shorts or underwear, etc. are to be showing). Students with pants that are not at the waist will be asked to wear a belt for the remainder of the school day. Oversized or overly loose pants may not be safe for playground or PE activities.
9. Spandex, or exercise style clothing may only be worn when covered with other clothing.
10. Chains of any kind (such as wallet chains), clothing or jewelry with protrusions that can be considered unsafe are not allowed.
11. No scarves or bandanas may be worn on the head (female students may wear them as they would a ribbon).
12. Any apparel, backpacks or notebooks suggesting any affiliation with gangs will not be allowed. Law enforcement will be a resource in determining what constitutes gang apparel. Examples include: hair nets, tattoos, use of color to represent a gang, gang-related gestures, symbols, etc.
13. Clothing with excessive rips, tears and/or holes is not acceptable, and may not be higher than a 3-inch inseam or show undergarments
14. Shoes must be worn at all times. Shoes must have a heel strap. No slippers or house shoes. No high heels such as stilettos or excessive high heels are to be worn.
Students are required to wear appropriate athletic footwear for PE.

Inappropriately dressed students will do one of the following when they have been identified as wearing a violation:

1. Call home for a change of clothing.
2. Borrow appropriate clothes from another student.
3. Wear a "loaner" clothing item from the school if available.
4. Remain in the office until appropriate clothing can be arranged for by the family.

Please note: Once a dress code violation is identified by a staff member, the student may cover up the violation with a sweatshirt or jacket or other item.

Lunch

The lunch area is expected to be clean and orderly for the sake of all students.

Yard duty supervisors monitor the lunch area to ensure students' safety and well-being. Their instructions are to be followed just the same as any other staff member. Students who do not follow the lunch area rules or the instructions of the yard duty supervisors will receive appropriate discipline.

Lunchtime Guidelines

1. Food and drinks are to be consumed only in the designated eating areas.
2. Students are to comply with all directions given by lunch duty supervisors.
3. Students are expected to clean up after themselves when they are finished eating
4. Students are not to sit on the tops of the tables
5. Students are not to move tables in the lunch area
6. Students are to stay within the designated boundaries of the lunch areas
7. Running and athletic play should only take place on the courts or fields
8. Students participating games must show good sportsmanship and work cooperatively with other students
9. Students who habitually argue during a game will be removed from the game
10. All lunch area balls must be returned at the end of the lunch period
11. Students must have a pass to leave the lunch area

Classrooms and/or the multi-purpose room are off-limits before school at Mountain Creek Middle School.
Disciplinary Actions

To address behavior that is habitually inappropriate, Pioneer Elementary, Walt Tyler Elementary, and Mountain Creek Middle Schools use a progressive discipline program. This means the degree of discipline increases as a student repeatedly engages in the same inappropriate behavior. This includes not only an increase in consequences, but also communication between the student, parents, teachers and administrators to determine causes of the behavior and possible solutions to prevent future problems. We have delineated this process in our Discipline Guidelines. A copy of the guidelines can be found in the back of this handbook.

All discipline will be administered in a consistent and equitable manner to all students.

Consequences and Interventions

Possible disciplinary actions are listed below in alphabetical order, they are not necessarily listed in the order they will be administered. Other actions may be developed when necessary. More than one action may be taken in a single incident.

Behavior Contract: School administration will develop a document delineating a behavior program including specific positive and negative consequences for the student's future behavior.

Campus Beautification /Community Service: Students clean certain areas of the campus by means of either picking up trash, cleaning surfaces, weeding or other labor activities.

Detention: Students may be required to serve lunch time detention.

Expulsion: Expulsion is an action taken by the Board of Trustees for severe or prolonged breaches of discipline by a student. Expulsion leads to the removal of a student from the immediate supervision and control, or greater supervision, of school personnel. Except for single acts of a grave nature, expulsion is used only when there is a history of misconduct; when other forms of discipline, including suspension, have failed to bring about proper conduct; or when the student's presence causes a continuing danger to himself/herself or others.

Removal From Class: Students who are referred to the office for sufficiently severe actions will be removed from class for the remainder of the period and may be kept in the office for the same period the following day. This may be considered an "in-house" suspension.

Required Parental Attendance: Teachers and/or administrators may require parental attendance for cases in which they have determined that it is the best strategy to promote positive interaction between the student and the parent/guardian and to improve classroom behavior. This is done in accordance with School Board Policy 5144.1(b).

SARB: School Attendance Review Board - As a legal agency of the court, a panel of county education, law enforcement and social services representatives reviews the circumstances of students with habitually poor attendance or academic performance and makes recommendations and provides services to address the issue(s).

SST: Student Success Study Team - Student behavior and academic performance is reviewed by administration together with parents/guardians and teachers and to develop a plan for the student's future success in school.

Suspension: Students may be suspended for a period of up to five school days for violating California Education Code 48900.

Warning: A school official will talk to the student and work to reach an understanding of appropriate behavior at school. The student will be informed of future consequences.

Attending Detention

Detention is served during lunch time. The specific date or dates will be indicated on the referral slip. Students who are late to detention will not be admitted and will be assigned an additional detention or suspension. Students who forget that they have been assigned to a detention and do not attend will be assigned an additional detention or suspension.

Rules for detention:

1. Arrive on time
2. Sit in the seat assigned by the detention supervisor.
3. Remain quiet the entire time.
4. Complete the work that is assigned, if any.
5. Follow all instructions given by the detention supervisor.
6. Raise a hand if you have a question and wait patiently.

Students who do not complete the assignments will be assigned another detention to complete the work. Students who are disruptive and/or who do not follow the instructions of the supervisor will be asked to leave the detention room and will be assigned an additional detention or suspension.

INTERVENTIONS

In addition to the above listed options for addressing student behavior, teachers and administrators may utilize more significant interventions for habitual behavior issues when preliminary interventions are ineffective. The use of these is at the discretion of teachers and administrators.

Behavior Contracts

When a student's inappropriate behavior is habitual and significant, the school administration may initiate the development of a Behavior Contract. The contract will delineate a behavior program including specific positive and negative consequences for the student's behavior. It will be reviewed by the student's parents/guardians and signed by all parties involved. Teachers will be given copies of the contract to follow its guidelines in the classroom. When behavior contracts are used, they will be used in consideration of the pupil's physical freedom and social interaction, and be administered in a manner that respects human dignity and personal privacy (Ed Code 56520.1)

Behavior contracts shall do all the following:

1. Specify the types of positive behavioral interventions which may be utilized and specify that interventions which cause pain or trauma are prohibited.
2. Assesses the appropriateness of positive interventions.
3. Assures the pupil's physical freedom, social interaction, and individual choices.
4. Respects the pupil's human dignity and personal privacy.
5. Includes the method of measuring the effectiveness of the interactions.
6. Includes a timeline for the regular and frequent review of the pupil's progress. (Ed Code 56523)

Voluntary and Required Parent Attendance

Parental support contributes to the likelihood of academic success and law-abiding behavior (Ed Code 47751b). The Board believes that parental involvement plays an important role in the resolution of classroom behavior problems. The Board expects that teachers will communicate with parents/guardians when problems arise (BP 5144.1b).

Whenever a student is removed from a class because he/she committed an obscene act, engaged in habitual profanity or vulgarity, disrupted school activities or otherwise willfully defied valid staff authority, the teacher of the class from which the student was removed may require that the student's parent/guardian attend a portion of a school day in that class (Ed Code 48900.1). The Board encourages teachers, before requiring parental attendance, to make reasonable efforts to have the parent/guardian visit the class voluntarily. The teacher also may inform the parent/guardian about available resources and parent education opportunities (BP 51144.1b).

Teachers will reserve the option of required parental attendance for cases in which they have determined that it is the best strategy to promote positive interaction between the student and the parent/guardian and to improve classroom behavior (BP 5144.1b).

District regulations and school-site rules for student discipline shall include procedures for implementing parental attendance requirements (BP5144.1c).

Suspension and Expulsion

The governing Board has established policies and standards of behavior in order to promote learning and protect the safety and well-being of all students. When these policies and standards are violated it may be necessary to suspend or expel a student from regular classroom instruction (BP 5144a).

Except where suspension for a first offense is warranted in accordance with law, suspension shall be imposed only when other means of correction fail to bring about proper conduct (Ed Code 48900.5).

Suspended students are not permitted to be on campus during school hours, including one hour before and one hour after school hours. Suspended or expelled students shall be excluded from all school-related extracurricular activities during the period of suspension or expulsion (BP 5144a).

School Administration's Authority to Suspend

The administrator of the school, the administrator's designee, or the superintendent of schools may suspend a pupil from the school for any reasons enumerated in Section 48900 and pursuant to Section 48900.5, for no more than five consecutive days. Parent/Guardians do not have the authority to revoke the disciplinary actions of a school administrator. Parents/Guardians who do not agree with the disciplinary action of the administrator or believe their student is innocent of the allegations being made against them should first discuss the matter with the school administrator. If the parent/guardian is not satisfied with the outcome of that discussion, they may file a formal complaint with the district office using the Uniform Complaint Procedure.

Suspendable or Expellable Offenses

Suspension and Expulsion - *Due Process*

- _____ A. (1) Caused, attempted to cause, or threatened to cause physical injury to another person. (2) Willfully used force or violence upon the person of another, except in self-defense.
- _____ B. Possessed, sold, or otherwise furnished a firearm, knife, explosive, or other dangerous object, unless, in the case of possession of an object of this type, the pupil had obtained
written permission to possess the item from a certificated school employee, which is concurred in by the principal or the designee of the principal.
- _____ C. Unlawfully possessed, used, sold, or otherwise furnished, or been under the influence of, a controlled substance listed in Chapter 2 (commencing with Section 11053) of Division
10 of the Health and Safety Code, an alcoholic beverage, or an intoxicant of any kind. (Law enforcement officials shall be notified)
- _____ D. Unlawfully offered, arranged, or negotiated to sell a controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code, an
alcoholic beverage, or an intoxicant of any kind, and either sold, delivered, or otherwise furnished to a person
another liquid, substance, or material and represented the liquid,
substance, or material as a controlled substance, alcoholic beverage, or intoxicant. (Law enforcement officials shall be notified)
- _____ E. Committed or attempted to commit robbery or extortion.
- _____ F. Caused or attempted to cause damage to school property or private property.
- _____ G. Stole or attempted to steal school property or private property.
- _____ H. Possessed or used tobacco, or products containing tobacco or nicotine products, including, but not limited to, cigarettes, cigars, miniature cigars, clove cigarettes, smokeless
tobacco, snuff, chew packets, and betel. However, this section does not prohibit the use or possession by a pupil of his or her own prescription products.
- _____ I. Committed an obscene act or engaged in habitual profanity or vulgarity.
- _____ J. Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell drug paraphernalia, as defined in Section 11014.5 of the Health and Safety Code.
- _____ K. (1) Disrupted school activities or otherwise willfully defied the valid authority of supervisors, teachers, administrators, school officials, or other school personnel engaged in the
performance of their duties. (2) Except as provided in Section 48910, a pupil enrolled in kindergarten or any of grades 1 to 3, inclusive, shall not be suspended for any of the acts
enumerated in this subdivision, and this subdivision shall not constitute grounds for a pupil enrolled in kindergarten or any of grades 1 to 12, inclusive, to be recommended for
expulsion.
- _____ L. Knowingly received stolen school property or private property.
- _____ M. Possessed an imitation firearm. As used in this section, "imitation firearm" means a replica of a firearm that is so substantially similar in physical properties to an existing firearm
as to lead a reasonable person to conclude that the replica is a firearm.
- _____ N. Committed or attempted to commit a sexual assault as defined in Section 261, 266c, 286, 288, 288a, or 289 of the Penal Code or committed a sexual battery as defined in Section
243.4 of the Penal Code.

_____ O. Harassed, threatened, or intimidated a pupil who is a complaining witness or a witness in a school disciplinary proceeding for purposes of either preventing that pupil from being a witness or retaliating against that pupil for being a witness, or both.

_____ P. Unlawfully offered, arranged to sell, negotiate to sell, or sold the prescription drug Soma.

_____ Q. Engaged in, or attempted to engage in, hazing. For purposes of this subdivision, "hazing" means a method of initiation or preinitiation into a pupil organization or body, whether or

not the organization or body is officially recognized by an educational institution, that is likely to cause serious bodily injury or personal degradation or disgrace resulting in

physical or mental harm to a former, current, or prospective pupil. For purposes of this subdivision, "hazing" does not include athletic events or school-sanctioned events.

_____ R. Engaged in an act of bullying. For purposes of this subdivision, the following terms have the following meanings:

(1) "Bullying" means any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act, and including one or

more acts committed by a pupil or group of pupils as defined in Section 48900.2, 48900.3, or 48900.4, directed toward one or more pupils that has or can be reasonably predicted

to have the effect of one or more of the following:

(A) Placing a reasonable pupil or pupils in fear of harm to that pupil's or those pupils' 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.

(D) Causing a reasonable pupil to experience substantial interference with his or her ability to participate in or benefit from the services, activities, or

privileges provided by a school.

(2)(A) "Electronic act" means the creation or transmission originated on or off the school site, by means of an electronic device, including, but not limited to, a telephone, wireless telephone, or other wireless communication device, computer, or pager, of a communication, including, but not limited to, any of the following:

(i) A message, text, sound, video, or image.

(ii) A post on a social network Internet Web site, including, but not limited to:

(I) Posting to or creating a burn page. "Burn page" means an Internet Web site created for the purpose of having one or more of the effects listed in paragraph (1)

(II) Creating a credible impersonation of another actual pupil for the purpose of having one or more of the effects listed in paragraph (1). "Credible impersonation" means to

knowingly and without consent impersonate a pupil for the purpose of bullying the pupil and such that another pupil would reasonably believe, or has reasonably believed,

that the pupil was or is the pupil who was impersonated.

(III) Creating a false profile for the purpose of having one or more of the effects listed in paragraph (1). "False profile" means a profile of a fictitious pupil or a profile using the

likeness or attributes of an actual pupil other than the pupil who created the false profile.

(iii) (I) An act of cyber sexual bullying.

(II) For purposes of this clause, "cyber sexual bullying" means the dissemination of, or the solicitation or incitement to disseminate, a photograph or other visual recording by

a pupil to another pupil or to school personnel by means of an electronic act that has or can be reasonably predicted to have one or more of the effects described in

subparagraphs (A) to (D), inclusive, of paragraph (1). A photograph or other visual recording, as described above, shall include the depiction of a nude, semi-nude, or

sexually explicit photograph or other visual recording of a minor where the minor is identifiable from the photograph, visual recording, or other electronic act.

(III) For purposes of this clause, "cyber sexual bullying" does not include a depiction, portrayal, or image that has any serious literary, artistic, educational, political, or

scientific value or that involves athletic events or school-sanctioned activities.

(2)(B) Notwithstanding paragraph (1) and subparagraph (A), an electronic act shall not constitute pervasive conduct solely on the basis that it has been transmitted on the Internet or is currently posted on the Internet.

(3) "Reasonable pupil" means a pupil, including, but not limited to, an exceptional needs pupil, who exercises average care, skill, and judgment in conduct for a person of his or her age, or for a person of his or her age with his or her exceptional needs.

_____ S. A pupil shall not be suspended or expelled for any of the acts enumerated in this section unless the act is related to a school activity or school attendance occurring within a school

under the jurisdiction of the superintendent of the school district or principal or occurring within any other school district. A pupil may be suspended or expelled for acts that are enumerated in this section and related to a school activity or school attendance that occur at any time, including, but not limited to, any of the following:

- (1) While on school grounds.
- (2) While going to or coming from school.
- (3) During the lunch period whether on or off the campus.
- (4) During, or while going to or coming from, a school-sponsored activity.

____ T. A pupil who aids or abets, as defined in Section 31 of the Penal Code, the infliction or attempted infliction of physical injury to another person may be subject to suspension, but not

expulsion, pursuant to this section, except that a pupil who has been adjudged by a juvenile court to have committed, as an aider and abettor, a crime of physical violence in which

the victim suffered great bodily injury or serious bodily injury shall be subject to discipline pursuant to subdivision (a).

____ U. As used in this section, "school property" includes, but is not limited to, electronic files and databases.

____ V. For a pupil subject to discipline under this section, a superintendent of the school district or principal may use his or her discretion to provide alternatives to suspension or expulsion that are age appropriate and designed to address and correct the pupil's specific misbehavior as specified in Section 48900.5.

____ W. It is the intent of the Legislature that alternatives to suspension or expulsion be imposed against a pupil who is truant, tardy, or otherwise absent from school activities.

Suspension

Suspensions shall be initiated according to the following procedures:

- 1 Informal Conference: Suspension shall be preceded by an informal conference conducted by the principal, designee or the superintendent 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 and the evidence against him/her; the student shall be given the opportunity to present his/her version and evidence in support of his/her defense. (Education Code 48911b).
This conference may be omitted if the principal, designee or the superintendent determines that an emergency situation exists. An emergency situation involves 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 a conference. The conference shall be held within two school days, unless the student waives his/her right to it or is physically unable to attend for any reason. In such case, the conference shall be held as soon as the student is physically able to return to school. (Education Code 48911c).
- 1 Administrative Actions: All requests for student suspension are to be processed by the principal or Administrative designee of the school in which the student is enrolled at the time of the misbehavior. A school employee shall report the suspension, including the name of the student and the cause for the suspension, to the superintendent or designee.
- 1 Notice to Parents/Guardians: At the time of the suspension, a school employee shall make a reasonable effort to contact the parent/guardian by telephone or in person. Whenever a student is suspended, the parent/guardian shall be notified in writing of the suspension. (Education Code 48911).

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

In addition, the notice may also state the date and time when the student may return to school. If school officials wish to ask the parent/guardian to confer regarding matters pertinent to the suspension, the notice may add that state law requires the parent/guardian to respond to such requests without delay.

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

While the parent/guardian is required to respond without delay to a request for a conference about a student's behavior, no penalties may be imposed on the student for the failure of the parent/guardian to attend such a conference. The student may not be denied readmission solely because the parent/guardian failed to attend. (Education Code 48911).

- ! Extension of Suspension: If the Board is considering the expulsion of a suspended student from any school or the suspension of a student for the balance of the trimester from continuation school, the superintendent, principal or administrative designee may, in writing, extend the suspension until such time as the Board has made a decision. (Education Code 48911g).

