

Comprehensive School Safety Plan SB 187 Compliance Document

2016 - 2017 School Year

School: Foresthill Divide School
CDS Code: 31668376031116
District: Foresthill Union School District
Address: 22888 Foresthill Road
 Foresthill, CA 95631
Date of Adoption: December 9, 2016

Approved by:

Name	Title	Signature	Date
Sean Salveson	President		
Ian Hammer	Clerk		
Josh Wilson	Member		
Sean Salveson	Member		
Joshua Hammari	Member		
Edward Lembke	Member		
Shannon Jacinto	Superintendent/ Principal		
Rebecca Kattenhorn	Vice Principal		

Table of Contents

Senate Bill 187: Comprehensive School Safety Plan Purpose	4
Safety Plan Vision.....	4
Components of the Comprehensive School Safety Plan (EC 32281).....	5
(A) Child Abuse Reporting Procedures (EC 35294.2 [a] [2]; PC 11166).....	11
(B) Disaster Procedures (EC 35295-35297; GC 8607 and 3100).....	18
(C) School Suspension, Expulsion and Mandatory Expulsion Guidelines	22
(D) Procedures to Notify Teachers of Dangerous Pupils (EC 49079).....	42
(E) Sexual Harassment Policies (EC 212.6 [b]).....	46
(F) School-wide Dress Code Relating to Gang-Related Apparel (EC 35183).....	50
(G) Procedure for Safe Ingress and Egress of Pupils, Parents, and Staff to and from School (EC 35294.2)	51
(H) A Safe and Orderly School Environment Conducive to Learning (EC 35294.2)	52
(I) School Discipline Rules and Consequences (EC 35291 and EC 35291.5)	54
(J) Hate Crime Reporting Procedures and Policies.....	62
Safety Plan Review, Evaluation and Amendment Procedures	65
Safety Plan Appendices.....	66
Emergency Contact Numbers	67
Safety Plan Review, Evaluation and Amendment Procedures	68
Foresthill Divide School Incident Command System.....	69
Incident Command Team Responsibilities.....	71
Emergency Response Guidelines	72
Step One: Identify the Type of Emergency	72
Step Two: Identify the Level of Emergency.....	72
Step Three: Determine the Immediate Response Action	72
Step Four: Communicate the Appropriate Response Action	72
Types of Emergencies & Specific Procedures.....	73
Aircraft Crash	73
Animal Disturbance.....	73
Armed Assault on Campus	73

Biological or Chemical Release.....	73
Bomb Threat/ Threat Of violence	74
Bus Disaster.....	74
Disorderly Conduct	74
Earthquake.....	74
Explosion or Risk Of Explosion	75
Fire in Surrounding Area	75
Fire on School Grounds	76
Flooding	76
Loss or Failure Of Utilities	77
Motor Vehicle Crash	78
Psychological Trauma.....	79
Suspected Contamination of Food or Water	79
Unlawful Demonstration or Walkout.....	79
Emergency Evacuation Map.....	80

Senate Bill 187: Comprehensive School Safety Plan Purpose

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

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

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

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

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

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

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

A copy of the Comprehensive School Safety Plan is available for review at Foresthill Divide School's office.

Safety Plan Vision

DISTRICT SAFETY VISION STATEMENT: To expand our efforts to further a supportive environment in which students will experience positive academic and social experiences that will promote a healthy lifestyle.

DISTRICT SAFETY MISSION STATEMENT: To utilize existing resources and create new alliances to develop a community effort to carry out the goals of our SAFE SCHOOL PLAN.

DISTRICT MISSION STATEMENT: The Foresthill Union School District is dedicated to providing all students with opportunities to develop their full academic potential, to understand and value themselves and others, to have a meaningful school experience, and to take pride in both personal and community achievements.