Any extension of the original period of suspension shall be preceded by notice of such extension with an offer to hold a conference concerning the extension, giving the student an opportunity to be heard. This conference may be held in conjunction with a meeting requested by the student or parent/guardian to challenge the original suspension. Extension of the suspension may be made only if the superintendent or 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).

A student may be suspended from school for not more than 20 school days in any school year, unless for purposes of adjustment a student enrolls in or is transferred to another regular school, an opportunity school, or continuation school or class, in which case suspensions should not exceed 30 days in any school year. However, this restriction on the number of days of suspension does not apply when the suspension is extended pending an expulsion (Ed Code 48903, 48912).

The Superintendent or designees may count suspensions that occur while a student is enrolled in another school district toward the maximum numbers of days for which a student may be suspended in any school year (Ed Code 48903).

Expulsion

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

Mandatory Recommendation for Expulsion

Unless the principal, Superintendent or designee finds that expulsion is inappropriate due to particular circumstances, the principal, Superintendent or designee shall recommend a student's expulsion for any the following acts: (Ed Code 48915a)

1. Causing serious physical injury to another person, except in self-defense.
2. Possession of any knife as defined in Education Code 48915(g), (...*"knife" means any dirk, dagger, or other weapon with a fixed, sharpened blade fitted primarily for stabbing, a weapon with a blade fitted primarily for stabbing, a weapon with a blade longer than 3 ½ inches, a folding knife with a blade that locks into place, or a razor with an unguarded blade*), explosive 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 the first offense of the possession of not more than one ounce of marijuana, other than concentrated cannabis.
4. Robbery or extortion.
5. Assault or battery, as defined in Penal Code 240 (*"An assault is an unlawful attempt, coupled with a present ability, to commit a violent injury on the person of another."*) and 242 (*"A battery is any willful and unlawful use of force or violence upon the person of another."*), upon any school employee.

Mandatory Recommendation and Mandatory Expulsion

The principal, Superintendent or designee shall recommend that the Board expel any student found at school or at a school activity to be: (Ed Code 48915c)

1. Possessing, as verified by a district employee, or selling or otherwise furnishing a firearm, unless the student had obtained prior written permission to possess the item from a certificated school employee, with the principal or designee's concurrence.
2. Brandishing a knife as defined in Education Code 48915(g) at another person.
3. Unlawfully selling a controlled substance listed in Health and Safety Code 11053-11058.
4. Committing or attempting to commit a sexual assault or committing a sexual battery as defined in item #14 under "Grounds for Suspension and Expulsion" above.
5. Possessing an explosive as defined in 18 USC 921.

Upon finding that the student committed any of the above acts, the Board shall expel the student (Ed Code 48915).

Appealing an Expulsion

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

Mandatory Notification of Law Enforcement

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 or possession of weapons or firearms in violation of 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)

DISCIPLINE RELATED ISSUES

Complaints Concerning Site/District Practices or Procedures

The following procedures shall be followed when a student, parent/guardian, community member, or employee has a complaint about a specific practice or procedure at the site or district level (AR 1312.3a).

The complainant shall first meet informally with the principal of the school where the practice or procedure occurred. If the complainants' concerns are not resolved through informal discussion, he/she may submit a written complaint (Form E 1312.1, *available from the school or district office*) to the principal within 30 days of the practice or procedure.

The principal, within 20 days of receiving the complaint, shall respond in writing to the complainant. If the complaint is not resolved with the principal, the complainants may file the written complaint and the principal's response with the Superintendent within ten days.

Complainant(s) should consider and accept the Superintendent's or designee's decision as final. However, the complainants or Superintendent or designee may request a hearing before the Governing Board. The Board may confirm the Superintendent's or designee's decision, request further review by the administration, or conduct the hearing.

The decision of the Board following the hearing shall be final.

General Safety

The concern for individual student's safety and the safety of others is foremost. All school rules apply as students travel to and from school, are present at school, and are attending school events even if it is not during the regular school day. The following rules of safety apply to all students. Violation of these rules will result in disciplinary action. More serious disciplinary action will be taken with habitual offenders.

1. Walking is required in all areas.
2. The throwing of any objects including pencils, rocks, acorns, etc., is forbidden.
3. Possession of sharp objects is prohibited.
4. All equipment in the music and technology rooms is to be used only under the supervision of the instructor.
5. Students walking to and from school are required to follow basic safety rules when crossing streets, in the parking lot, and when near the school buses.
6. Skateboards, scooters, skates, roller blades or any other footwear or device that has wheels and is ridden is not to be ridden to school at any time. **Students may not bring them to school.**
7. Students are not allowed to bring bats, hard balls, or other sports equipment to school. Sports and play equipment is furnished by the school.
8. Electronic devices are only allowed when a "Bring Your Own Device" (BYOD) form is filled out and on file in the office. Bus drivers may allow some personal entertainment devices on the bus routes.
9. Students may not bring playing cards or trading card collections, such as baseball or Pokemon, on campus.

Possession/Use of Cellular Phones and Other Mobile Communications Devices

No student shall be prohibited from possessing or using an electronic signaling device that is determined by a licensed physician or surgeon to be essential for the student's health and the use of which is limited to health-related purposes. (Education Code 48901.5)

Students may possess or use on school campus personal electronic signaling devices including, but not limited to, pagers and cellular/digital telephones, as well as other mobile communications devices

including, but not limited to, digital media players, personal digital assistants (PDAs), cameras, and laptop computers, provided that such devices do not disrupt the educational program or school activity and are not used for illegal or unethical activities such as cheating on assignments or tests.

Students may not possess at school compact disc players, portable game consoles, or digital scanners.

If a disruption occurs or a student uses any mobile communications device for improper activities, a school employee shall direct the student to turn off the device and shall confiscate it. The school employee shall deliver the device to the school office to be processed by an administrator or designee.

Cell Phone Policy

Cell phones are not permitted to be used during the school day.

For students in grades 6 – 8 cell phones may be used prior to staff assuming responsibility for students in the morning, and after the final bell of the school day, after the student has walked to the front of the school complex.

Cell phones are not to be used on school-sponsored transportation.

If a student has a health issue that requires contacting a parent/guardian, they must do so under the supervision and with the permission of a staff member using a land line.

Students who violate the cell phone policy will be subject to disciplinary action.

Any staff member who sees a student using a cell phone or having it in plain sight shall confiscate the phone. If a phone is confiscated, it will be forwarded to the school office, and must be retrieved by the student's parent/guardian.

The Pioneer Union School District is not responsible for lost or stolen cell phones.

In accordance with BP/AR 5145.12 - Search and Seizure, a school official may search a student's mobile communications device, including, but not limited to, reviewing messages or viewing pictures.

Searches

The Governing Board recognizes that incidents may occur which jeopardize the health, safety and welfare of students and staff and which necessitate the search and seizure of students, their property or their lockers by school officials. The Board requires that discretion, good judgment and common sense be exercised in all cases of search and seizure.

School officials may search individual students and their property when there is a **reasonable suspicion** that the search will uncover evidence that the student is violating the law or the rules of the district or the school.

The Difference Between Reasonable Suspicion and Probable Cause:

For law enforcement personnel to engage in a search without a warrant, they must demonstrate **PROBABLE CAUSE**, which is "...sufficient reason based upon known facts to believe a crime has been committed or that certain property is connected with a crime. Probable cause must exist for a *law enforcement officer* to make an arrest without a warrant, search without a warrant, or seize property in the belief the items were evidence of a crime."

The standard for school administrators is not as rigorous as that for law enforcement because the law sees school officials acting *in loco parentis* – "in place of the parent." The standard of evidence for administrators to conduct a search is **REASONABLE SUSPICION**, which is: "...an objectively **justifiable suspicion** that is based on specific facts or circumstances and that justifies stopping and sometimes searching a person thought to be involved in criminal activity at the time."

All searches shall follow the guidelines listed in the Education Code:

No school employee shall conduct a search that involves:

- (A) Conducting a body cavity search of a pupil manually or with an instrument.
- (B) Removing or arranging any or all of the clothing of a pupil to permit a visual inspection of the underclothing, breast, buttocks, or genitalia of the pupil. (Ed Code 49050)

Tardiness

A student is tardy when they have arrived to class after the tardy bell has rung (some teachers may request students to be in their seat when the tardy bell rings) or after the designated start time of class. Students who are tardy upon arrival to school in the morning (whether excused or not) must sign in at the office.

In accordance with Education Code 48205, the following are allowed absences:

1. Due to his or her illness
2. Due to quarantine under the direction of a county or city health officer.
3. For the purpose of having medical, dental, optometric, or chiropractic services rendered.
4. For the purpose of attending the funeral services of a member of his or her immediate family.
5. For the purpose of jury duty in the manner provided for by law.
6. Due to the illness or medical appointment during school hours of a child of whom the pupil is the custodial parent.

“What if...” situations for students “...I need help with a problem?”

You should talk to an adult about your problem. First, go to the teacher or other employee you feel comfortable talking to and describe your situation. They may be able to help you work toward a solution. If this does not help, talk to the counselor or administrator. Leave a “Can We Talk” slip in the office and they will talk with you as soon as they have an available moment.

“...I bring something dangerous to school accidentally?”

If you accidentally bring something to school that could get you into trouble (for example, you went camping over the weekend and took your backpack. When you came back you forgot to take your pocketknife out of your backpack and you realize in the middle of math class you still have it) you must tell an adult immediately! Students who accidentally bring something dangerous to school and immediately notify an adult have a much greater chance of not getting in trouble than students who try to hide it and get caught.

“...I know someone else has brought something dangerous to school that they shouldn’t have?”

Tell an adult immediately! A student who is hiding something dangerous may use it to hurt someone at school, even though they may say they’re not. Also, they may not hurt anyone, but someone else may get the dangerous object and use it. If you hide what you know, someone else might get hurt.

“...I do something wrong on accident?”

Tell a teacher or other employee or an administrator. If a student does something wrong on accident, they have a much greater chance of not getting in trouble if they tell someone than if they don’t tell someone and get caught.

2023/2024 Consequences of Negative Student Behavior

Pioneer Elementary, Walt Tyler Elementary and Mountain Creek Middle Schools

Offense Level	Step 1	Step 2	Step 3	Step 4	Step 5
Schedule One ½ Strike	Teacher conferences privately with student about behavior and contacts parent. Incident is logged.	Teacher conferences privately with student about behavior and contacts parent. Incident is logged and student is assigned lunch detention.	Student referred to office to meet with administration to discuss behavior concerns. Teacher contacts parent, incident is logged and student is assigned lunch detention. ½ Strike	Detention is assigned and an SST is set up to review behavior concerns. ½ Strike	One (1) week of detention is assigned and parent contact is made by administration stating next Step may result in suspension. ½ Strike
Additional penalty if infraction occurs on school bus	No loss of transportation	1 day loss of transportation	2 days loss of transportation	3 days loss of transportation	5 days or infinite loss of transportation
Chewing gum, Eating in class, Inappropriate affection, Littering, Parent signature not returned, Tardy, Writing on skin, Dress code violation, Electronic device, Energy drinks, Inappropriate comment					
Citizenship Development Plan: Any student can move back one step after 30 calendar days without an incident for Schedule One violations.					
Schedule Two 1 Strike	Teacher conferences privately with student about behavior and contacts parent. Incident is logged. Detention is assigned.	Teacher conferences privately with student about behavior and contacts parent. Incident is logged and student is assigned lunch detentions.	Student referred to office to meet with administration to discuss behavior concerns. Teacher contacts parent, incident is logged and student is assigned lunch detentions. An SST is set up to review behavior concerns.	One (1) week of detention is assigned and parent contact is made by administration stating next Step may result in suspension.	Parent contact is made by administration. Student is suspended.
Additional penalty if infraction occurs on school bus	No loss of transportation	1 day loss of transportation	3 days loss of transportation	5 days loss of transportation	10 days or infinite loss of transportation
Dishonesty, Forgery (parent signature), Gambling, Harassment, Making a threat, Obscenity/profanity, Safety violation, Throwing a liquid, Vandalism, Violation of technology agreement					
Schedule Three 2 Strike	Teacher conferences privately with student about behavior and contacts parent. Student referred to office and meets with administration to discuss behavior concerns. Incident is logged and student is assigned lunch detention.	Student referred to office and meets with administration to discuss behavior concerns. Administration contacts parent, incident is logged and student is assigned lunch detention.	Detention is assigned and an SST is set up to review behavior concerns.	One (1) week of detention is assigned and parent contact is made by administration stating next Step may result in suspension.	Administration Discretion
Additional penalty if infraction occurs on school bus	1 day loss of transportation	3 days loss of transportation	5 days loss of transportation	10 days or infinite loss of transportation	10 days or infinite loss of transportation
Cheating/plagiarism. Defiance, Detention-no show, Disruption –class/bus/school/detention, Hitting/pushing another student, Insulting a fight, Throwing an object, Truancy					
Schedule Four 3 Strikes	Suspension with possible recommendation for Expulsion				
Aiding/abetting student committing physical injury, Theft, Harming or attempting to harm staff, Bullying, causing physical injury, Controlled substance, Fighting, Hazing, Imitation firearm, Paraphernalia, Receiving stolen property, Robbery/Extortion, Sexual assault or battery, Sexual harassment, Vandalism, Weapon/dangerous object, Witness tampering					
Offenses requiring Mandatory Expulsion Recommendations: Possession of a firearm or explosive, brandishing a knife at another person, selling a controlled substance, sexual assault or sexual battery					

Policy 5144: Discipline

Status: ADOPTED

Original Adopted Date: 02/08/2018

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. 5113.1 - Chronic Absence and Truancy)

(cf. 5131 - Conduct)

(cf. 5131.1 - Bus Conduct)

(cf. 5131.2 - Bullying)

(cf. 5137 - Positive School Climate)

(cf. 5145.9 - Hate-Motivated Behavior)

(cf. 6020 - Parent Involvement)

The Superintendent or designee shall develop 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.

(cf. 5138 - Conflict Resolution/Peer Mediation)

(cf. 6164.2 - Guidance/Counseling Services)

In addition, the Superintendent or designee's strategies for correcting student misconduct shall reflect the Board's preference for the use of positive interventions and alternative disciplinary measures over exclusionary discipline measures.

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 or permitted 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)

School personnel and volunteers shall not allow any disciplinary action taken against a student to result in the denial or delay of a school meal. (Education Code 49557.5)

(cf. 3550 - Food Service/Child Nutrition Program)

(cf. 3551 - Food Service Operations/Cafeteria Fund)

(cf. 3553 - Free and Reduced Price Meals)

The Superintendent or designee shall create a model discipline matrix that lists violations and the consequences for each as allowed by law.

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 32282, 35291.5)

(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.

Policy 5144.1: Suspension And Expulsion/Due Process

Status: ADOPTED

Original Adopted Date: 05/21/2020

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 the 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 the student's 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. 5138 - Conflict Resolution/Peer Mediation)

(cf. 5144 - Discipline)

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

(cf. 6164.2 - Guidance/Counseling Services)

(cf. 6164.5 - Student Success Teams)

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

No student in grades K-8 may be suspended for disruption or willful defiance, except by a teacher pursuant to Education Code 48910. (Education Code 48900)

(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(i))

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, 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 an open session of a Board meeting.

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)

No child enrolled in a preschool program shall be expelled except under limited circumstances as specified in AR 5148.3 - Preschool/Early Childhood Education.

(cf. 5148.3 - Preschool/Early Childhood Education)

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 maintain outcome data related to student suspensions and expulsions in accordance with Education Code 48900.8 and 48916.1, including, but not limited to, 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. For any expulsion that involves the possession of a firearm, such data shall include the name of the school and the type of firearm involved, as required pursuant to 20 USC 7961. Suspension and expulsion data shall be reported to the Board annually and to the California Department of Education when so required.

In presenting the report to the Board, the Superintendent or designee shall disaggregate data on suspensions and expulsions by school and by numerically significant student subgroups, including, but not limited to, ethnic subgroups, socioeconomically disadvantaged students, English learners, students with disabilities, foster youth, and homeless students. Based on the data, the Board shall address any identified disparities in the imposition of student discipline and shall determine 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)

Regulation 5144.1: Suspension And Expulsion/Due Process

Status: ADOPTED

Original Adopted Date: 05/21/2020 | **Last Revised Date:** 04/13/2023 | **Last Reviewed Date:** 04/13/2023

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, so long as removal from a particular class does not occur more than once every five school days.

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)

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 and in the sections "Additional Grounds for Suspension and Expulsion: Grades 4-12" and "Additional Grounds for Suspension and Expulsion: Grades 9-12" below:

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))
3. Unlawfully possessed, used, sold, otherwise furnished, or was under the influence of any controlled substance as defined in Health and Safety Code 11053-11059, alcoholic beverage, or intoxicant of any kind (Education Code 48900(c))
4. Unlawfully offered, arranged, or negotiated to sell any controlled substance as defined in Health and Safety Code 11053-11059, alcoholic beverage, or intoxicant of any kind, and then sold, delivered, or otherwise furnished to any person another liquid, substance, or material and represented the same as a 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 prescription products (Education Code 48900(h))

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, 287, 288, 289, or former 288a, 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(s) in fear of harm to self or property; cause the student to experience a substantially detrimental effect on physical or mental health; or cause the student to experience substantial interferences with academic performance or ability to participate in or benefit from the services, activities, or privileges provided by a school. (Education Code 48900(r))

Bullying includes 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 the section "Additional Grounds for Suspension and Expulsion: Grades 4-12," that has any of the effects described above on a reasonable student.

Bullying also includes an act of cyber sexual bullying by a student through the dissemination of, or the solicitation or incitement to disseminate, a photograph or other visual recording that depicts a nude, semi-nude, or sexually explicit photograph or other visual recording of an identifiable minor, when such dissemination is to another student or to school personnel by means of an electronic act and has or can be reasonably predicted to have one or more of the effects of bullying described above. Cyber sexual bullying does not include a depiction, portrayal, or image that has any serious literary, artistic, educational, political, or scientific value or that involves athletic events or school-sanctioned activities.

Electronic act means the creation or transmission originated on or off the school site by means of an electronic device, including, but not limited to, a telephone, wireless telephone, or other wireless communication device, computer, or pager, of a communication including, but not limited to: (Education Code 48900(r))

- a. A message, text, sound, video, or image
- b. A post on a social network internet web site, including, but not limited to, posting to or creating a burn page or creating a credible impersonation or false profile for the purpose of causing a reasonable student any of the effects of bullying described above.

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

Burn page means an internet web site created for the purpose of causing a reasonable student any of the effects of bullying described above. (Education Code 48900(r))

Credible impersonation means to knowingly and without consent impersonate a student for the purpose of bullying the student and such that the student would reasonably believe, or has reasonably believed, that the student was or is the student who was impersonated. (Education Code 48900(r))

False profile means a profile of a fictitious student or profile using the likeness or attributes of an actual student other than the student who created the false profile. (Education Code 48900(r))

An electronic act is not considered pervasive conduct solely on the basis that it has been transmitted to the internet or is currently posted on the internet. (Education Code 48900(r))

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 out the crime. (Education Code 48900.7)

Additional Grounds for Suspension and Expulsion: Grades 4-12

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

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)

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)

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)

Additional Grounds for Suspension and Expulsion: Grades 9-12

Any student in grades 9-12 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))

Suspension from Class by a Teacher

A teacher may suspend a student from class for the remainder of the day and the following day for any of the acts specified in Education Code 48900 and listed as Items #1-19 under "Grounds for Suspension and Expulsion: Grades K-12" above or for disruption or willful defiance at any grade level, including grades K-8. (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, the student shall be appropriately supervised during the class periods from which the student has been suspended. (Education Code 48910)

As soon as possible after the teacher decides to suspend the student, the teacher 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 the student was suspended. (Education Code 48910)

A teacher may also refer a student, for any of the acts specified above in Education Code 48900, to the principal or designee for consideration of a suspension from school. (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 away from school to have committed any of the acts listed in the Board policy under "Authority to Expel" for which a recommendation of expulsion is required. (Education Code 48915(c))

The Superintendent, principal, or designee may impose a suspension for a first offense if it is determined 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. (Education Code 48900.5)

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

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 class, or continuation school or class for the purpose of adjustment, the student 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)

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, including the other means of correction that were attempted before the suspension as required pursuant to Education Code 48900.5, and the evidence against the student, and shall be given the opportunity to present the student's version and evidence in the student's 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, the student, the student's parent/guardian, or if the student is a foster youth, the foster youth's educational rights holder, attorney, and county social worker, or if the student is an Indian child, the Indian child's tribal social worker and, if applicable, county social worker, shall be notified of the student's right to a conference and the right to return to school for the purpose of the conference. The conference shall be held within two school days, unless the student waives the 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 for the conference. (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, or if the student is a foster youth, the foster youth's educational rights holder, attorney, and county social worker, or if the student is an Indian child, the Indian child's tribal social worker, and, if applicable, the county social worker, in person, by email, or by telephone. Whenever a student is suspended, the parent/guardian, or, if applicable, the foster youth's educational rights holder, attorney, and county social worker, or the Indian child's tribal social worker and, if applicable, the county social worker, 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)

4. In addition, the notice may state the date and time when the student may return to school.
5. **Parent/Guardian Conference:** Whenever a student is suspended, school officials may conduct 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, a foster youth's educational rights holder, attorney, and county social worker, or an Indian child's tribal social worker, and, if applicable, the county social

worker, the notice may state that the law requires such individuals to respond to the request without delay. However, the student shall not be penalized for the failure of the parent/guardian, a foster youth's educational rights holder, attorney, and county social worker, or an Indian child's tribal social worker, and, if applicable, the county social worker, to attend such a conference. The student may not be denied reinstatement solely because such individuals failed to attend the conference. (Education Code 48911)

6. 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.
 - c. If the student involved is a foster youth or Indian child, the Superintendent or designee shall notify the district's educational liaison of the need to invite the foster youth's educational rights holder, attorney and county social worker, or the Indian child's tribal social worker or, if applicable, the county social worker, to attend the meeting. (Education Code 48853.5, 48911, 48918.1)
 - 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)
 - e. 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 the behavior and keep the student 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," "Additional Grounds for Suspension and Expulsion: Grades 4-12," and "Additional Grounds for Suspension and Expulsion: Grades 9-12" 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 that would violate a student's right to privacy under Education Code 49073-49079. (Education Code 35146, 48912)

The Board shall provide the student and 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 the student's 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, or if the student is a foster youth, the foster youth's educational rights holder, attorney, and county social worker, or, if the student is an Indian child, the Indian child's tribal social worker and, if applicable, county social worker, in person, by email, or by telephone. When the assignment is for longer than one class period, this notification shall 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, the Superintendent or principal 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 11053-11059, except for:
 - a. The first offense for the possession of not more than one ounce of marijuana, other than concentrated cannabis
 - b. The student's possession of over-the-counter medication for use by the student for medical purposes
 - c. Medication prescribed for the student 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 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 the student 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 offense for which the student may be expelled, the Superintendent, principal, or designee shall offer the student, the student's parent/guardian, or, when applicable, other person holding the right to make educational decisions for the student, 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 written notice of the expulsion hearing pursuant to Education Code 48918 has been given.

The stipulation agreement shall be in writing and shall be signed by the student, the student's parent/guardian, or, when applicable, the person holding the right to make educational decisions for the student. The stipulation agreement shall include notice of all the rights that the student is waiving, including the waiving of the 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, the student's parent/guardian, or, when applicable, the person holding the right to make educational decisions for the student, 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, the Superintendent or designee shall give the complaining witness a copy of the district's suspension and expulsion policy and regulation and shall advise the witness of the right to: (Education Code 48918.5)

1. Receive five days' notice of the scheduled testimony at the hearing
2. Have up to two adult support persons present at the hearing at the time the witness testifies
3. Have a closed hearing during the time the witness 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).

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

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

Nonattorney 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, Homeless Students, and Indian Children

If the student facing expulsion is a foster student or Indian child, the Superintendent or designee shall also send notice of the hearing to the foster youth's educational rights holder, attorney, and county social worker, or the Indian child's tribal social worker and, if applicable, county social worker, at least 10 calendar 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 calendar 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)
2. Whether the expulsion hearing is held in closed or public session, the Board may meet in closed session to deliberate and determine whether 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 testify 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, a videotaped deposition or contemporaneous examination in another place communicated to the hearing room by closed-circuit television. (Education Code 48918(c))

3. 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))

4. 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 #6 below. (Education Code 48918(i))

5. 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," "Additional Grounds for Suspension and Expulsion: Grades 4-12," and "Additional Grounds for Suspension and Expulsion: Grades 9-12" above. (Education Code 48918(h))

6. 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.

7. 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 the 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 who 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.

- i. The district shall provide a room separate from the hearing room for the use of the complaining witness before and during breaks in testimony.
- ii. 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 the complaining witness may leave the hearing room.
- iii. 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 normal school hours, 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

8. 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 school, 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 the student's 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 open 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))

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 "mandatory recommendation and mandatory expulsion" act listed in the section "Authority to Expel" in the accompanying Board policy, 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," "Additional Grounds for Suspension and Expulsion: Grades 4-12," or "Additional Grounds for Suspension and Expulsion: Grades 9-12" (Education Code 48900.8)
2. The fact that a description of readmission procedures will be made available to the student and 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 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," "Additional Grounds for Suspension and Expulsion: Grades 4-12," or "Additional Grounds for Suspension and Expulsion: Grades 9-12" 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 the student's 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

If a student is expelled from school, 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 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, or of any student acts involving 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

county or district 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

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 student's parent/guardian, or other person holding the right to make educational decisions for the student, 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 the student's parent/guardian or other person holding the right to make educational decisions for the student shall be asked to indicate in writing their willingness to comply with these regulations.
2. The Superintendent or designee shall transmit to the Board a recommendation regarding readmission. The Board shall consider this recommendation in closed session. If a written request for open session is received from the student's parent/guardian or other person holding the right to make educational decisions for the student, 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 the student's parent/guardian, or other person holding the right to make educational decisions for the student, 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 the student's parent/guardian, or other person holding the right to make educational decisions for the student, 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.

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)

Regulation 5144.2: Suspension And Expulsion/Due Process (Students With Disabilities)

Status: ADOPTED

Original Adopted Date: 02/12/2002 | **Last Revised Date:** 04/13/2023 | **Last Reviewed Date:** 04/13/2023

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.

Suspension or expulsion of a student with disabilities shall be in accordance with Board Policy 5144.1 - Suspension and Expulsion/Due Process and this administrative regulation.

When a student with disabilities exhibits behavior which impedes the student's own learning or that of others, the student's individualized education program (IEP) team shall consider positive behavioral interventions and supports, and other strategies, to address the behavior. (Education Code 56521.2; 20 USC 1414)

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 cumulative school days in a school year as long as the pattern of suspension(s) does not constitute a change in placement pursuant to 34 CFR 300.536. (Education Code 48903; 34 CFR 300.530)

The Superintendent or designee shall determine, on a case-by-case basis, whether a pattern of removals of a student from the student's 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 the student's 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

If a student's removal is determined to be a change of placement as specified in Items #1-2 above, 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 the student's 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 the student or the student's parent/guardian when, as a result of a suspension, the student is excluded from school bus transportation. (Education Code 48915.5)

The principal or designee shall monitor the number of days, including portions of days, in which a student with an IEP has been suspended during the school year.

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 the student's 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 the student's current placement because of dangerous behavior shall receive services, although in another setting, to the extent necessary to allow the student to participate in the general education curriculum and to progress toward meeting the goals set out in the 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. If the student is a foster youth, the notice shall be given to the student's educational rights holder, attorney, and county social worker, and, if the student is an Indian child, the student's tribal social worker and, if applicable, county social worker. (Education Code 48853.5; 20 USC 1415(k)(1)(H); 34 CFR 300.530)
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)

If the student is a foster youth or Indian child, the foster youth's educational rights holder, attorney, or county social worker, or the Indian child's tribal social worker and, if applicable, county social worker, shall be invited to participate in the manifestation determination review. (Education Code 48915.5)

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 the student's 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 the student's 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 the student 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)

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 the 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 the student to participate in the general education curriculum in another setting and to allow the student to progress toward meeting the goals set out in the 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)

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), 34 CFR 300.531 (interim alternative placement), or the manifestation determination under 34 CFR 300.530(e), the parent/guardian 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 the student's information or records will not be disclosed to any other person without the prior written consent of the student's parent/guardian. (Education Code 49076)

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
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 the student 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 the student was not an individual with a disability. (20 USC 1415(k)(5); 34 CFR 300.534)

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)

Policy 5145.7: Sexual Harassment

Status: ADOPTED

Original Adopted Date: 09/10/2020

Cautionary Notice: The following administrative regulation reflects federal Title IX regulations added by 85 Fed. Reg. 30026, effective August 14, 2020, which establish a process for investigating and resolving allegations of conduct that meets the federal definition of sexual harassment. The federal regulations preempt any conflicting state law or regulations, but the interaction between federal and state law is not always clear. Districts should consult legal counsel if questions about a potential conflict arise. Districts should also note that 18 states, including California, have sued the U.S. Department of Education to stop the implementation of these regulations. A preliminary injunction seeking to postpone the effective date of the regulations and prohibit their enforcement is currently pending. If the court grants the injunction, portions of the following administrative regulation will not take effect.

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.

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

(cf. 5131 - Conduct)

(cf. 5131.2 - Bullying)

(cf. 5137 - Positive School Climate)

(cf. 5145.3 - Nondiscrimination/Harassment)

The district strongly encourages students who feel that they are being or have been sexually harassed on school grounds or at a school-sponsored or school-related activity by another student or an adult, or who have experienced off-campus sexual harassment that has a continuing effect on campus, to immediately contact their teacher, the principal, the district's Title IX Coordinator, or any other available school employee. Any employee who receives a report or observes an incident of sexual harassment shall notify the Title IX Coordinator.

Once notified, the Title IX Coordinator shall ensure the complaint is addressed through Title IX complaint procedures or uniform complaint procedures, as applicable, and shall offer supportive measures to the complainant.

(cf. 1312.1 - Complaints Concerning District Employees)

(cf. 1312.3 - Uniform Complaint Procedures)

(cf. 5141.4 - Child Abuse Prevention and Reporting)

(cf. 5145.71 - Title IX Sexual Harassment Complaint Procedures)

Requirements related to the dissemination of the district's sexual harassment policy and procedures and best practices for reinforcing the policy are addressed in the accompanying administrative regulation.

The Superintendent or designee shall inform students and parents/guardians of the district's sexual harassment policy by disseminating it through parent/guardian notifications, publishing it on the district's web site, and including it in student and staff handbooks. All district staff shall be trained regarding the 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 when 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 action shall be taken to respond to harassment, prevent recurrence, and address any continuing effect on students

6. Information about the district's procedures 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 implement supportive 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

Disciplinary Actions

Upon completion of an 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 be subject to disciplinary action, up to and including dismissal, in accordance with law and the applicable collective bargaining agreement.

(cf. 4117.7/4317.7 - Employment Status Report)

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

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

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

Record-Keeping

In accordance with law, 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)

Regulation 5145.7: Sexual Harassment

Status: ADOPTED

Original Adopted Date: 09/10/2020

Cautionary Notice: The following administrative regulation reflects federal Title IX regulations added by 85 Fed. Reg. 30026, effective August 14, 2020, which establish a process for investigating and resolving allegations of conduct that meets the federal definition of sexual harassment. However, in June 2020, two motions for a preliminary injunction were filed seeking to postpone the effective date of the regulations and prohibit their enforcement. If the court issues an injunction, portions of this administrative regulation reflecting the Title IX regulations will not be in effect. CSBA will notify districts when the court issues its decision.

Districts are also cautioned that the federal regulations preempt any conflicting state law or regulations, but the interaction between federal and state law is not always clear. Districts should consult legal counsel if questions arise.

Title IX Coordinator

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, as well as to investigate and resolve sexual harassment complaints under AR 1312.3 - Uniform Complaint Procedures. The Title IX Coordinator(s) may be contacted at:

Superintendent

6862 Mt Aukum Rd

Somerset, CA 95684

(cf. 1312.3 - Uniform Complaint Procedures)

(cf. 5145.71 - Title IX Sexual Harassment Complaint Procedures)

The district shall notify students, parents/guardians, employees, bargaining units, and applicants for employment of the name or title, office address, email address, and telephone number of the district's Title IX Coordinator. (34 CFR 106.8)

Prohibited Conduct

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. 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.

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)

3. Be summarized on a poster which shall be prominently and conspicuously displayed in each bathroom and locker room at each school. The poster may be displayed in public areas that are accessible to and frequented by students, including, but not limited to, classrooms, hallways, gymnasiums, auditoriums, and cafeterias. The poster shall display the rules and procedures for reporting a charge of sexual harassment; the name, phone number, and email address of an appropriate school employee to contact to report a charge of sexual harassment; the rights of the reporting student, the complainant, and the respondent; and the responsibilities of the school. (Education Code 231.6)

4. Be posted in a prominent location on the district's web site in a manner that is easily accessible to parents/guardians and students. This shall include the name or title, office address, email address, and telephone number of the employee(s) designated as the district's Title IX Coordinator. (Education Code 234.6; 34 CFR 106.8)

(cf. 1113 - District and School Web Sites)

(cf. 1114 - District-Sponsored Social Media)

5. Be provided as part of any orientation program conducted for new and continuing students at the beginning of each quarter, semester, or summer session (Education Code 231.5)

6. 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)

7. Be included in any handbook provided to students, parents/guardians, employees, or employee organizations (34 CFR 106.8)

Reporting Complaints

A student or parent/guardian who believes that the student 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 a teacher, the principal, the district's Title IX Coordinator, or any other available school employee. Within one school day of receiving such a report, the principal or other school employee shall forward the report to the district's Title IX Coordinator. Any school employee who observes an incident of sexual harassment involving a student shall, within one school day, report the observation to the principal or Title IX Coordinator, regardless of whether the alleged victim files a formal complaint.

(cf. 5141.4 - Child Abuse Prevention and Reporting)

When a report or complaint of sexual harassment involves off-campus conduct, the Title IX Coordinator shall assess whether the conduct may create or contribute to the creation of a hostile school environment. If the Title IX Coordinator 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 Title IX Coordinator shall inform the student or parent/guardian of the right to file a formal written complaint in accordance with applicable district complaint procedures.

Complaint Procedures

All complaints of sexual harassment by and against students shall be investigated and resolved in accordance with law and district procedures. The Title IX Coordinator shall review the allegations to determine the applicable procedure for responding to the complaint. All complaints that meet the definition of sexual harassment under Title IX shall be investigated and resolved in accordance with AR 5145.71 - Title IX Sexual Harassment Complaint Procedures. Other sexual harassment complaints shall be investigated and resolved pursuant to AR 1312.3 - Uniform Complaint Procedures.

Policy 5145.3: Nondiscrimination/Harassment

Status: ADOPTED

Original Adopted Date: 08/13/2020 | **Last Revised Date:** 11/08/2023 | **Last Reviewed Date:** 11/08/2023

This policy shall apply to all acts constituting unlawful discrimination or harassment related to school activity or to school attendance occurring within a district school, 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, and to all acts of the Governing Board and the Superintendent in enacting policies and procedures that govern the district.

The Board desires to provide a welcoming, safe, and supportive school environment that allows all students equal access to 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, nationality, national origin, immigration status, ethnic group identification, ethnicity, age, religion, marital status, pregnancy, parental status, physical or mental disability, medical condition, sex, sexual orientation, gender, gender identity, gender expression, or genetic information, or association with a person or group with one or more of these actual or perceived characteristics.

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 occurs when prohibited conduct 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.

Because unlawful discrimination may occur when disciplining students, including suspension and expulsion, the Superintendent or designee shall ensure that staff enforce discipline rules fairly, consistently and in a non-discriminatory manner, as specified in Board Policy and Administrative Regulation 5144 - Discipline, Board Policy and Administrative Regulation 5144.1 - Suspension and Expulsion/Due Process, and Administrative Regulation 5144.2 - Suspension and Expulsion/Due Process (Students With Disabilities).

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. In addition, the Superintendent or designee shall post the district's policies prohibiting discrimination, harassment, intimidation, and bullying and other required information on the district's website in a manner that is easily accessible to parents/guardians and students, in accordance with law and the accompanying administrative regulation. (Education Code 234.1, 234.6)

The Superintendent or designee shall provide training and/or 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. The Superintendent or designee shall report the findings and recommendations to the Board after each review.

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.