Components of the Comprehensive School Safety Plan (EC 32281)

Foresthill Divide School Safety Committee

Shannon Jacinto, Rebecca Kattenhorn, Karl Johnson, James Ramey, Michael Kirk, Linsey Sprecher

Assessment of School Safety

Every effort is being taken to ensure the safety of all students on the FDS campus. Work continues to ensure safety during lock-down situations (peep holes in doors, window coverings, and door locks). All staff is being updated on current policy and procedures. Safety drills are held monthly and reviewed by the task force for efficiency and completeness.

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

FORESTHILL UNION SCHOOL DISTRICT

SAFETY PLAN

GOALS AND OBJECTIVES

GOAL: To provide a secure and safe environment for all students, staff and visitors.

OBJECTIVE: The objective of this plan is to support the goal by improving the school disaster preparedness plan and the overall safety of the school.

Component 1: Personal Characteristics of Students and Staff

The school of Foresthill is greatly influenced by the supportive and caring staff, students, family members and community. The level of involvement is an area of great pride for the school. The schools' motto is "Foresthill School—Where Learning is Celebrated." It is evident that this motto is put into practice. The staff members serve as positive role models for the students. The school sets high standards and expectations for the students and staff.

The goal of providing a safe and secure environment is strongly supported by the community, students and staff.

Component 2: School's Physical Environment

The physical environment of the Foresthill School is extremely pleasant. The facilities and grounds are well kept. The lighting in the building is good. Accessibility for handicapped individuals is available. The school serves as a community center for meetings, sports and activities. Perimeter fences secure the campus.

In an effort to ensure a safe environment, a visitor policy is in effect. The policy requires visitors to sign in at the school office before entering a campus. The visitors are provided with badges. The badges serve to help staff and students know that the individuals are authorized to be on campus. To help remind visitors of the policy, there are signs in place that address the policy requirements.

In addition all volunteers at school and on field trips are required to fill out a personal emergency card, and get DOJ and tuberculosis clearance before being allowed to work with students.

Component 3: School's Social Environment

The social environment on campus is positive. There is a sense of pride evident. This is demonstrated by the school's focus on shared decision-making, positive leadership, and a district-wide emphasis on respect and responsibility. We have been encouraged by parents and community members to continue to make our school a safe place for all. This positive social environment continues to be an asset as we implement any changes that affect the safety of our students.

Component 4: School Culture

The personal characteristics of the staff, students, family members and community, addressed in Component 1, greatly influence the two school cultures. The schools are extensions of the community. The community supports the setting of high standards and expectations. The community also contributes to the friendly environment that is present in the schools.

The school's culture will contribute to achieving the goal and objective of this plan.

Specific Actions: The following actions will be taken to achieve the objective.

1. Review and update the existing Disaster Preparedness Plan annually.
2. Implement the following timeline:

Data Sources: Annual Parent Surveys, minutes from Site Council meetings, and meetings of the Board of Trustees, and anecdotal information from staff meetings and cabinet meetings

Funding Sources: Safety Grant-\$10,000 annually to be distributed between the two school sites

Transportation Budget

School Improvement Program

Title I

General Fund (Site Budgets, M & O, etc.)

Safe and Drug-free Schools

Promoting Safe and Stable Families Grant (PSSF) (\$30,000 until the 2006-2007 school year when funding ended.)

1999-2000 Public address system -Foresthill Elementary School (\$5000)

Campus Supervisor-Foresthill Divide Middle School (District)

Clear brush around FES campus (District)

2000-2001 Automatic Snow Chains for 6 school buses (\$9000)

Speed bumps for parent pickup area-FES (\$750)

Safety videos-FDMS (\$400)

Public address system -Foresthill Elementary School (\$1300)

Employee Identification Badges (\$300)

2001-2002 Expand public address system -Foresthill Elementary School (\$1500)

Complete security fencing around FES playground (\$5300)

Expand security fencing on FES campus (\$3000)

Expand security fencing on FDMS campus (\$1300)

Clear brush around FDMS campus (District)

Expand counseling services at FDMS (\$7000)

Health Dept. violations/kitchen flooring at FDMS (\$6000)

Crossing Guard Vests and safety cones (\$100)

Employee Identification Badge supplies (\$250)

2002-2003 Continue counseling services-FDMS & FES (\$10,000)

Lead abatement/exterior walls-FES (\$5000)

Conflict Resolution Training for Yard Duty Supervisors-FES & FDMS (14 x \$25 = \$350)

Campus Supervision-FES & FDMS (\$17,000 + \$14,000)

Automatic Snow Chains for 3 school buses (\$5100)

Safety Barricades -District (\$380)

Security Window by FES Office (\$765)

2003-2004 Continue counseling services-FDMS & FES (\$40,000)

Parking lot duty-FES (\$1232)
Campus Supervision-FDMS & FES(\$1100)
Yard Duty Offset-FES & FDMS (\$7377)
Brush Clearing Machine-FES & FDMS (\$3500)

2004-2005 Continue counseling services-FDMS &FES (\$60,000)
Parking lot duty-FES (\$1300)
Campus Supervision-FDMS & FES (\$1200)
Yard Duty Offset-\$7400
Continue looking at way to make parent pick-up/drop-off area safer-FES (cost unknown)
Analyze and address safety needs related to high school opening in fall 2004-FDMS
Develop working relationship with School Resource Officer to address school safety

2005-2006 Continue counseling services-FDMS &FES (\$60,000)
Parking lot duty-FES (\$1350)
Campus Supervision-FDMS & FES (\$1250)
Yard Duty Offset-\$7600
Continue working with School Resource Officer to address school safety needs
Develop and improve handicap/wheelchair access to the lower field at FDMS - \$3000
Remodel transportation building roofline to prevent ice buildup in winter - \$6000
Look for ways to improve safety at FES Parent Pickup and Drop off area
Fluff up and add chips as needed under playground equipment

2006-2007 Parent Drop-off and Parking lot duty-FES (\$1350)
Crossing Guards at both schools
Flashing Safety Lights on Foresthill Road at both schools
Monthly safety drills held in conjunction with Foresthill Fire Protection District personnel
Campus Supervision-FDMS & FES (\$1250)
Yard Duty Offset-\$7600
Continue working with School Resource Officer to address school safety needs
Remove dead trees off FES campus (\$1200)
Resurface oldest roofs at FES (\$50,000)
Continue to look for ways to improve safety at FES and FDMS Parent Pickup and Drop off area
Fluff up and add chips as needed under playground equipment (\$1500)
Remodel FDMS Office to correct ergonomic concerns (\$14,000)

2007-2008 Parent Drop-off and Parking lot duty-FES
Crossing Guards at both schools
Flashing Safety Lights on Foresthill Road at both schools
Monthly safety drills held in conjunction with Foresthill Fire Protection District personnel
Campus Supervision - FDMS & FES
Yard Duty Offset
Continue working with School Resource Officer to address school safety needs
Continue to look for ways to improve safety at FES and FDMS Parent Pickup and Drop off area
Fluff up and add chips as needed under playground equipment
Repair cracks in parking lot and playground at FES
Replace and install blinds in classrooms for “secure the building” drills
Replace classroom locks with hardware that secures from the inside for “secure the building” drills
Continue to look for ways to secure the FDMS from outside intrusion
Check and repair, if necessary, PA system at the middle school

2008-2009 Administration of California Healthy Kids survey annually in grades 5 & 7
Implementation of “Too Good for Drugs” in grades K-8
Implementation of “Too Good for Violence” in Kindergarten
Two new school buses added to fleet with seat belts, surveillance systems, and automatic snow chainers
Clear brush around perimeter of both campuses