All allegations of unlawful discrimination in district programs and activities shall be brought, investigated, and resolved in accordance with Board Policy 1312.3 - Uniform Complaint Procedures.

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.

Regulation 5145.3: Nondiscrimination/Harassment

Status: ADOPTED

Original Adopted Date: 09/10/2020

Cautionary Notice: The following administrative regulation reflects federal Title IX regulations added by 85 Fed. Reg. 30026, effective August 14, 2020, which establish a process for investigating and resolving allegations of conduct that meets the federal definition of sexual harassment. The federal regulations preempt any conflicting state law or regulations, but the interaction between federal and state law is not always clear. Districts should consult legal counsel if questions about a potential conflict arise. Districts should also note that 18 states, including California, have sued the U.S. Department of Education to stop the implementation of these regulations. A preliminary injunction seeking to postpone the effective date of the regulations and prohibit their enforcement is currently pending. If the court grants the injunction, portions of the following administrative regulation will not take effect.

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 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, nationality, national origin, immigration status, ethnic group identification, ethnicity, age, religion, marital status, pregnancy, parental status, physical or mental disability, medical condition, sex, sexual orientation, gender, gender identity, gender expression, genetic information, 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

6862 Mt Aukum Rd

Somerset, CA 95684

(cf. 1312.1 - Complaints Concerning District Employees)

(cf. 1312.3 - Uniform Complaint Procedures)

(cf. 5145.7 - Sexual Harassment)

(cf. 5145.71 - Title IX Sexual Harassment 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 in prominent locations and providing easy access to them through district-supported communications

2. Post the district's policies and procedures prohibiting discrimination, harassment, student sexual harassment, intimidation, bullying, and cyberbullying, including a section on social media bullying that includes all of the references described in Education Code 234.6 as possible forums for social media, in a prominent location on the district's web site in a manner that is easily accessible to parents/guardians and students (Education Code 234.6)

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

(cf. 1113 - District and School Web Sites)

(cf. 1114 - District-Sponsored Social Media)

(cf. 5131.2 - Bullying)

(cf. 5145.9 - Hate-Motivated Behavior)

3. Post the definition of sex discrimination and harassment as described in Education Code 230, including the rights set forth in Education Code 221.8, in a prominent location on the district's web site in a manner that is easily accessible to parents/guardians and students (Education Code 234.6)

4. Post in a prominent location on the district web site in a manner that is easily accessible to parents/guardians and students 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 221.6, 221.61, 234.6)

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 under Title IX, 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

d. A link to the Title IX information included on the California Department of Education's (CDE) web site

5. Post a link to statewide CDE-compiled resources, including community-based organizations, that provide support to youth who have been subjected to school-based discrimination, harassment, intimidation, or bullying and to their families. Such resources shall be posted in a prominent location on the district's web site in a manner that is easily accessible to parents/guardians and students. (Education Code 234.5, 234.6)

6. 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.

7. 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)

8. 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.

9. Provide to students, employees, volunteers, and parents/guardians age-appropriate training and/or 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)

10. 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)

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

11. 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 from threatened or potentially discriminatory behavior and ensure their privacy rights.

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 laws regarding the confidentiality of student and personnel records, communicating to students, parents/guardians, and the community the school's response plan to unlawful discrimination or harassment

(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 the student 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

Students who feel that they have been subjected to unlawful discrimination described above or in district policy are strongly encouraged to immediately contact the compliance officer, principal, or any other staff member. In addition, students who observe any such incident are 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 report of unlawful discrimination, including discriminatory harassment, intimidation, retaliation, or bullying, is made to or received by the principal or compliance officer, the principal or compliance officer shall notify the student or parent/guardian of the right to file a formal complaint in accordance with AR 1312.3 - Uniform Complaint Procedures or, for complaints of sexual harassment that meet the federal Title IX definition, AR 5145.71 - Title IX Sexual Harassment Complaint Procedures. Once notified verbally or in writing, the 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, 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 assigned at birth.

The district prohibits 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, regardless of whether the acts are sexual in nature. 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 the student's gender identity
2. Disciplining or disparaging a student or excluding the student from participating in activities, for behavior or appearance that is consistent with the student's gender identity or that does not conform to stereotypical notions of masculinity or femininity, as applicable
3. Blocking a student's entry to the restroom that corresponds to the student's gender identity
4. Taunting a student because the student 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. Using gender-specific slurs
7. Physically assaulting a student motivated by hostility toward the student because of the student's gender, gender identity, or gender expression

The district's uniform complaint procedures (AR 1312.3) or Title IX sexual harassment procedures (AR 5145.71), as

applicable, 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 the student's 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 the employee 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 the student's 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 the student's 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 gender identity and begin to treat the student consistent with that 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, the student's parents/guardians to identify and develop strategies for ensuring that the student's access to educational 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 the student's status as a transgender or gender-nonconforming individual, so that prompt action can 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 the student's 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, 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 the student is transgender or gender-nonconforming. In addition, a student shall be permitted to participate in accordance with the student's 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 the student's 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 with proper documentation. When a student presents government-issued documentation of a name and/or gender change or submits a request for a name and/or gender change through the process specified in Education Code 49070, the district shall update the student's records. (Education Code 49062.5, 49070)

(cf. 5125 - Student Records)

(cf. 5125.1 - Release of Directory Information)

(cf. 5125.3 - Challenging Student Records)

6. Names and Pronouns: If a student so chooses, district personnel shall be required to address the student by a name and the pronoun(s) consistent with the student's gender identity, without the necessity of a court order or a change to the student's 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 the student's gender identity, subject to any dress code adopted on a school site.

(cf. 5132 - Dress and Grooming)

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Regulation 5145.71: Title IX Sexual Harassment Complaint Procedures

Status: ADOPTED

Original Adopted Date: 09/10/2020

Cautionary Notice: The following administrative regulation reflects federal Title IX regulations added by 85 Fed. Reg. 30026, effective August 14, 2020, which establish a process for investigating and resolving allegations of conduct that meets the federal definition of sexual harassment. The federal regulations preempt any conflicting state law or regulations, but the interaction between federal and state law is not always clear. Districts should consult legal counsel if questions about a potential conflict arise. Districts should also note that 18 states, including California, have sued the U.S. Department of Education to stop the implementation of these regulations. A preliminary injunction seeking to postpone the effective date of the regulations and prohibit their enforcement is currently pending. If the court grants the injunction, the following administrative regulation will not take effect.

The complaint procedures described in this administrative regulation shall be used to address any complaint governed by Title IX of the Education Amendments of 1972 alleging that a student was subjected to one or more of the following forms of sexual harassment: (34 CFR 106.30)

1. A district employee conditioning the provision of a district aid, benefit, or service on the student's participation in unwelcome sexual conduct
2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a student equal access to the district's education program or activity
3. Sexual assault, dating violence, domestic violence, or stalking as defined in 20 USC 1092 or 34 USC 12291

All other sexual harassment complaints shall be investigated and responded to pursuant to AR 1312.3 - Uniform Complaint Procedures.

(cf. 1312.3 - Uniform Complaint Procedures)

A report of sexual harassment shall be submitted directly to or forwarded to the district's Title IX Coordinator using the contact information listed in AR 5145.7 - Sexual Harassment.

(cf. 5145.7 - Sexual Harassment)

Upon receiving such a report, the Title IX Coordinator shall inform the complainant of the process for filing a formal complaint.

Even if the alleged victim chooses not to file a formal complaint, the Title IX Coordinator shall file a formal complaint in situations in which a safety threat exists. In addition, the Title IX Coordinator may file a formal complaint in other situations as permitted under the Title IX regulations. In such cases, the alleged victim is not a party to the case, but will receive notices as required by the Title IX regulations at specific points in the complaint process.

A formal complaint, with the complainant's physical or digital signature, may be filed with the Title IX Coordinator in person, by mail, by email, or by any other method authorized by the district. (34 CFR 106.30)

The Superintendent or designee shall ensure that the Title IX Coordinator, investigator, decision-maker, or a facilitator of an informal resolution process does not have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent, and that such persons receive training in accordance with 34 CFR 106.45. (34 CFR 106.45)

Supportive Measures

Upon receipt of a report of Title IX sexual harassment, even if a formal complaint is not filed, the Title IX Coordinator shall promptly contact the complainant to discuss the availability of supportive measures which are nondisciplinary, nonpunitive, and do not unreasonably burden the other party. Such measures may include, but are not limited to, counseling, course-related adjustments, modifications of class schedules, mutual restrictions on contact, increased security, and monitoring of certain areas of the campus. The Title IX Coordinator shall consider the complainant's wishes with respect to supportive measures. (34 CFR 106.30, 106.44)

Emergency Removal from School

On an emergency basis, the district may remove a student from the district's education program or activity, provided

that the district conducts an individualized safety and risk analysis, determines that removal is justified due to an immediate threat to the physical health or safety of any student or other individual arising from the allegations, and provides the student with notice and an opportunity to challenge the decision immediately following the removal. This authority to remove a student does not modify a student's rights under the Individuals with Disabilities Education Act or Section 504 of the Rehabilitation Act of 1973. (34 CFR 106.44)

If a district employee is the respondent, the employee may be placed on administrative leave during the pendency of the formal complaint process. (34 CFR 106.44)

Dismissal of Complaint

The Title IX Coordinator shall dismiss a formal complaint if the alleged conduct would not constitute sexual harassment as defined in 34 CFR 106.30 even if proved. The Title IX Coordinator shall also dismiss any complaint that did not occur in the district's education program or activity or did not occur against a person in the United States, and may dismiss a formal complaint if the complainant notifies the district in writing that the complainant would like to withdraw the complaint or any allegations in the complaint, the respondent is no longer enrolled or employed by the district, or sufficient circumstances prevent the district from gathering evidence sufficient to reach a determination with regard to the complaint. (34 CFR 106.45)

Upon dismissal, the Title IX Coordinator shall promptly, and simultaneously to the parties, send written notice of the dismissal and the reasons for the dismissal. (34 CFR 106.45)

If a complaint is dismissed on the grounds that the alleged conduct does not constitute sexual harassment as defined in 34 CFR 106.30, the conduct may still be addressed pursuant to BP/AR 1312.3 - Uniform Complaint Procedures as applicable.

Informal Resolution Process

When a formal complaint of sexual harassment is filed, the district may offer an informal resolution process, such as mediation, at any time prior to reaching a determination regarding responsibility. The district shall not require a party to participate in the informal resolution process or to waive the right to an investigation and adjudication of a formal complaint. (34 CFR 106.45)

The district may facilitate an informal resolution process provided that the district: (34 CFR 106.45)

1. Provides the parties with written notice disclosing the allegations, the requirements of the informal resolution process, the right to withdraw from the informal process and resume the formal complaint process, and any consequences resulting from participating in the informal resolution process, including that records will be maintained or could be shared.
2. Obtains the parties' voluntary, written consent to the informal resolution process
3. Does not offer or facilitate an informal resolution process to resolve allegations that an employee sexually harassed a student

Formal Complaint Process

If a formal complaint is filed, the Title IX Coordinator shall provide the known parties with written notice of the following: (34 CFR 106.45)

1. The district's complaint process, including any informal resolution process
2. The allegations potentially constituting sexual harassment with sufficient details known at the time, including the identity of parties involved in the incident if known, the conduct allegedly constituting sexual harassment, and the date and location of the alleged incident if known. Such notice shall be provided with sufficient time for the parties to prepare a response before any initial interview.

If, during the course of the investigation, the district investigates allegations about the complainant or respondent that are not included in the initial notice, the Title IX Coordinator shall provide notice of the additional allegations to the parties.

3. A statement that the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the complaint process

4. The opportunity for the parties to have an advisor of their choice who may be, but is not required to be, an attorney, and the ability to inspect and review evidence

5. The prohibition against knowingly making false statements or knowingly submitting false information during the complaint process

The above notice shall also include the name of the investigator, facilitator of an informal process, and decision-maker and shall provide either party with no less than three calendar days to raise concerns of conflict of interest or bias regarding any of these persons.

During the investigation process, the district shall: (34 CFR 106.45)

1. Provide an equal opportunity for the parties to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence

2. Not restrict the ability of either party to discuss the allegations under investigation or to gather and present relevant evidence

3. Provide the parties with the same opportunities to have others present during any grievance proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice, who may be, but is not required to be, an attorney

4. Not limit the choice or presence of an advisor for either the complainant or respondent in any meeting or grievance proceeding, although the district may establish restrictions regarding the extent to which the advisor may participate in the proceedings as long as the restrictions apply equally to both parties

5. Provide, to a party whose participation is invited or expected, written notice of the date, time, location, participants, and purpose of all investigative interviews or other meetings, with sufficient time for the party to prepare to participate

6. Send in an electronic format or hard copy to both parties and their advisors, if any, the evidence that is directly related to the allegations raised in the complaint, and provide the parties at least 10 days to submit a written response for the investigator to consider prior to the completion of the investigative report

7. Objectively evaluate all relevant evidence, including both inculpatory and exculpatory evidence, and determine credibility in a manner that is not based on a person's status as a complainant, respondent, or witness

8. Create an investigative report that fairly summarizes relevant evidence and, at least 10 days prior to the determination of responsibility, send to the parties and their advisors, if any, the investigative report in an electronic format or a hard copy, for their review and written response

9. After sending the investigative report to the parties and before reaching a determination regarding responsibility, afford each party the opportunity to submit written, relevant questions that the party wants asked of any party or witness, provide each party with the answers, and allow for additional, limited follow-up questions from each party

Questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence are offered to prove that someone other than the respondent committed the conduct alleged by the complainant or if the questions and evidence concern specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent.

Privacy rights of all parties to the complaint shall be maintained in accordance with applicable state and federal laws.

If the complaint is against an employee, rights conferred under an applicable collective bargaining agreement shall be applied to the extent they do not conflict with the Title IX requirements.

Written Decision

The Superintendent shall designate an employee as the decision-maker to determine responsibility for the alleged conduct, who shall not be the Title IX Coordinator or a person involved in the investigation of the matter. (34 CFR 106.45)

The decision-maker shall issue, and simultaneously provide to both parties, a written decision as to whether the respondent is responsible for the alleged conduct. (34 CFR 106.45)

The written decision shall be issued within 45 calendar days of the receipt of the complaint.

The timeline may be temporarily extended for good cause with written notice to the complainant and respondent of the extension and the reasons for the action. (34 CFR 106.45)

In making this determination, the district shall use the "preponderance of the evidence" standard for all formal complaints of sexual harassment. The same standard of evidence shall be used for formal complaints against students as for complaints against employees. (34 CFR 106.45)

The written decision shall include the following: (34 CFR 106.45)

1. Identification of the allegations potentially constituting sexual harassment as defined in 34 CFR 106.30
2. A description of the procedural steps taken from receipt of the formal complaint through the written decision, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held if the district includes hearings as part of the grievance process
3. Findings of fact supporting the determination
4. Conclusions regarding the application of the district's code of conduct to the facts
5. A statement of, and rationale for, the result as to each allegation, including a decision regarding responsibility, any disciplinary sanctions the district imposes on the respondent, and whether remedies designed to restore or preserve equal access to the district's educational program or activity will be provided by the district to the complainant
6. The district's procedures and permissible bases for the complainant and respondent to appeal

Appeals

Either party may appeal the district's decision or dismissal of a formal complaint or any allegation in the complaint, if the party believes that a procedural irregularity affected the outcome, new evidence is available that could affect the outcome, or a conflict of interest or bias by the Title IX Coordinator, investigator(s), or decision-maker(s) affected the outcome. If an appeal is filed, the district shall: (34 CFR 106.45)

1. Notify the other party in writing when an appeal is filed and implement appeal procedures equally for both parties
2. Ensure that the decision-maker(s) for the appeal is trained in accordance with 34 CFR 106.45 and is not the same decision-maker(s) who reached the determination regarding responsibility or dismissal, the investigator(s), or the Title IX Coordinator
3. Give both parties a reasonable, equal opportunity to submit a written statement in support of, or challenging, the outcome
4. Issue a written decision describing the result of the appeal and the rationale for the result
5. Provide the written decision simultaneously to both parties

An appeal must be filed in writing within 10 calendar days of receiving the determination, stating the grounds for the appeal and including any relevant documentation in support of the appeal. Appeals submitted after this deadline are not timely and shall not be considered. Either party has the right to file a complaint with the U.S. Department of Education's Office for Civil Rights.

A written decision shall be provided to the parties within 20 calendar days from the receipt of the appeal.

Remedies

When a determination of responsibility for sexual harassment has been made against the respondent, the district shall provide remedies to the complainant. Such remedies may include the same individualized services described above in the section "Supportive Measures," but need not be nondisciplinary or nonpunitive and need not avoid burdening the respondent. (34 CFR 106.45)

Corrective/Disciplinary Actions

The district shall not impose any disciplinary sanctions or other actions against a respondent, other than supportive measures as described above in the section "Supportive Measures," until the complaint procedure has been

completed and a determination of responsibility has been made. (34 CFR 106.44)

For students in grades 4-12, discipline for sexual harassment may include suspension and/or expulsion. After the completion of the complaint procedure, if it is determined that a student at any grade level has committed sexual assault or sexual battery at school or at a school activity off school grounds, the principal or Superintendent shall immediately suspend the student and shall recommend expulsion. (Education Code 48900.2, 48915)

(cf. 5144 - Discipline)

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

Other actions that may be taken with a student who is determined to be responsible for sexual harassment include, but are not limited to:

1. Transfer from a class or school as permitted by law
2. Parent/guardian conference
3. Education of the student regarding the impact of the conduct on others
4. Positive behavior support
5. Referral of the student to a student success team

(cf. 6164.5 - Student Success Teams)

6. Denial of participation in extracurricular or cocurricular activities or other privileges as permitted by law

(cf. 6145 - Extracurricular and Cocurricular Activities)

When an employee is found to have committed sexual harassment or retaliation, the district shall take appropriate disciplinary action, up to and including dismissal, in accordance with applicable law and collective bargaining agreement.

(cf. 4117.7/4317.7 - Employment Status Report)

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

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

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

Record-Keeping

The Superintendent or designee shall maintain for a period of seven years a record of all reported cases and Title IX investigations of sexual harassment, any determinations of responsibility, any audio or audiovisual recording and transcript if applicable, any disciplinary sanctions imposed, any remedies provided to the complainant, any appeal or informal resolution and the results therefrom, and responses made pursuant to 34 CFR 106.44. (34 CFR 106.45)

The Superintendent or designee shall also maintain for a period of seven years all materials used to train the Title IX Coordinator, investigator(s), decision-maker(s), and any person who facilitates an informal resolution process. The district shall make such training materials publicly available on its web site, or if the district does not maintain a web site, available upon request by members of the public. (34 CFR 106.45)

(cf. 3580 - District Records)

Policy 4119.11: Sexual Harassment

Status: ADOPTED

Original Adopted Date: 09/10/2020

Cautionary Notice: The following administrative regulation reflects federal Title IX regulations added by 85 Fed. Reg. 30026, effective August 14, 2020, which establish a process for investigating and resolving allegations of conduct that meets the federal definition of sexual harassment. The federal regulations preempt any conflicting state law or regulations, but the interaction between federal and state law is not always clear. Districts should consult legal counsel if questions about a potential conflict arise. Districts should also note that 18 states, including California, have sued the U.S. Department of Education to stop the implementation of these regulations. A preliminary injunction seeking to postpone the effective date of the regulations and prohibit their enforcement is currently pending. If the court grants the injunction, portions of the following administrative regulation will not take effect.

The following policy shall apply to all district employees, interns, volunteers, contractors, job applicants, and other persons with an employment relationship with the district.

The Governing Board is committed to providing a safe work environment that is free of harassment and intimidation. The Board prohibits sexual harassment against district employees and retaliatory behavior or action against any person who complains, testifies, or otherwise participates in the complaint process established for the purpose of this policy.

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

(cf. 4030 - Nondiscrimination in Employment)

Sexual harassment includes, but is not limited to, harassment that is based on the sex, gender, gender identity, gender expression, or sexual orientation of the victim and harassment based on pregnancy, childbirth, or related medical conditions.

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 employees and others to whom the policy may apply
3. Ensuring prompt, thorough, fair, and equitable 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

The Superintendent or designee shall periodically evaluate the effectiveness of the district's strategies to prevent and address harassment. Such evaluation may involve conducting regular anonymous employee surveys to assess whether harassment is occurring or is perceived to be tolerated, partnering with researchers or other agencies with the needed expertise to evaluate the district's prevention strategies, and using any other effective tool for receiving feedback on systems and/or processes. As necessary, changes shall be made to the harassment policy, complaint procedures, or training.

Sexual Harassment Reports and Complaints

District employees who feel that they have been sexually harassed in the performance of their district responsibilities or who have knowledge of any incident of sexual harassment by or against another employee shall immediately report the incident to their direct supervisor, a district administrator, or the district's Title IX Coordinator. Employees may bypass their supervisor in filing a complaint if the supervisor is the subject of the complaint. A supervisor or administrator who receives a harassment complaint shall promptly notify the Title IX Coordinator.

Once notified, the Title IX Coordinator shall ensure the complaint is addressed through either AR 4119.12/4219.12/4319.12 - Title IX Sexual Harassment Complaint Procedures for complaints meeting the Title IX definition of sexual harassment or AR 4030 - Nondiscrimination in Employment for complaints meeting the state definition, as applicable, and shall offer supportive measures to the complainant.

(cf. 4119.12/4219.12/4319.12 - Title IX Sexual Harassment Complaints)

Upon investigation of a sexual harassment complaint, any district employee found to have engaged or participated in sexual harassment or to have aided, abetted, incited, compelled, or coerced another to commit sexual harassment in violation of this policy shall be subject to disciplinary action, up to and including dismissal, in accordance with law and the applicable collective bargaining agreement.

(cf. 4117.7/4317.7 - Employment Status Reports)

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

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

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Regulation 4119.11: Sexual Harassment

Status: ADOPTED

Original Adopted Date: 09/10/2020

Cautionary Notice: The following administrative regulation reflects federal Title IX regulations added by 85 Fed. Reg. 30026, effective August 14, 2020, which establish a process for investigating and resolving allegations of conduct that meets the federal definition of sexual harassment. However, in June 2020, two motions for a preliminary injunction were filed seeking to postpone the effective date of the regulations and prohibit their enforcement. If the court issues an injunction, portions of this administrative regulation reflecting the Title IX regulations will not be in effect. CSBA will notify districts when the court issues its decision.

Districts are also cautioned that the federal regulations preempt any conflicting state law or regulations, but the interaction between federal and state law is not always clear. Districts should consult legal counsel if questions arise.

The following 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.

Title IX Coordinator

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, as well as to investigate and resolve sexual harassment complaints under AR 4030 - Nondiscrimination in Employment. The Title IX Coordinator(s) may be contacted at:

Superintendent

6862 Mt Aukum Rd

Somerset, CA 95684

(cf. 4030 - Nondiscrimination in Employment)

(cf. 5145.7 - Sexual Harassment)

(cf. 5145.71 - Title IX Sexual Harassment Complaint Procedures)

The district shall notify employees, bargaining units, and applicants for employment of the name or title, office address, email address, and telephone number of the district's Title IX Coordinator. (34 CFR 106.8)

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

Prohibited Conduct

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, regardless of whether or not the conduct is motivated by sexual desire. Conduct is considered to be sexual harassment when made against another person of the same or opposite sex in the work or educational setting under any of the following conditions: (Education Code 212.5; Government Code 12940; 2 CCR 11034)

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. The conduct has the purpose or effect of having a negative impact upon the individual's work performance or of creating an intimidating, hostile, or offensive work environment.
4. 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.

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

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

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

(cf. 4300 - Administrative and Supervisory Personnel)

Such training may be completed by employees individually or as part of a group presentation, may be completed in shorter segments as long as the applicable hourly requirement is met, and may be provided in conjunction with other training provided to the employees. The training shall be presented by trainers or educators with knowledge and expertise in the prevention of harassment, discrimination, and retaliation. (Government Code 12950.1)

The district's sexual harassment training and education program shall include, but is not limited to, the following: (Government Code 12950.1; 2 CCR 11024)

1. Information and practical guidance regarding federal and state laws concerning the prohibition, prevention, and correction of sexual harassment
2. The types of conduct that constitute sexual harassment
3. Remedies available for victims in civil actions, and potential employer/individual exposure/liability
4. Strategies to prevent harassment in the workplace
5. Supervisors' obligation to report sexual harassment, discrimination, and retaliation of which they become aware
6. 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
7. The limited confidentiality of the complaint process
8. Resources for victims of unlawful harassment, such as to whom they should report any alleged harassment
9. Steps necessary to take appropriate remedial measures to correct harassing behavior, which includes the district's obligation to conduct an effective workplace investigation of a harassment complaint
10. What to do if the supervisor is personally accused of harassment
11. The essential elements of the district's anti-harassment policy, and how to use the policy if a harassment complaint is filed

Employees shall receive a copy of the district's sexual harassment policy and administrative regulations, which they shall read and acknowledge that they have received.

12. Information, including practical examples, of harassment based on gender identity, gender expression, and sexual orientation

13. Prevention of abusive conduct, including a review of the definition and elements of abusive conduct pursuant to

Government Code 12950.1, the negative effects that abusive conduct has on the victim and other in the workplace, the detrimental consequences of this conduct on employee productivity and morale, and that a single act does not constitute abusive conduct unless the act is severe or egregious

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

Notifications

The Superintendent or designee shall notify employees that the district does not discriminate on the basis of sex as required by Title IX, that the Title IX nondiscrimination requirement extends to employment, and that inquiries about the application of Title IX to the district may be referred to the district's Title IX Coordinator and/or to the Assistant Secretary for Civil Rights, U.S. Department of Education. (34 CFR 106.8)

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
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 a copy of an information sheet prepared by the California Department of Fair Employment and Housing (DFEH) or the district that contains, at a minimum, components on: (Government Code 12950)

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, the DFEH poster on discrimination in employment and the illegality of sexual harassment and the DFEH poster regarding transgender rights. (Government Code 12950)

BUS RULES

SPECIAL NOTICE: In 2006-2007 all Pioneer Union School District buses began using surveillance cameras to monitor student rider behavior. Students and parents are hereby notified that the surveillance cameras on the buses may be used at any time to monitor student rider behavior and the recordings may be used as evidence in student disciplinary investigations and/or actions.

This outlines the student requirements for maintaining the privilege of riding a school bus. Driving a school bus is an important responsibility for a school bus driver under normal conditions. However, it can become hazardous when a driver has their attention diverted by any disturbances on the bus. The lives of our children are literally in the hands of our drivers. Policy #5131.1 of the Board of Trustees, Bus Conduct, gives the bus driver absolute jurisdiction over the conduct of all students being transported on the bus. All students will be expected to adhere to these bus regulations or possibly lose their bus privileges. **Our school buses will be treated as if they were classrooms.** Referrals/Bus Citations will be issued. IN ADDITION, school consequences for inappropriate behavior may be issued.

1. Pupils riding the bus are required to go immediately to the bust stop upon departure from home in the morning, and are required to report home immediately after being discharged from the bus at the end of the school day.
2. Orderly behavior is required at all bus stops and while on the bus. No pupil is permitted to interfere with or to mistreat the property of another pupil while riding on, waiting for, or going to and from the bus.
3. Throwing of any items in, at, or around the bus at any time is prohibited
4. No live animals, glass items, sharp objects, or incendiary devices shall be transported on a school bus. The use of radios and all electronic devices of any type are not allowed on home/school routes without driver permission.
5. Science specimens are to be encased in safe containers of pliable plastic or cardboard. Glass containers will not be allowed.
6. The driver may move children from one seat to another at their discretion. Children may also be assigned a permanent seat at the discretion of the driver. Children are expected to remain seated, not turning around in seat, keeping the aisles clear at all times, including red light stops.
7. All parts of the body, arms, head must be kept inside the bus at all times.

8. Eating, drinking (except water), chewing gum, or leaving trash of any kind is not permitted on the bus.
9. All children are expected to exit the bus at their regular assigned stop. Exceptions may be permitted on a space available basis only when a parent submits a signed note to the respective school office and then in turn to the bus driver. Without such authorization bus drivers cannot permit children to enter or leave the bus at any other than their regular stops.
10. State law requires all children to cross streets in front of the bus when departing – never behind. Pupils who must be escorted across the street shall exit the bus and remain by the bus door until the driver tells them to cross the street.
11. Pupils are to remain seated, quiet, and orderly at all “red light” stops.
12. Playing musical instruments, whistling, yelling, loud talking, profane language, shooting rubber bands, scuffles, fighting, or other commotion is not permitted.
13. Parents will be held responsible for any malicious damage to the buses by their children.
14. Throughout the period of time children are aboard the bus they are directly responsible to the driver for their conduct and actions. Children are responsible for their behavior. Any behavior or conduct deemed unsafe by the driver is subject to disciplinary action.
15. Inappropriate games; especially those involving peer pressure, (i.e. Truth or Dare), body contact or other behavior that is not allowed at school is not permitted on school busses under any circumstances.

Other Rules As Posted In Each Bus:

- Follow directions the first time given.
- Remain seated at all times.
- Use classroom voices at all times.
- Keep hands, arms, legs and objects to yourself and inside the bus.
- No rudeness, teasing, or obscene gestures on the bus.
- Our buses will be treated as if they are classrooms for behavior purposes.

Please Note: When the student is denied the privilege of transportation, both field trips and sports trips are also included in the denial.

Immediate suspension of transportation may be invoked for infractions deemed extremely hazardous to the safety of the bus. When a pupil is denied transportation, it is the parent's responsibility to provide transportation to and from school. Bus transportation is a privilege offered by districts, not a right provided by law.

Parents are required to sign and return referrals/citations or students may lose transportation privileges until signed. In all instances every attempt to contact parents will be made prior to the issuing of a referral/bus citation.

Non-Student Riders on Buses:

Non-students may ride on Pioneer School District buses under the following circumstances:

1. They are adult community members traveling to or from school with legitimate, school-related business (volunteering, conferences, etc.).
2. First time riders on school related business will be asked to check with the Supervisor of Transportation upon their arrival or at their first convenience.
3. No non-Pioneer District students may ride the bus. This includes field trips and game buses.

Steps for School Bus Safety

Students are at much greater risk of being injured as a pedestrian in a school bus loading zone than as a passenger in a school bus. Most of the children killed in school bus-related crashes are pedestrians, ages five to seven, struck getting on or off the bus. Parents must ensure that their children know how to safely travel to and from the school bus stop, wait at the stop, get on and off the school bus, and behave while riding the bus.

Kindergarten students will not be released from the bus unless a parent, guardian or other designated adult is present at the stop.

Tips for Parents

- Walk your children to and from the school bus stop.
- Stay with your children in the morning until they board the bus. This is especially important with young children.
- Supervise your children to make sure they get to the stop on time. Wait five giant steps from the road, and avoid rough play.
- Teach your children to ask the driver for help if they drop something near the bus. If a child stoops to pick up something, the driver cannot see the child and the child could be hit by the bus. A book or backpack helps keep loose items together.
- If you think a bus stop is in a dangerous place, talk with your school transportation director about the possibility of changing the location.
- Review your child's clothes and school items for safety:
 1. Drawstrings, straps and dangling items can become caught on the school bus

handrail or door. Make sure clothes have no loose drawstrings and backpack straps are short.

2. Yellow rain coats blend in with the school bus and make the child less noticeable to the school bus driver.

Make riding Cool....Follow the Rules!

Teach your child 4 rules for getting on and off the bus safely: When loading, stay out of the danger zone (Stay 12 feet away from the bus) and wait for the driver to open the door. This will be the indication for the child to enter the bus. Board the bus in a single file line.

1. When unloading, look before stepping off the bus to be sure no cars are passing on the shoulder (right side of the road) Move away from the side of the bus.
2. When having to cross the street in front of the bus, you may only cross the street while the bus driver is out of the bus, standing in the roadway and holding the Stop sign. The Red lights will be flashing and the driver will give the signal to cross.

After crossing the street, never cross the street again to return to the bus. If an item is left on the bus, you may get it the next day.

"STOP WHEN RED LIGHTS FLASH"

1. When loading or unloading students at a bus stop, the bus driver is required to activate his Red Lights immediately upon stopping the bus.
2. When you are approaching a bus that is getting ready to pull over to load or unload please **"STOP"**; allow the bus to load or unload. When all students have gotten on or off the bus, the driver will then cancel his Red Lights and allow you to pass.

We appreciate your cooperation with School Bus Safety Red Light Crossing Procedures
V.C. 22112

Regulation 3543: Transportation Safety And Emergencies

Status: ADOPTED

Original Adopted Date: 05/11/2017

Cautionary Notice: Government Code 17581.5 relieves districts from the obligation to perform specified mandated activities when the Budget Act does not provide reimbursement during that fiscal year. The Budget Act of 2016 (SB 826, Ch. 23, Statutes of 2016) extends the suspension of these requirements through the 2016-17 fiscal year. As a result, certain provisions of the following administrative regulation related to transportation safety plans and safety instruction for students may be suspended.

Each day, prior to driving a school bus, each school bus driver shall inspect the bus to ensure that it is in safe operating condition and equipped as required by law and that all equipment is in good working order. At the completion of each day's work, the driver shall prepare and sign a written report of the condition of the equipment specified in 13 CCR 1215. The report shall indicate any defect or deficiency discovered by or reported to the driver which would affect safe operation or result in mechanical breakdown of the bus or, if no defect or deficiency was discovered or reported, shall so indicate. Any defect or deficiency that would affect safe operation shall be repaired prior to operating the bus. (13 CCR 1215)

(cf. 3540 - Transportation)

(cf. 3541.1 - Transportation for School-Related Trips)

(cf. 3542 - School Bus Drivers)

Passenger Restraint Systems

The Superintendent or designee shall ensure that any school bus or student activity bus which is purchased or leased by the district is equipped with a combination pelvic and upper torso passenger restraint system at all designated seating positions if that bus: (Vehicle Code 27316, 27316.5; 13 CCR 1201)

1. Is a Type 1 school bus manufactured on or after July 1, 2005 which is designed for carrying more than 16 passengers and the driver
2. Is a Type 2 school bus or student activity bus manufactured on or after July 1, 2004 which meets one of the following criteria:
 - a. Is designed for carrying 16 or fewer passengers and the driver
 - b. Has a manufacturer's vehicle weight rating of 10,000 pounds or less and is designed for carrying not more than 20 passengers and the driver

The Superintendent or designee shall prioritize the allocation of school buses purchased, leased, or contracted to ensure that elementary students receive first priority for new school buses equipped with passenger restraint systems whenever feasible.

When a school bus or student activity bus is equipped with a passenger restraint system, all passengers shall use the passenger restraint system. (5 CCR 14105)

Bus drivers shall be instructed regarding procedures to enforce the proper use of the passenger restraint system. Students who fail to follow instructions of the bus driver may be subject to discipline, including suspension of riding privileges, in accordance with Board policy and administrative regulations.

(cf. 5131.1 - Bus Conduct)

(cf. 5144 - Discipline)

Fire Extinguishers

Each school bus shall be equipped with at least one fire extinguisher located in the driver's compartment which meets the standards specified in law. In addition, a wheelchair school bus shall have another fire extinguisher placed at the wheelchair loading door or emergency exit. All fire extinguishers shall be regularly inspected and serviced in accordance with regulations adopted by the State Fire Marshal. (Education Code 39838; 13 CCR 1242; 19 CCR 574-575.3)

Electronic Communications Devices

A bus driver is prohibited from driving a school bus or student activity bus while using a wireless telephone or other electronic wireless communications device except for work-related or emergency purposes, including, but not limited to, contacting a law enforcement agency, health care provider, fire department, or other emergency service agency or entity. In any such permitted situation, the driver shall only use a wireless telephone or device that is specifically designed and configured to allow voice-operated and hands-free operation or a function that requires only a single swipe or tap of the driver's finger provided the device is mounted on the windshield, dashboard, or center console of the bus. (Vehicle Code 23123.5, 23125)

Safe Bus Operations

School buses and student activity buses shall not be operated whenever the number of passengers exceeds bus seating capacity, except when necessary in emergency situations which require that individuals be transported immediately to ensure their safety. (Education Code 39834)

(cf. 3516 - Emergencies and Disaster Preparedness Plan)

School bus operations shall be limited when atmospheric conditions reduce visibility on the roadway to 200 feet or less during regular home-to-school transportation service. Bus drivers for school activity trips may discontinue bus operation whenever they determine that it is unsafe to continue operation because of reduced visibility. (Vehicle Code 34501.6)

Unauthorized Entry

The Superintendent or designee may place a notice at bus entrances that warns against unauthorized entry. The driver or another school official may order any person to disembark if that person enters a bus without prior authorization. (Education Code 39842; 13 CCR 1256.5)

(cf. 3515.2 - Disruptions)

Transportation Safety Plan for Boarding and Exiting Buses

The Superintendent or designee shall develop a transportation safety plan containing procedures for school personnel to follow to ensure the safe transport of students. The plan shall address all of the following: (Education Code 39831.3)

1. Determining if students in grades prekindergarten through 8 require an escort to cross a private road or highway at a bus stop pursuant to Vehicle Code 22112
2. Procedures for all students in grades prekindergarten through 8 to follow as they board and exit the bus at their bus stops
3. Boarding and exiting a school bus at a school or other trip destination
4. Procedures to ensure that a student is not left unattended on a school bus, student activity bus, or youth bus

Such procedures shall include, on or before the beginning of the 2018-19 school year, the installation of a child safety alert system at the interior rear of each bus that requires the driver to either manually contact or scan the device, thereby prompting the driver to inspect the entirety of the interior of the vehicle before exiting. A student activity bus may be exempt from this requirement under the conditions specified in Vehicle Code 28160.