“No student Drop-off” signs posted in FES parking lot
Parent Drop-off duty remains in place at FES
Bullying prevention training/programs planned for both schools
Plan to protect students/staff from photovoltaic shade structure construction project at FDMS
Crossing Guard at FDMS. Walking students at FES rerouted to bus pickup/drop-off sites
Flashing Safety lights on Foresthill Road at both schools
Month safety drills held at both schools
Campus supervision at both schools
Yard Duty Offset
Continue working with School Resource Officer to address school safety needs
Continue to look for ways to improve safety at FES and FDMS Parent Pickup and Drop off area
Fluff up and add chips as needed under playground equipment
Continue to look for ways to secure the FDMS from outside intrusion
Re-key District schools for security purposes
Check and tighten nuts/bolts/screws on playground equipment

2009-2010 Administration of California Healthy Kids survey annually in grades 5 & 7

Continue “Too Good for Drugs” Program in grades K-8
Continue “Too Good for Violence” Program grades in K-4
One new school bus added to fleet with seat belts, surveillance system, and automatic snow chainer
Parent Drop-off duty remains in place at FES and FDMS
Continue posting signs in FES parking lot indicating “No Student Drop-off” areas in the mornings
Bullying prevention trainings/programs planned for both schools
Crossing Guard at FDMS, Walking students at FES rerouted to bus pickup/drop-off sites
Monthly safety drills held at both schools
Continue working with School Resource Officer to address school safety needs
Continue to look for ways to improve safety at FES and FDMS Parent Pickup and Drop off area
Fluff up and add chips as needed under playground equipment
Continue to look for ways to secure the FDMS from outside intrusion
Check and tighten nuts/bolts/screws on playground equipment
Train appropriate staff on blood handling procedures, clean-ups, hazardous materials handling, CPR, First Aid, Diastat, Child Abuse Reporting Procedures, etc.
North wing at FDMS bat-proofed and bats excluded
Parent pick-up at FDMS reworked for better efficiency

2010-2011 Administration of California Healthy Kids survey annually in grades 5 & 7

Continue “Too Good for Drugs” Program in grades K-8
Continue “Too Good for Violence” Program grades in K-4
Parent Drop-off duty remains in place at FES and FDMS
Implement new parent pick-up/drop-off procedures at FES
Implement new bus pick-up/drop-off area at FES
Bullying prevention trainings/programs planned for both schools
Crossing Guard at FDMS, walking students at FES rerouted to bus pickup/drop-off sites
Monthly safety drills held at both schools
Continue working with School Resource Officer to address school safety needs
Continue to look for ways to improve safety at FES and FDMS Parent Pickup/Drop-off areas
Fluff up and add chips as needed under playground equipment
Continue to look for ways to secure the FDMS from outside intrusion
Check and tighten nuts/bolts/screws on playground equipment
Train appropriate staff on blood handling procedures, clean-ups, hazardous materials handling, CPR, First Aid, Diastat, Child Abuse Reporting Procedures, etc.

2011-2012 Train staff in prosocial, bully prevention methods using the BEST approach through PCOE

Install railings on new FES awning to avoid "trip" areas.
Continue "Too Good for Drugs" Program
Continue "Too Good for Violence" Program
Parent Drop-off duty remains in place at FES and FDMS
Walking students using crossing walks at both schools at rerouted to bus pickup/drop-off sites
Monthly safety drills held at both schools
Continue working with School Resource Officer to address school safety needs
Continue to look for ways to improve safety at FES and FDMS Parent Pickup/Drop-off areas – paint crossing walks in FES parking lot
Fluff up and add chips as needed under playground equipment
Check and tighten nuts/bolts/screws on playground equipment
Train appropriate staff on blood handling procedures, clean-ups, hazardous materials handling, CPR, First Aid, administration of medications, Child Abuse Reporting Procedures, etc.

2012-2013 Continue to train all staff in the PCOE supported BEST Program – positive behavior support methods.
Post BEST rules throughout schools.
Implement lessons from Health Teacher web-based instructional system (bullying component).
Grades 7 & 8 – Bully in Schools – What You Need to Know reading.
Implement a Transportation Work Request from drivers for needed vehicle repairs.

2013-2014 Monthly safety drills held at both schools
Continue working with School Resource Officer to address school safety needs
Continue to look for ways to improve safety at FES and FDMS Parent Pickup/Drop-off areas
All classroom doors are to remain locked
Implement new Parent Pick up and Drop off procedures
Post signs for no parking in parking lot area
Paint fire lane
Installation of blinds in all classrooms
Installation of peep holes in portable classrooms
Emergency Boxes for classrooms distributed and supplies updated
Emergency flip Charts placed in each classroom and reviewed by guest staff members
Continue to train staff in BEST program. Student created messages to share with school.
Refine parent pick up during emergency procedures--Vests for identification of school employees

2014-2015 Monthly safety drills are held including fire drill, lock down, shelter in place.
All classroom doors are to remain locked during school hours.
Parent pick-up/drop off procedures refined
Emergency boxes updated and distributed to all classrooms including library
Emergency evacuation maps updated and routes highlighted and distributed to each building/room on campus
Refine emergency pick up procedures
Campus evacuation route cleared and marked for whole school evacuation
Building walls and doors painted and cleaned
Portable toilet/buckets provided to each classroom
Water and snacks provided to classrooms in the event of an extended lock-down/shelter in place.
Student/parent reunification form created
Creation of secondary off site evacuation plan

2015-2016
Monthly safety drills are held including fire drill, lock down, shelter in place.
All classroom doors are to remain locked during school hours.
Parent pick-up/drop off procedures refined & Reviewed
Staff will participate in online training relevant to their individual positions
Emergency boxes updated and distributed to all classrooms including library
Emergency evacuation maps updated and routes highlighted and distributed to each building/room on campus
Refine emergency pick up procedures
Campus evacuation route cleared and marked for whole school evacuation

Update and replace all emergency supplies for each classroom
Portable toilet/buckets provided to each classroom
Student/parent reunification form created
Creation of secondary off site evacuation plan
Updating of propane systems
Employee training with PCOE on campus safety (DPREP Critical issues in Campus Safety)
Staff Training in multiple subjects (blood borne pathogens, accident reporting, mandated reporter) Public School Works
Creation of binder with safety procedures for front office
Creation of chain of command roles and responsibilities if superintendent or other administrator is off campus

2016-2017

Monthly safety drills are held including fire drill, lock down, shelter in place.
All classroom doors are to remain locked during school hours.
Parent pick-up/drop off procedures refined & Reviewed
Staff will participate in online training relevant to their individual positions
Emergency boxes updated and distributed to all classrooms including library
Emergency evacuation maps updated and routes highlighted and distributed to each building/room on campus
Refine emergency pick up procedures
Campus evacuation route cleared and marked for whole school evacuation
Update and replace all emergency supplies for each classroom
Portable toilet/buckets provided to each classroom
Staff Training in multiple subjects (blood borne pathogens, accident reporting, mandated reporter) Public School Works
Creation of binder with safety procedures for front office
Creation of chain of command roles and responsibilities if superintendent or other administrator is off campus
Safety/Security officer will attend county meetings to update processes for security on campus
Train all campus staff (including M&O, Transportation, Clerical, Cafeteria workers, Administration and TA's) in Nurtured Heart
Approach to focus on positive attributes of students

Revised:

9/24/01
9/12/02
9/19/03
10/01/04
10/07/05
8/23/06
10/1/07
10/17/07
10/6/08
9/3/09
9/29/10
10/3/11
11/14/12
12/18/13
09/08/14
10/12/2015
09/23/2016

Reviewed and approved by FDS Site Council: November 2016

Board approved: 12/9/2016

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

Foresthill Union ESD
Board Policy

Students BP 5141.4(a)