5. Procedures and standards for designating an adult chaperone, other than the driver, to accompany students on a school activity bus

A copy of the plan shall be kept at each school site and made available upon request to the California Highway Patrol (CHP). (Education Code 39831.3)

Parental Notifications

The Superintendent or designee shall provide written safety information to the parents/guardians of all students in grades prekindergarten through 6 who have not previously been transported in a district school bus or student activity bus. This information shall be provided upon registration and shall contain: (Education Code 39831.5)

1. A list of school bus stops near each student's home

2. General rules of conduct at school bus loading zones
3. Red light crossing instructions
4. A description of the school bus danger zone
5. Instructions for safely walking to and from school bus stops

(cf. 5145.6 - Parental Notifications)

Student Instruction

Students who are transported in a school bus or student activity bus shall receive instruction in school bus emergency procedures and passenger safety as follows: (Education Code 39831.5; 5 CCR 14102)

1. Each year, all students who receive home-to-school transportation in a school bus shall be provided appropriate instruction in safe riding practices and emergency evacuation drills.

2. At least once each school year, all students in grades prekindergarten through 8 who receive home-to-school transportation shall receive safety instruction which includes, but is not limited to:

- a. Proper loading and unloading procedures, including escorting by the driver
- b. How to safely cross the street, highway, or private road
- c. In school buses with passenger restraint systems, instruction in the use of such systems as specified in 5 CCR 14105, including, but not limited to, the proper fastening and release of the passenger restraint system, acceptable placement of passenger restraint systems on students, times at which the passenger restraint systems should be fastened and released, and acceptable placement of the passenger restraint systems when not in use
- d. Proper passenger conduct
- e. Bus evacuation procedures
- f. Location of emergency equipment

As part of this instruction, students shall evacuate the school bus through emergency exit doors. Instruction also may include responsibilities of passengers seated next to an emergency exit.

Each time the above instruction is given, the following information shall be documented:

- a. District name
- b. School name and location
- c. Date of instruction
- d. Names of supervising adults
- e. Number of students participating
- f. Grade levels of students
- g. Subjects covered in instruction
- h. Amount of time taken for instruction
- i. Bus driver's name
- j. Bus number
- k. Additional remarks

This documentation shall be kept on file at the district office or the school for one year and shall be available for inspection by the CHP.

(cf. 3580 - District Records)

3. Before departing on a school activity trip, all students riding on a school bus or student activity bus shall receive safety instruction which includes, but is not limited to, the location of emergency exits and the location and use of emergency equipment. This instruction also may include responsibilities of passengers seated next to an emergency exit.

Bus Accidents

In the event of a school bus accident, the driver shall immediately notify the CHP and the Superintendent or designee. The driver shall not leave the immediate vicinity of the bus to seek aid unless necessary. (13 CCR 1219)

The Superintendent or designee shall maintain a report of each accident that occurred on public or private property involving a school bus with students aboard. The report shall contain pertinent details of the accident and shall be retained for 12 months from the date of the accident. If the accident was not investigated by the CHP, the Superintendent or designee shall forward a copy of the report to the local CHP within five work days of the date of the accident. (13 CCR 1234)

The Superintendent or designee shall review all investigations of bus incidents and accidents to develop preventative measures.

(cf. 4112.42/4212.42/4312.42 - Drug and Alcohol Testing for School Bus Drivers)

Regulation 5131.1: Bus Conduct

Status: ADOPTED

Original Adopted Date: 05/04/1978 | Last Revised Date: 02/12/2009

Bus Rider Rules

The following rules apply at all times when students are riding a school bus, including when on school activity trips:

1. Riders shall follow the instructions and directions of the bus driver at all times.
2. Riders should arrive at their designated bus stop on time and stand in a safe place at the stop to wait quietly for the bus.
3. Riders shall enter the bus in an orderly manner and go directly to their seats.
4. Riders shall sit down and fasten any passenger restraint systems. Riders shall remain seated while the bus is in motion.
5. Riders shall not block the aisle or emergency exit with their body or personal belongings. Riders may bring large or bulky items, such as class projects or musical instruments, on the bus only if the item does not displace any other rider or obstruct the driver's vision.
6. Riders should be courteous to the driver and to fellow passengers. Vulgarity, rude, or abusive behavior is prohibited.
7. Any noise or behavior that could distract the driver, such as loud talking, scuffling or fighting, throwing objects, or standing or changing seats, is prohibited and may lead to suspension of riding privileges.
8. Riders shall not use tobacco products, eat, or drink while riding the bus.
9. Riders shall not put any part of the body out of the window nor throw any item from the bus.
10. Riders shall help keep the bus and the area around the bus stop clean. Riders shall not damage or deface the bus or tamper with bus equipment.
11. Service animals are permitted on school transportation services; all other animals are prohibited. (Education Code 39839; 13 CCR 1216)
12. Upon reaching their destination, riders shall remain seated until the bus comes to a complete stop and upon the signal from the driver, unfasten any restraint system, enter the aisle, and go directly to the exit.
13. Riders should be alert for traffic when leaving the bus and shall follow the district's transportation safety plan when crossing the road and exiting the bus.

The driver or any passenger shall report any violation of the district's bus rules to the principal or designee. The principal or designee shall notify the student's parent/guardian of the misbehavior, determine the severity of the misconduct, and take action accordingly. In instances of a severe violation or repeated offenses, the rider may be denied transportation for a period of time determined appropriate by the principal or designee.

Bus drivers shall not deny transportation services except as directed by the principal or designee.

Bus Surveillance Systems

The Superintendent or designee shall monitor the use and maintenance of the district's bus surveillance system. Students are prohibited from tampering with the bus surveillance system. Any student found tampering with the system shall be subject to discipline and shall be responsible for the costs of any necessary repairs or replacement.

Camera supports may be installed in all buses. Cameras may be rotated among the buses and activated at the discretion of the Superintendent or designee.

The content of any recording is a student record and may only be accessed in accordance with the district's policy and administrative regulation concerning student records.

Videotapes may be viewed by persons other than the Superintendent or designee under the following conditions:

1. When student misconduct is revealed as a result of a school bus videotape or reported to the Superintendent or designee by a student, staff member or parent/guardian, students involved in the incident and their parents/guardians may ask the Superintendent or designee for an opportunity to view the videotape.

a. Requests for viewing must be made within five school days of receiving notification that misconduct occurred.

b. A viewing shall be provided or denied within five days of the request

c. Viewing will be limited to those frames containing the incident of misconduct.

2. Bus drivers and school administrators may ask to view a videotape in order to observe a specific problem and work toward its solution.

3. Viewing shall occur only at a school-related site and in the presence of the Superintendent or designee.

4. All persons who view a tape shall be identified in a written log.

Policy 5141.4: Child Abuse Prevention And Reporting

Status: ADOPTED

Original Adopted Date: 04/09/2015

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 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.

Regulation 5141.4: Child Abuse Prevention And Reporting

Status: ADOPTED

Original Adopted Date: 04/09/2015

Definitions

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

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

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

(cf. 5145.7 - Sexual Harassment)

Child abuse or neglect does not include:

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

(cf. 3515.3 - District Police/Security Department)

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

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

(cf. 5131.7 - Weapons and Dangerous Instruments)

(cf. 5144 - Discipline)

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

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

(cf. 6142.7 - Physical Education and Activity)

(cf. 6145.2 - Athletic Competition)

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

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

Reasonable suspicion means that it is objectively reasonable for a person to entertain a suspicion, based upon facts that could cause a reasonable person in a like position, drawing when appropriate on his/her training and experience, to suspect child abuse or neglect. However, reasonable suspicion does not require certainty that child abuse or

neglect has occurred nor does it require a specific medical indication of child abuse or neglect. (Penal Code 11166)

Reportable Offenses

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

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

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

Responsibility for Reporting

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

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

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

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

(cf. 1240 - Volunteer Assistance)

Reporting Procedures

1. Initial Telephone Report

Immediately or as soon as practicable after knowing or observing suspected child abuse or neglect, a mandated reporter shall make an initial report by telephone to any police department (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)

Superintendent/Principal

6862 Mt. Aukum Road

Somerset, CA 95684

(530) 620-3556

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)

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

a. The name, business address, and telephone number of the person making the report and the capacity that makes

the person a mandated reporter

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

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

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

3. Internal Reporting

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

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

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

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

Training

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

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

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

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

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

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)

VI. USE OF SCHOOL AS EVACUATION CENTER

- A. Certain types of emergency or disaster situations may occur in surrounding areas. Pioneer School may be designated by Office of Emergency Services officials and/or Red Cross officials as an emergency shelter facility. In such cases room space, restrooms, communications equipment, buses and kitchen equipment (and food stuffs, with prior approval) will be used for the care of evacuees.

STATEMENT OF AGREEMENT FOR USE OF FACILITIES AS MASS CARE SHELTERS

The PIONEER ELEMENTARY School agrees that, after meeting its responsibilities to pupils, it will permit, to the extent of its ability and upon request by the Red Cross, the use of its physical facilities (gymnasium, showers, kitchen, multi-purpose room and other appropriate facilities) by the Red Cross as mass shelters for victims of disasters.

The Sacramento Sierra Chapter of the American Red Cross agrees that it shall exercise reasonable care in the conduct of its activities in such facilities and further agrees to replace or reimburse PIONEER ELEMENTARY School for any foods or supplies that may be used by the American Red Cross in the conduct of its relief activities the mass shelter.

Signatures to the Agreement:

Paul J. District
Chapter Manager
Sacramento Sierra Chapter
American Red Cross

7/25/01
Date

Richard Williams
Principal
677-6475

6/20/01
Date

3 CONTACTS AVAILABLE TO THE RED CROSS ANYTIME AT THE SCHOOL

JEFF KIESTER
Name

530-620-6225
Phone Number

JOE GROSSMAN
Name

530-620-4179
Phone Number

ROMIE ROGERS
Name

530-622-1045
Phone Number

Site Name: PIONEER ELEMENTARY
Address: 6860 MT AUKUM RD
SOMERSET, CA 95684
Main Telephone: 530 620-7210

Survey Completed:

06/20/01

Survey Update:

1 1

Directions to the Facility From the Chapter:

Hwy 50 to MISSOURI FLAT RD - RIGHT ON MISSOURI FLAT, TO
PLEASANT VALLEY RD - TURN LEFT & GO THRU DIAMOND SPRINGS &
MILES TO BUCKS BAR RD (RIGHT TURN) BUCKS BAR T
STOP SIGN AT E-16 - (MT AUKUM RD) - 3 mi TO
SCHOOL ON RIGHT

Also see attached Contact List

To Open the Facility, Call:	Person Who Opens the Facility:	Alternate to Open the Facility:
Name: <u>JEFF KESTER</u>	Name: <u>JOE GROSSMAN</u>	Name: <u>ROMIE ROGERS</u>
Title: <u>MAINT SUPER.</u>	Title: <u>TRANSPORT SUPER</u>	Title: <u>MAINT.</u>
Business Telephone: <u>530 620-7210</u>	Business Telephone: <u>1 1</u>	Business Telephone: <u>530 620-1620</u>
Home Telephone: <u>530 620-6225</u>	Home Telephone: <u>530 620-4179</u> <u>CELL 919-6737</u> <u>(530)</u>	Home Telephone: <u>530 622-11</u>

Red Cross Chapter: SACRAMENTO SIERRA

Address: 3080 SACRAMENTO ST.
PLACERVILLE, CA. 95667

Telephone: 530 626-5491

Contact: ELAINE VIRAY, DIRECTOR, EL DORADO-PLACER DIST.
PAGER-916-901-8859
AUBURN-530-885-9392

Site Name: PIONEER ELEMENTARY County: EL DORADO
6860 Mt Auburn Road City/Community: SOMERSET
Somerset, Ca Street Address 95684 School District: PIONEER
City State Zip Code
Telephone: 530 620 7210

Please complete the following section as thoroughly as possible, indicating numbers, space dimensions, etc., where applicable. Check applicable boxes for this specific facility.

CONSTRUCTION

Year constructed: 1968
☒ Wood frame
☐ Concrete
☐ Masonry
☐ Metal
☒ Prefab 12
☐ Bungalow
☐ Trailer
☐ Other (specify): _____
Handicapped access:
☒ Buildings
☒ Restrooms SOME

CLASSROOMS

For libraries, shops, labs, or equipment
Number: 17
Average size: 960 (sq. ft.)
Total area, all classrooms: _____ (sq. ft.)
Homemaking and other rooms with cooking equipment (not kitchen): _____ (number)

OTHER ROOMS/NON-FOOD (sq. ft.)

☐ Auditorium
☐ Permanent seating
☐ Sloped floor
☐ Gymnasium
☒ Multipurpose BLEACHERS
☐ AGAINST WALLS
☐ NOT AIR CONDITIONED

OUTDOOR SPACES

☒ Athletic field(s) ONE GRASS
☐ Other: _____
☐ Fenced court(s) _____ (number)
☒ Parking lot(s) 60 (maximum number of spaces)

FOOD PREPARATION

Type of Service:
☒ Full kitchen
☐ Warming oven kitchen
☐ None
Equipment:
☒ Refrigerator(s) 1
☒ Walk-in refrigerator(s) 1
☐ Freezer(s)
☒ Walk-in freezer(s) 2
☐ Burners, number: _____
☐ Griddles(s), number: _____
☐ Oven(s), number: _____
☒ Convection oven(s), number: 2
☒ Microwave oven(s), (number): 1
Number of individual servings that can be prepared per meal:
TILT SKILLET (LARGE)
250-300 servings

FOOD SERVING (sq. ft.)

☐ Cafeteria
☐ Cafetorium
☐ Other joint use (specify) Multi-purpose
☐ Snack bar
☐ Other (specify) _____
☐ None
Maximum seating capacity:
Number indoor 280 Number outdoor _____

UTILITIES

	Nat. Gas	LP Gas	Electric	Water
Cooking	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Heating	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Cooling	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

HEALTH CARE

No. of rooms: ONE
Total area of health rooms: 800 (sq. ft.)
No. of beds: DNE
SMALL REFRIG

SANITATION

Total number of individual units (do not include urinals): _____
Toilets:
No. male 7 No. female 7
Wash basins:
No. male 6 No. female 6
Showers: ONE
No. male _____ No. female _____
Laundry:
No. washers 1 No. dryers 1

WATER SOURCE

☐ Municipal
☒ Well(s)
☐ Other: BOTTLED
☒ Trapped water, drinkable, in gallons: 200
4. STORAGE TANK - 3000
☐ Trapped water, nondrinkable, in gallons: 700
☐ Swimming pool

COMMUNICATIONS - SEE BELOW WXX

☐ Direct lines
☐ Transmitter-receiver
3 lines (frequency) (type)
☒ Additional telephones:
10 phones for 3 lines
☒ Pay telephones: ONE
☒ 15 HAND HELD 2-WAY
RADIO'S
GENERATOR
☒ Yes ☐ No
Specify use: FOR WELL & TO
PREPARE HOT MEALS
Operator: AUTOMATIC
(PERSON WHO RUNS STAFF)
Telephone: _____
15 KILLOWATT GENERATOR
RUNS ON PROPANE

RX 10 BUSES WITH SHORT
WAVE RADIO'S - 2 BASE
STATIONS - 1 HANDHELD

A. Limitations on Facility Use (Update yearly)

1. Availability

☒ This facility should be available at any time during the year.

☐ This facility will not be available during the following time period without obtaining special permission of the owner(s):

_____ to _____
_____ to _____
_____ to _____

IF SCHOOL IN SESSION - MUST WORK
AROUND 250 STUDENTS & STAFF

Note: If different contacts are
available at different times
of year, list below:

Note: Never open this Mass Care facility without obtaining proper authorization from persons listed on page 1 of this form.

2. Accessibility

This facility may not be accessible during the following types of disasters:

(List type of disaster and reason for inaccessibility)

Note: If one of the above-listed disasters has occurred, check with the building representative before sending a Mass Care team to activate the facility.

B. General Information

1. Groups associated with the facility: ~~(Volunteer groups)~~

☐ Fire auxiliary ☐ Church auxiliary ☐ Paid staff ☐ Paid feeding persons

☐ Other (specify):

(Volunteer groups)

☒ Does the Red Cross have a written agreement with these groups to use them in providing mass care services in the facility?

☐ Yes ☐ No

If "yes," has the group been trained to perform its assigned function? ☐ Yes ☐ No

3. Is a written agreement for use of the facility attached? ☒ Yes ☐ No

4. Recommended for use as a Red Cross Mass Care facility? ☒ Yes ☐ No

5. Facility survey completed by: Name: Beverly Hanna

Title: V2318

Date: 6/20/01

Comment - This school is well prepared for emergencies. Generator automatic when power is out, Has large water supply.

ADA STANDARDS
(AMERICANS WITH DISABILITIES ACT)

PLEASE NOTE MODIFICATIONS OR PORTABLE ITEMS THAT WILL BE USED TO
SUBSTITUTE FOR ANY OF THE BELOW ITEMS.