CHILD ABUSE PREVENTION AND REPORTING

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

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

(cf. 1020 - Youth Services)
(cf. 5141.6 - School Health Services)
(cf. 6164.2 - Guidance/Counseling Services)

Child Abuse Prevention

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

(cf. 6142.8 - Comprehensive Health Education)
(cf. 6143 - Courses of Study)

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

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

Child Abuse Reporting

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

(cf. 4119.21/4219.21/4319.21 - Professional Standards)
(cf. 5145.7 - Sexual Harassment)

BP 5141.4(b)

CHILD ABUSE PREVENTION AND REPORTING (continued)

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

(cf. 0450 - Comprehensive Safety Plan)

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

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

Legal Reference: (see next page)

BP 5141.4(c)

CHILD ABUSE PREVENTION AND REPORTING (continued)

Legal Reference:

EDUCATION CODE

32280-32288 Comprehensive school safety plans

33195 Heritage schools, mandated reporters

33308.1 Guidelines on procedure for filing child abuse complaints

44252 Teacher credentialing

44691 Staff development in the detection of child abuse and neglect

44807 Duty concerning conduct of students

48906 Notification when student released to peace officer

48987 Dissemination of reporting guidelines to parents

49001 Prohibition of corporal punishment

51220.5 Parenting skills education

51900.6 Sexual abuse and sexual assault awareness and prevention

PENAL CODE

152.3 Duty to report murder, rape, or lewd or lascivious act

273a Willful cruelty or unjustifiable punishment of child; endangering life or health

288 Definition of lewd or lascivious act requiring reporting

11164-11174.3 Child Abuse and Neglect Reporting Act

WELFARE AND INSTITUTIONS CODE

15630-15637 Dependent adult abuse reporting

CODE OF REGULATIONS, TITLE 5

4650 Filing complaints with CDE, special education students

UNITED STATES CODE, TITLE 42

11434a McKinney-Vento Homeless Assistance Act; definitions

COURT DECISIONS

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

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

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

Health Framework for California Public Schools, Kindergarten Through Grade Twelve

WEB SITES

California Attorney General's Office, Suspected Child Abuse Report Form: http://www.ag.ca.gov/childabuse/pdf/ss_8572.pdf

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

California Department of Social Services, Children and Family Services Division: <http://www.childsworld.ca.gov>

Policy FORESTHILL UNION SCHOOL DISTRICT
adopted: June 9, 2015 Foresthill, California

Foresthill Union ESD
Administrative Regulation

Students AR 5141.4(a)

CHILD ABUSE PREVENTION AND REPORTING

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)

AR 5141.4(b)

CHILD ABUSE PREVENTION AND REPORTING (continued)

(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)

AR 5141.4(c)

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)

Family and Children's Services

PLACER COUNTY ACCESS AND SYSTEMS OF CARE (FAMILY & CHILDREN'S SERVICES)

(916)872-6549 OR 866-293-1940 phone (916)784-6400 fax

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. AR 5141.4(d)

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. AR 5141.4(e)

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)
AR 5141.4(f)

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)

AR 5141.4(h)

2. If a mandated reporter fails to timely report an incident of known or reasonably suspected child abuse or neglect, he/she may be guilty of a crime punishable by a fine and/or imprisonment. (Penal Code 11166)

3. No employee shall be subject to any sanction by the district for making a report unless it can be shown that he/she knowingly made a false report or made a report with reckless disregard of the truth or falsity of the report. (Penal Code 11166)

Regulation FORESTHILL UNION SCHOOL DISTRICT
approved: June 9, 2015 Foresthill, California

(B) Disaster Procedures (EC 35295-35297; GC 8607 and 3100)

Disaster Plan (See Appendix C-F)

Building Evacuation: Fire Drill

Safety Task Force Members: Shannon Jacinto, Rebecca Kattenhorn, Debby LaPorte, Sue Kirk, Alice Stanowicz, Karl Johnson, James Ramey, Mike Kirk, Linsey Sprecker