<input checked="" type="checkbox"/> Curb Cuts <i>ONE</i> <input type="checkbox"/> 36 inches wide	<input type="checkbox"/> Accessible and Accommodating Showers (36 inches X 36 inches) <input type="checkbox"/> Grab bars (33-36 inch height) <input type="checkbox"/> Shower seat 917-19 inch height) <input type="checkbox"/> Spray unit with hose (optional) <input type="checkbox"/> Shower head (48 inch height) (optional)	<input type="checkbox"/> Accessible and Accommodating Cafeterias <input checked="" type="checkbox"/> Table: 28-34 inches high <input checked="" type="checkbox"/> Accessible Telephones <input type="checkbox"/> Height (max 48 inch height) <input type="checkbox"/> TDD (optional) <input type="checkbox"/> Volume adjustable
<input checked="" type="checkbox"/> Ramps <input checked="" type="checkbox"/> Fixed <input checked="" type="checkbox"/> Portable <input type="checkbox"/> 36 inches in width <input checked="" type="checkbox"/> level landings	<input checked="" type="checkbox"/> Accessible Doorways <input type="checkbox"/> Minimum of 32 inch width	
<input checked="" type="checkbox"/> Accessible and Accommodating Restrooms <input checked="" type="checkbox"/> Grab Bars (33-36 inch height) <input checked="" type="checkbox"/> Stall 36 inches in width <input checked="" type="checkbox"/> Paper dispenser at 19 inch height <input checked="" type="checkbox"/> Sinks at 34 inch height	<input type="checkbox"/> Automatic Doors (optional) <input type="checkbox"/> Accessible Storage Closets <input type="checkbox"/> Rods at max 48 inch height <input type="checkbox"/> Shelving at max 48 inch & minimum 9 inch height	
<input type="checkbox"/> Elevators (optional)		

**El Dorado County Law Enforcement and Education
2022-2023
MEMORANDUM OF UNDERSTANDING**

This Memorandum of Understanding (MOU) is made and executed for the 2022-2023 school year by and between the El Dorado County Sheriff's Office, Placerville Police Department, South Lake Tahoe Police Department, California Highway Patrol, El Dorado County Probation Department, El Dorado County District Attorney, El Dorado County Health & Human Services Agency, Shingle Springs Tribal Police, and El Dorado County Office of Education (EDCOE), on behalf of the Schools throughout the County.

Schools, Law Enforcement, and juvenile justice procedures regarding gang activity and suppression, bullying, student use, possession, and trafficking of illegal substances or what is alleged to be illegal substances, threats to school safety, and student involvement with weapons and dangerous instruments/objects are addressed in this MOU. All agencies recognize the importance of keeping our schools safe and are committed to putting forth our best efforts to achieve that goal. There is also the recognition that empowering youth to ensure ongoing open communication between youth and responsible adults at schools is critical to establishing a culture where bullying and other mistreatment between students is not tolerated. Schools and other agencies are continuing to promote an environment that fosters student engagement and acknowledge that youth have to be part of the solution in achieving safe schools. To the extent that any staff or volunteers of the parties to this MOU are mandated reporters, those staff will comply with all applicable mandated reporter laws.

SCHOOLS

Gang Activity and Gang Suppression

The Governing Board of each School District and the El Dorado County Office of Education (hereinafter collectively "Boards") desire to keep district schools and students free from the threats of harmful influence of any groups or gangs which advocate drug use, violence, racism or disruptive behavior. The designee shall maintain continual, visible supervision of school premises in order to deter gang intimidation of students and confrontations between members of different gangs. Please see the definition of Gang Membership and Associations, page 5, El Dorado County Law Enforcement section.

Hate Motivated Behavior

Boards affirm the right of every student to be protected from hate-motivated behavior. It is the intent of Boards to promote respectful relationships that enable students to gain a true understanding of the civil rights and social responsibilities of people in our society. Behavior or statements that degrade an individual on the basis of his/her race, ethnicity, culture, heritage, gender, gender identity, sexual orientation, physical/mental attributes, political or religious beliefs or practices shall not be tolerated.

Illegal Substances

Boards have grave concern for student use, abuse, and experimentation of all forms of illegal drugs (including controlled substances) or related drugs or alcoholic beverages. School administrators shall establish effective procedures to ensure thorough investigation, evaluation, and reporting of each known case of student involvement with illegal, or what is alleged to be illegal drugs (including controlled substances) and related drugs or alcoholic beverages, in order that appropriate remedial and rehabilitative and/or disciplinary action may be imposed.

Further, it is illegal to possess marijuana or marijuana derivatives on school grounds (Cal Health & Safety Code § 11357(d) (e)). School Districts will continue to enforce the provisions of Education Code Sections 48900 et seq., which prohibit the use, possession, furnishing, or being under the influence of marijuana when related to school activity or attendance and will contact law enforcement, should a student or person on school campus possess marijuana or marijuana derivative at school. Law enforcement has agreed to confiscate any marijuana or marijuana derivative found in a student's possession, and the appropriate law enforcement action will be left to the officer's discretion, depending upon the circumstances and severity of the violation.

School Districts will continue to enforce their policies providing for a drug free school environment as it may apply to all persons who come onto school property or otherwise are involved in functions having to do with school related activities or school attendance.

Immediate suspension and a recommendation for expulsion is the appropriate disciplinary action to take for those students who have been found selling or trafficking illegal drugs, or what is alleged to be illegal drugs, including controlled substances, illegally possessed prescription drugs, or related drugs. Involvement in the enticement of other students to possess or use illegal, or what is alleged to be illegal drugs, including controlled substances, illegally possessed prescription drugs, or related drugs or alcoholic beverages, may result in a recommendation for expulsion on a first offense. The Superintendent and/or designee(s) shall maintain open lines of communication with local Law Enforcement authorities so as to share information and provide mutual support in this effort.

For student involvement in a gang-related crime, hate crimes, threats to school safety, or for student use or possession (includes under the influence) of illegal drugs, or what is alleged to be illegal drugs, including controlled substances, illegally possessed prescription drugs, paraphernalia and related drugs or alcoholic beverages at any school and/or school related function and/or property, the following shall occur:

1. Sheriff/Police will be notified immediately for a gang related crime, hate crimes, threats to school safety, criminal threats, use or possession of illegal drugs, or selling, trafficking, or enticement of illegal drugs. The principal shall make a determination on a case-by-case basis when a student is under the influence of alcohol as to whether Law Enforcement should be notified.
2. Parents/Guardians will be notified in a timely manner. Generally, Law Enforcement and school personnel will conference prior to contacting parents.
3. Following a review of the circumstances, if the principal or designee determines the student is responsible, an immediate suspension from school will normally be imposed. The suspension may be extended by the Superintendent or designee if circumstances warrant when a recommendation is being processed for expulsion.

Additionally, for cases involving gang activity, the following shall occur:

Depending on the jurisdiction, the School Resource Officer/Gang Prevention Officer at the Sheriff's Office or the respective Police Department(s) will be notified as part of the clearinghouse for the Gang Prevention Task Force. [Sheriff: 530-621-6572; Placerville Police: 530-642-5210; South Lake Tahoe Police: 530-542-6122]

Cyber Bullying, Cyber Threats, Illegal Sexual Conduct

The cyber world has become a greater concern in recent years. Schools and Law Enforcement have cooperated in responding to cyber issues, including, but not limited to, Law Enforcement providing training on the concerns related to on-line communication sites. Schools will contact Law Enforcement if additional training is desired. Although school officials may deal with bullying, intimidation, harassment, threats to school safety, sexual misconduct, lewd images, and other forms of peer mistreatment through disciplinary actions, Law Enforcement has additional options available.

If school officials have questions as to whether a particular incident falls within the statutes and/or regulations pertinent to cyber bullying, high schools may contact their School Resource Officer (SRO) for assistance. Elementary school officials may contact the SRO for the high school into which their students feed. School Resource Officers can confer with the District Attorney's office as needed. Listed below are the various law enforcement agencies that will respond to the respective school districts:

School Resource Officers (SRO)

Four El Dorado County Sheriff's Deputies will share School Resource Officer duties at the following schools:

Black Oak Mine Unified School District: Golden Sierra High School

El Dorado County Office of Education: Charter Alternative Programs

El Dorado Union High School District: Oak Ridge High School
Ponderosa High School
Union Mine High School
Independence High School

Law enforcement response at the school sites below will be as follows:

Lake Tahoe Unified School District: South Lake Tahoe Police Department Resource Officer. If not available, South Lake Tahoe Police Department will dispatch an officer.

El Dorado High School, Placerville Union School District: A Placerville Police Officer is assigned as the SRO for El Dorado High School, Markham Middle School, Sierra Elementary and Schnell Elementary Schools. If not available, Placerville Police Department Dispatch will dispatch an officer(s).

All other county schools will be dispatched from the El Dorado County Sheriff's Office Patrol Division. For middle and elementary schools, a patrol deputy will respond if the School Resource Officers are not available.

Weapons and Dangerous Instruments/Objects

Boards desire students and staff be free from the fear and danger presented by firearms, improvised explosive devices (IEDs), components to make explosives, and other weapons. Boards, therefore, prohibit students from possessing weapons, imitation firearms, or dangerous instruments/objects of any kind on school grounds, in school buildings, on school buses, or at a school-related or school-sponsored activity away from school.

If a student possesses, sells, or otherwise furnishes a firearm at school or at a school event, that student shall be expelled for one calendar year from the date the expulsion occurs.

Under the power granted to Boards to maintain order and discipline in the schools and to protect the safety of students, staff and the public, any school employee is authorized to confiscate a weapon, dangerous instruments/objects or imitation firearm from any person on school grounds. School personnel shall use the utmost caution and safety measures when confiscating dangerous or potentially dangerous items. Explosives or suspected explosives shall be handled by law enforcement personnel or designee.

The Principal or designee shall notify Law Enforcement authorities when any student possesses a firearm or any other weapon, sells or otherwise furnishes a firearm or any other weapon, at a school event. Whenever feasible the Principal or designee shall discuss the situation with Law Enforcement prior to Law Enforcement having any interactions with the student. In addition, Law Enforcement will be notified when violence occurs on a school campus and/or it is reasonably anticipated that the violence will continue after the school day.

Plan for Providing Educational Services to Expelled Students

Pursuant to Education Code § 48926, school districts throughout El Dorado County have adopted plans for serving expelled students, including referral to El Dorado County Charter Community School and other alternative education options, as appropriate. A referral can also be initiated if additional options need to be pursued regarding appropriate services for a particular student.

Students with Disabilities

It is understood that all procedures regarding suspension and expulsion of students with disabilities shall follow state and federal laws and regulations.

EL DORADO COUNTY LAW ENFORCEMENT

Law Enforcement Agencies Website Addresses and Contact Information:

El Dorado County Sheriff's Office: edcgov.us/sheriff

Placerville Office: 530-621-5655

South Lake Tahoe Office: 530-573-3000

Placerville Police Department: placervillepd.com

Business Office: 530-642-5210

Emergency: 530-642-5280

Non-Emergency: 530-642-5298

South Lake Tahoe Police Department: cityofslt.us

Office: 530-542-6100

Shingle Springs Tribal Police

Police Department: 530-387-4994

California Highway Patrol: chp.ca.gov/home

Placerville CHP: 530-748-2450

Law Enforcement is committed to ensuring a safe environment for all students, faculty and citizens. El Dorado County Law Enforcement officers will not tolerate criminal activity by students. We will actively investigate and resolve violations of the law whether on or off campuses, particularly acts which jeopardize individual safety. Whenever feasible and when it is deemed appropriate, schools will be informed of criminal activity by students that occurs outside of the school, and it is reasonably anticipated to impact schools and their students.

It is understood that Law Enforcement will be responsible to ensure legal requirements are met with respect to interviewing a student on a school campus.

Firearms & Dangerous Weapons

1. Law Enforcement shall commit all necessary resources to reported incidents involving use and/or possession of firearms or dangerous weapons upon school grounds.
2. Officers will immediately contact known suspect(s) and eliminate any potential immediate threat by searching the suspect(s) for firearms or dangerous weapons. The search should be conducted in accordance with applicable state and federal statute and prevailing case law:
 - a. Searches by school officials and sworn peace officers working on a school campus as a School Resource Officer (SRO) are subject to the following:
 - i. search must be reasonable under the circumstances and justified, and
 - ii. search must be supported by "reasonable suspicion" that the search will uncover evidence of a crime or school rule violation.
 - b. Searches by sworn peace officers, other than School Resource Officers (SRO), are subject to the following:
 - i. Search requires a warrant unless:
 1. probable cause exists before the search, along with exigent circumstances;
 2. the officer has the informed consent of the person to be searched;
 3. the search is performed pursuant to a lawful arrest; or
 4. there is another specific/recognized exception waiving the warrant.
3. During the course of their investigation for this and any other act of criminal conduct on campus, officers will make contact with the reporting party and the administrator/designee of that campus.

Items 4-10 are law enforcement investigation related and not school specific. Officers will:

4. Identify and interview all known victims and witnesses and will assess the threat by investigating the suspect's past behavior, including police contacts and school-related problems. Officers may also search any lockers assigned to or used by the suspect;
5. Notify the suspect's parents/guardians of the incident and inquire about the history and availability of firearms at the residence;
6. Make every effort to obtain consent to search the suspect's residence/bedroom and vehicle for firearms evidence;
7. When examining the suspect's residence/bedroom and vehicle for firearms, ammunition, threatening letters, etc., take note of the residence/room/vehicle's condition and any indicators of violent, dark, or morbid themes; and
8. If evidence is seized, follow the Law Enforcement office or department's policy with respect to documentation and proper handling.
9. A written report that fully documents the investigation should be prepared. In addition to normal investigation, the report should include the following:
 - a. reaction of suspect's parents/guardians;
 - b. suspect's access to firearms;
 - c. suspect's familiarity and training with firearms if available or known;
 - d. description of suspect's bedroom and general home environment;
 - e. clearly articulate specific threats made; and
 - f. victim reactions to perceived threat.
10. Officers will remove the suspect from the school environment, if appropriate.

Gang Membership and Associations

El Dorado County Law Enforcement will not tolerate student involvement in street gangs whether as validated members, gang associates, or peripheral association.

Definition of Gang: A gang is three or more persons with a common sign, symbol or identifier who engage in a criminal gang activity, individually or collectively, with the intent to promote the gang. (186.22 P.C.)

1. *Validated gang member:* A confirmed gang member accepted by his/her peer/gang members, usually having criminal record or extensive police contact.
2. *Associate:* A person who regularly associates with gang members and wants to be recognized as a member of a gang and has demonstrated actions to try to prove themselves to become a member.
3. *Marginal Associate:* A person who dresses in gang colors and socializes with known gang members but has not yet become a regular member.
4. *Peripheral:* A person that has not yet become directly involved in criminal behavior but is occasionally seen with gang members.

Gang Graffiti, Gang Dress, Gang Paraphernalia

1. Gang graffiti is the advertisement of gangs in an area and offers intelligence for authorities. Graffiti should be photographed, gang unit notified, and then immediately removed.
2. Gang Dress, Behavior, and Gang Symbols on Students' Personal Property and/or Body: Refer to the respective local School District Dress Code Policy.

Gang Suppression Efforts and Efforts to Eliminate Hate Violence

1. An Officer from the El Dorado County Sheriff's Office, Placerville Police Department, or South Lake Tahoe Police Department will respond to all gang related crimes or hate violence which occur on school campuses.

2. Student(s) will be taken into custody for gang related crimes (a crime which is designed to advance or serve a gang name or the gang's existence) committed on school campuses. "Custody" for purposes of this policy means that the officer will ordinarily remove the student from the school grounds. The appropriate Law Enforcement action will be left to the officer's discretion depending on the circumstances and severity of the violation.
3. Gang paraphernalia related to the crime (examples: bandanas, stylized ball caps, shoelaces, weapons, etc.) will be confiscated by the officer.
4. Students, vehicles, and graffiti may be photographed by the responding officer.
5. Student interviews by Law Enforcement will occur as necessary and within the guidelines of state laws.
6. The El Dorado County Sheriff's Office, Placerville Police Department, and the South Lake Tahoe Police Department Gang Prevention Officer will remain current on all gang related activities and hate violence occurring on school grounds. The Gang Prevention Officer will serve as a clearinghouse of information for school officials, Probation Department personnel, and other allied agencies, thus affording continuity and expeditious handling of all inquiries.

Illegal Substances Suppression Efforts

1. Use or possession (includes under-the-influence) of illegal drugs, what is alleged to be illegal drugs, including controlled substances, paraphernalia, illegally possessed prescription medications, and related drugs or alcoholic beverages.
 - a. Substance, paraphernalia, or alcoholic beverage will be confiscated.
 - b. Student may be taken into custody and/or processed as appropriate if student is under the influence of any illegal drug or alcohol. This will depend on the level of influence or intoxication and the applicability of related statutes. Law Enforcement will consider the need for medical assessment and summon emergency medical personnel as necessary. The appropriate Law Enforcement action will be left to the officer's discretion depending upon the circumstances and severity of the violation.
 - c. Student may be taken into custody and processed for possession if substance or alcoholic beverage is on student's person or if an administrator or other responsible party witnesses possession. "Custody" for purposes of this policy means that the officer will ordinarily cause the student to be removed from the school grounds except in cases of an on-site School Resource Officer. This may also include citing and releasing the student to their parents. The appropriate Law Enforcement action will be left to the officer's discretion depending upon the circumstances and severity of the violation. Whenever possible, it is recommended that the officer confidentially confer with the school administrator regarding the action to be taken.
 - d. Officers may consider referring the student and family to El Dorado County Behavioral Health for an assessment of treatment needs.
 - e. Student interviews by Law Enforcement will occur as necessary and within the provisions of state laws.
2. Selling, Trafficking, or Enticement of illegal drugs or what is alleged to be illegal drugs, including controlled substances, illegally possessed prescription medications, and related drugs or alcoholic beverages, will be handled in the following manner:
 - a. Students accused of selling, trafficking, or enticing others with illegal drugs, including controlled substances, illegally possessed prescription medications, and related drugs or alcoholic beverages, may be taken into custody and processed.
 - b. Student interviews by Law Enforcement will occur as necessary and within the provisions of state law, as determined by Law Enforcement.

- c. Per their respective individual Law Enforcement Office or Department policy, any items identified or collected for evidence should be handled in such a way as to preserve the integrity of each. Evidence is often critical to the successful conclusion of an investigation and must be preserved for future court proceedings. As few people as possible should handle the evidence and the names of those who do must be documented for future reference. If at all feasible, evidence should be locked away or personally guarded until it can be turned over to Law Enforcement. For evidence, it is important to remember that to be admitted into court, its authenticity must be verified, including being able to articulate who had access to it since discovery and whether or not it has been altered from its original state.
- d. Law Enforcement has grave concern for student use, abuse, possession, and selling or enticement of all forms of illegal drugs, including controlled substances, illegally possessed prescription medications, or related drugs or alcoholic beverages. Officers will not tolerate student use, abuse, possession, and/or selling or enticement of all forms of illegal drugs and will may arrest/cite (refers to juvenile court/adult court) offenders within the parameters of the law. Student offenders will also be taken into custody when deemed a danger to self and/or others involved with a felony, or at officer discretion.

Media Coordination

Law Enforcement, to the greatest extent feasible, will attempt to coordinate information that is provided to the media regarding any school incidents, with school personnel. Press releases issued by Law Enforcement will, whenever possible, be shared with School District Administration prior to being released. Any media inquiries involving active investigations should be referred to the Law Enforcement Agency with jurisdiction of the investigation. In addition, press conferences addressing school incidents should be coordinated and, whenever possible, conducted jointly by Law Enforcement and school personnel.

PROBATION DEPARTMENT

El Dorado County Probation Department: edcgov.us/Probation/

Shingle Springs Office: 530-621-5625

South Lake Tahoe Office: 530-573-3083

The Probation Department will address all referrals, citations, bookings, and detentions from law enforcement, which may include the following responses:

1. counseling;
2. intake hearing;
3. diversion;
4. referral to District Attorney for court action;
5. informal supervision;
6. community service;
7. Juvenile Court Work Program;
8. Peer Council;
9. Traffic Court;
10. referral to El Dorado County Office of Education Charter Community School and/or Community Day School programs;
11. contact with a probation officer working on high school campus when appropriate.

The Probation Department will accept all bookings into a Juvenile Treatment Center in South Lake Tahoe and will either cite and release the minor for further proceedings or hold the minor pending a detention

hearing in court.

When referrals for threats to school safety are received, the Probation Department will review the circumstances and conduct an investigation into means, motive, and opportunity to carry out such a threat before making decisions related to continued detention and case actions.

Probation Officers on campus will cooperate with the school district and be included in developing safety procedures, providing assistance at school events and work with the SRO in truancy prevention and on campus counseling for both minors on probation and the general school population.

The Probation Department will notify the Superintendent of the respective school district, pursuant to Welfare and Institutions Code § 827 and Education Code § 48267, of any juvenile court disposition of minors involved in delinquent activity. Whenever feasible and when it is deemed appropriate, schools will be informed of delinquent activity by students that occurred outside of the school that may be reasonably anticipated to impact schools and their students. In addition, when a minor has been ordered by the Court to an educational placement, the Probation Department will use its best efforts to coordinate any proposed action with the appropriate education administrator prior to recommendation for any educational placements.

DISTRICT ATTORNEY

Upon referral of a case involving gang activity, hate motivated behavior, cyber bullying, illegal sexual conduct, and/or illegal substances, the District Attorney will pursue prosecution of violations of the law as appropriate.

1. The District Attorney's Office will prosecute any minor found in possession of a gun on school grounds.
2. The District Attorney's Office will enforce the law in any case wherein a minor is unlawfully found in possession of a firearm off a school campus.
3. Where appropriate, the District Attorney's Office will enforce violations in cases where a parent or legal guardian is found not to have exercised reasonable care, supervision, protection, and control over their minor child. Penal Code § 272 (Contributing to the Delinquency of a Minor)
4. Where appropriate, the District Attorney's Office will enforce violations against the parent or legal guardian where a juvenile is found in illegal possession of a firearm. Penal Code §12035(b) (Criminal Storage of a Firearm)
5. Where appropriate, the District Attorney's Office will coordinate and cooperate with the schools, Law Enforcement, Probation, Behavioral Health, and other county agencies in reducing and preventing illegal firearm possession by minors in the interest of public safety and the youth.

HEALTH & HUMAN SERVICES AGENCY

Health & Human Services Agency, Child Welfare Services

All reports of suspected child abuse should be made to: (844) 756-3699. Mandated reporters should identify themselves as such and advise that they need to speak with an Intake Social Worker to file a suspected child abuse report as soon as potential child abuse is suspected. Upon completion of making the verbal report of child abuse, the mandated reporter is responsible for filling out and sending in the Suspected Child Abuse Report 11166 PC Form within 36 hours. All forms can be faxed to (530) 663-8493. A copy of this report must be kept separate from the students CUM File, located in a secured area that is locked.

Upon a referral of suspected abuse or neglect, Child Welfare Services will assess the referral criteria, and if appropriate investigate, conduct an assessment of the minor(s) and family as applicable by law and regulation, and assess protection issues. It is understood that Child Welfare Services will be responsible to ensure legal requirements are met with respect to their interviewing a student on a school campus.

Child Welfare Services will make its resources available as they may become necessary and helpful on a case-by-case basis to include Mandated Reporter training or individual school site training as requested if

not available through Child Abuse Prevention Council (CAPC) and the Community Based Child Abuse Prevention (CBCAP) funding.

Health & Human Services Agency, Behavioral Health Division

Behavioral Health Access Line (Mental Health and Substance Use Disorder Services: 800-929-1955

Mental Health Crisis Telephone Number, WS: 530-622-3345, SLT: 530-544-2219

Psychiatric Emergency Response Services: 530-621-5655

Mental Health Website: edcgov.us/Government/MentalHealth

The Health & Human Services Agency, Behavioral Health Division, is committed to this effort and will provide full support.

1. When a child/adolescent is brought to a Juvenile Detention Facility for a weapons violation or criminal activity involving violence, the Probation Department may notify Behavioral Health Division for a risk assessment of the child.
2. When a child/adolescent is determined to be under the influence of an illegal drug or alcohol, Law Enforcement may refer a student to Behavioral Health Substance Use Disorder Services for assessment.
3. Behavioral Health Division will complete a mental health and substance use risk assessment of the child to evaluate the following:
 - a. Imminent risk of danger to self and others possibly requiring emergency mental health treatment.
 - b. Determine if child is likely to benefit from ongoing mental health and/or substance use treatment services and, if so, develop a treatment plan.

The conclusions of this assessment will be shared with family, guardian, and/or other agencies as legally permitted. Any release of information must comply with Welfare & Institutions Code 5328 et seq.

SHINGLE SPRINGS TRIBAL POLICE

Contacting Tribal Officials

Whenever a student who self-identifies as an enrolled member of the Shingle Springs Band of Miwok Indians ("Tribe"), is involved in a gang-related crime, hate crime, threats to school safety, or student use or possession of illegal drugs, or what is alleged to be illegal drugs, including controlled substances, illegally possessed prescription drugs, paraphernalia and related drugs or alcoholic beverages at any school and/or school related function and/or property, or possesses a firearm or any other weapon, sells or otherwise furnishes a firearm or any other weapon at school or at a school event, the appropriate law enforcement agency, based on jurisdiction (EDSO/PPD/SLTPD), will first be notified. In addition, the following step shall occur:

1. Shingle Springs Band of Miwok Indians Police Department will be notified immediately but will only respond if requested by the investigating agency and/or the student requests their presence.

Whenever a student, who self-identifies as an enrolled member of the Tribe, is expelled from school, the following Tribal departments shall be notified in order to help facilitate alternative educational options:

1. Shingle Springs Band of Miwok Indians Tribal Services Department
2. Shingle Springs Band of Miwok Indians Education Department

Gang Dress and Symbols

Cultural symbols, logos, or trademarks of the Tribe shall not be considered gang dress or symbols when worn by a student who self-identifies as an enrolled member of the Tribe. If there is a question about whether a symbol is in fact a cultural symbol of the Tribe, the following Tribal department shall be contacted:

1. Shingle Springs Band of Miwok Indians Cultural Department

Verifying Tribal Membership

For purposes of complying with the terms of this MOU, school officials may verify a student's Tribal membership by contacting any of the following Tribal officials:

1. Shingle Springs Band of Miwok Indian's Tribal Chairperson
2. Shingle Springs Band of Miwok Indian's Enrollment Committee Chairperson
3. Shingle Springs Band of Miwok Indian's Enrollment Officer

Tribal Contact Information

All of the above listed Tribal officials and departments may be contacted in the following ways:

Phone Number: 530-677-7522

Email Address: info@ssband.org

Mailing Address: PO Box 1340, Shingle Springs, CA 95682

Physical Address: 5281 Honpie Road, Placerville, CA 95667

El Dorado County Office of Education, School Districts, Law Enforcement, Probation, District Attorney, and Health & Human Services agree as follows:

ANNUAL REVIEW PROCEDURES

The County Superintendent shall convene a meeting annually to review the MOU. At the time of review, changes, additions or deletions may be recommended. Each agency will be requested to renew its commitment to the guidelines contained herein.

The MOU is a guide and cannot substitute for the judgment and understanding that come from knowledge and experience. A case-by-case decision must be made.

COORDINATION OF ACTIONS

We realize program effectiveness and cooperative working relationships cannot be legislated but require planning and working together over a period of time. All parties to this agreement will use their best efforts to obtain parent consent for exchange of information when so required. The parties agree that it is important to coordinate decision making prior to action being recommended or taken. To that end, the parties shall make every effort to exchange information regarding proposed recommendations in order to allow any potentially affected party the opportunity to provide input.

COMPLIANCE/CONFIDENTIALITY

The signatory agencies shall fully comply with the Federal Health Insurance Portability and Accountability Act of 1996 "HIPAA" 42 USC 1320d (45 CFR 164.103) through the juvenile justice system exception to the Federal Family Educational Rights and Privacy Act "FERPA" 20 USC 1232g (34 CFR 99.31). Child Welfare shall comply with Division 31 Regulations and Welfare and Institutions code 300 and 827.

COUNTERPARTS

This Memorandum of Understanding may be executed simultaneously in one or more counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument.

Rick Hatfield

Rick Hatfield (Aug 9, 2022 09:32 PDT)

Rick Hatfield, Commander
Placerville California Highway Patrol

Don Ashton

Don Ashton (Aug 12, 2022 09:14 PDT)

Don Ashton, Chief Administrative Officer
El Dorado County

John D'Agostini

John D'Agostini, Sheriff
El Dorado County Sheriff's Office

Ed Manansala

Edward Manansala (Aug 20, 2022 08:25 PDT)

Dr. Ed Manansala, County Superintendent
El Dorado County Office of Education

Joe Wren

Joseph Wren (Aug 9, 2022 09:36 PDT)

Joe Wren, Chief of Police
Placerville Police Department

Vern Pierson

Vern Pierson (Aug 15, 2022 18:41 PDT)

Vern Pierson
El Dorado County District Attorney

Brian Richart

Brian Richart (Aug 9, 2022 11:50 PDT)

Brian Richart, Chief Probation Officer
El Dorado County Probation Department

Daniel Del Monte

Daniel Del Monte (Aug 12, 2022 20:26 PDT)

Daniel Del Monte, Interim Director
El Dorado County Health & Human Services
Agency

Regina Cuellar

Regina Cuellar (Aug 26, 2022 05:43 PDT)

Regina Cuellar, Chairwoman
Shingle Springs Band of Miwok Indians

Teddy Tayaba

Teddy Tayaba (Aug 12, 2022 12:07 PDT)

Teddy Tayaba, Chief of Police
Shingle Springs Band of Miwok Indians
Tribal Police Department

David Stevenson

David Stevenson, Chief of Police
South Lake Tahoe Police Department

COUNTERPARTS

This Memorandum of Understanding may be executed simultaneously in one or more counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument.

Rick Hatfield, Commander
Placerville California Highway Patrol

Brian Richart, Chief Probation Officer
El Dorado County Probation Department

Don Ashton, Chief Administrative Officer
El Dorado County

Daniel Del Monte, Interim Director
El Dorado County Health & Human Services
Agency

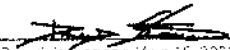
John D'Agostini, Sheriff
El Dorado County Sheriff's Office

Regina Cuellar, Chairwoman
Shingle Springs Band of Miwok Indians

Dr. Ed Manansala, County Superintendent
El Dorado County Office of Education

Teddy Tayaba, Chief of Police
Shingle Springs Band of Miwok Indians
Tribal Police Department

Joe Wren, Chief of Police
Placerville Police Department


David Stevenson (Aug 18, 2022 10:52 PDT)
David Stevenson, Chief of Police
South Lake Tahoe Police Department

Vern Pierson
El Dorado County District Attorney

PARTICIPATING SCHOOL DISTRICTS

Jeremy Meyers

Jeremy Meyers (Aug 9, 2022 09:06 PDT)

Jeremy Meyers, Superintendent
Black Oak Mine Unified School District

David Roth

David Roth (Aug 15, 2022 09:55 PDT)

David Roth, Ph.D., Superintendent
Buckeye Union School District

P. Horn

Patricia Horn (Aug 9, 2022 09:45 PDT)

Patricia Horn, Superintendent
Camino Union School District

R. Carruth

Ron Carruth (Aug 9, 2022 09:05 PDT)

Ron Carruth, Ed.D., Superintendent
El Dorado Union High School District

Marg Enns

Margaret Enns, Superintendent
Gold Oak Union School District

K. Phillips

Keri Phillips (Aug 9, 2022 10:21 PDT)

Keri Phillips, Superintendent
Gold Trail Union School District

Grant Coffin

Grant Coffin (Aug 10, 2022 10:52 PDT)

Grant Coffin, Superintendent
Indian Diggings School District

Todd Cutler

Todd Cutler (Aug 15, 2022 15:57 PDT)

Todd Cutler, Ed.D., Superintendent
Lake Tahoe Unified School District

D. Scroggins

Dave Scroggins (Aug 9, 2022 10:33 PDT)

Dave Scroggins, Superintendent
Latrobe School District

Curtis Wilson, Superintendent
Mother Lode Union School District

Patrick Paturel, Superintendent
Pioneer Union School District

Eric Bonniksen, Superintendent
Placerville Union School District

Pat Atkins, Superintendent
Pollock Pines & Silver Fork School Districts

Jim Shoemake, Superintendent
Rescue Union School District

PARTICIPATING SCHOOL DISTRICTS

Jeremy Meyers, Superintendent
Black Oak Mine Unified School District

David Roth, Ph.D., Superintendent
Buckeye Union School District

Patricia Horn, Superintendent
Camino Union School District

Ron Carruth, Ed.D., Superintendent
El Dorado Union High School District

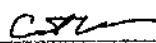
Margaret Enns, Superintendent
Gold Oak Union School District

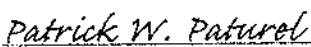
Keri Phillips, Superintendent
Gold Trail Union School District


Grant Coffin, Superintendent
Indian Diggings School District

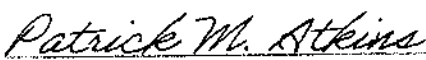
Todd Cutler, Ed.D., Superintendent
Lake Tahoe Unified School District


Dave Scroggins, Superintendent
Latrobe School District


Curtis Wilson (Aug 11, 2022 10:03 PDT)
Curtis Wilson, Superintendent
Mother Lode Union School District


Patrick W. Paturel (Aug 9, 2022 12:39 PST)
Patrick Paturel, Superintendent
Pioneer Union School District


Eric Bonniksen (Aug 9, 2022 12:09 PDT)
Eric Bonniksen, Superintendent
Placerville Union School District


Patrick M. Atkins (Aug 9, 2022 09:37 PDT)
Pat Atkins, Superintendent
Pollock Pines & Silver Fork School Districts


Jim Shoemaker (Aug 11, 2022 09:14 PDT)
Jim Shoemaker, Superintendent
Rescue Union School District











2022-23 El Dorado County Law Enforcement and Education MOU Final

















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















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








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2022-08-19

















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"2022-23 El Dorado County Law Enforcement and Education MOU Final" History

















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








2022-23 El Dorado County Law Enforcement and Education MOU Final

Final Audit Report

2022-08-14















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-  Signer patkins@ppesd.org entered name at signing as Patrick M. Atkins
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-  Document e-signed by Patrick M. Atkins (patkins@ppesd.org)
Signature Date: 2022-08-09 - 4:37:52 PM GMT - Time Source: server- IP address: 209.129.215.1



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-  Email viewed by Eric Bonniksen (ebonniksen@pusdk8.us)
2022-08-09 - 7:08:37 PM GMT- IP address: 209.129.217.253
-  Document e-signed by Eric Bonniksen (ebonniksen@pusdk8.us)
Signature Date: 2022-08-09 - 7:09:26 PM GMT - Time Source: server- IP address: 209.129.217.253
-  Email viewed by ppaturel@pioneerusd.org
2022-08-09 - 8:37:59 PM GMT- IP address: 209.129.218.1
-  Signer ppaturel@pioneerusd.org entered name at signing as Patrick W. Paturel
2022-08-09 - 8:38:59 PM GMT- IP address: 209.129.218.1
-  Document e-signed by Patrick W. Paturel (ppaturel@pioneerusd.org)
Signature Date: 2022-08-09 - 8:39:01 PM GMT - Time Source: server- IP address: 209.129.218.1
-  Email viewed by cwilson@mlusd.net
2022-08-10 - 0:13:17 AM GMT- IP address: 104.28.124.96
-  Email viewed by jshoemake@my.rescueusd.org
2022-08-12 - 4:13:48 PM GMT- IP address: 66.249.84.73
-  Signer jshoemake@my.rescueusd.org entered name at signing as Jim Shoemake
2022-08-12 - 4:14:30 PM GMT- IP address: 209.129.220.50
-  Document e-signed by Jim Shoemake (jshoemake@my.rescueusd.org)
Signature Date: 2022-08-12 - 4:14:31 PM GMT - Time Source: server- IP address: 209.129.220.50
-  Email viewed by cwilson@mlusd.net
2022-08-13 - 4:45:59 AM GMT- IP address: 104.28.123.101
-  Email viewed by cwilson@mlusd.net
2022-08-14 - 5:01:48 PM GMT- IP address: 104.28.124.99
-  Signer cwilson@mlusd.net entered name at signing as Curtis Wilson
2022-08-14 - 5:03:03 PM GMT- IP address: 73.2.86.86
-  Document e-signed by Curtis Wilson (cwilson@mlusd.net)
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-  Agreement completed.
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