Fire Drill--Task Force Responsibilities:

1. Sound alarm
 2. Evacuations begin—task force members obtain walkie-talkies.
- During evacuation process task force personnel will complete the following:

Shannon---Interface with emergency personnel, robo-call if appropriate

*Linsey—begin safety check/clear classrooms and check door locks for rooms 1-14 & 19-20. Check 4-6 bathrooms as well

*Rebecca—begin safety check/clear classrooms and lock doors clear library, science lab, computer lab and rooms 15-18. Check for green cards and report missing students to office staff

Maintenance staff—Secure gym, music room, cafeteria and gym—interface with emergency personnel as needed in front parking lot evacuation site

*Office Staff (Debby, Sue, Alice)—secure office and bring emergency binder to front parking lot evacuation site assist in locating missing students/staff

*Alice Stanowicz and/or Lori Harper may assist in securing prescribed areas in the event of absence or if task force members are needed elsewhere.

Fire Drill--Staff Directions:

A. Warning: The warning signal at the school for Action “Leave Building” shall be regular fire alarm. SEE ATTACHED EVACUATION MAP

B. Action “Building Evacuation” consists of:

1. Orderly movement of students and staff from inside school building to a designated outside area of safety. Turn out the lights and lock the door after the students leave the building.
2. Students must remain lined up in single rows in their designated areas for roll and further directions.
3. Students working in a special group (i.e.: Title I, Special Education, Library, Computer Lab, Cafeteria) must evacuate the building with the teacher in charge at the time. Students must be escorted, by an adult, to their regular classroom teacher’s assigned area.

4. Teachers must bring the classroom emergency box and an up-to-date grade book with them and take roll. Be prepared to tell the Emergency Response Team who is missing. Teachers will display a green card if all students are accounted for or a red card if someone is missing. Green/red cards are located in the classroom emergency box.
5. Office staff must remove student and staff Emergency Data from the office to an outside area of safety. Be prepared to implement Actions "Stay Out" and "Go Home," if necessary.
6. Personnel without students at the time of the incident must report immediately to the Command Center.
7. Safety of building is assessed.
8. If building is safe to re-enter, a verbal command will be given. Do not return by mechanical signal. (i.e.: bell, horn, P.A. system, etc.)
9. If building is not safe to re-enter, the decision to implement Action "Stay Out" may be made by the Principal.

C. Action "Leave Building" is considered appropriate for, but not limited to, the following:

1. Fire
2. Bomb threat
3. Post earthquake
4. Other similar occurrence which may make school building uninhabitable

Off Site Evacuation: SEE ATTACHED EVACUATION MAP

Warning:

- A. The warning signal at the school for Action "Leave Building" shall be regular fire alarm. Followed by instructions either on the intercom or by megaphone to evacuate to the off site location.
- B. Action "Off Site Evacuation" consists of:

1. Orderly movement of students and staff from inside school building to a designated outside area of safety. Turn out the lights and lock the door after the students leave the building.
2. Students must remain lined up in single rows in their designated areas for roll and further directions.
3. Students working in a special group (i.e.: Title I, Special Education, Library, Computer Lab, Cafeteria) must evacuate the building with the teacher in charge at the time. Students must be escorted, by an adult, to their regular classroom teacher's assigned area.
4. Teachers must bring the classroom emergency box and an up-to-date grade book with them and take roll. Be prepared to tell the Emergency Response Team who is missing. Teachers will display a green card if all students are accounted for or a red card if someone is missing. Green/red cards are located in the classroom emergency box.
5. Announcement of off site evacuation will sound and staff will continue from assigned evacuation spot to the far left corner of campus and continue through the gate and follow the marked path to Worton's Grocery store.
6. Students will stay with their classroom teacher until Busses or parents come to pick them up.
7. Office staff must remove student and staff Emergency Data from the office to an outside area of safety. Be prepared to implement Actions "Stay Out" and "Go Home," if necessary.
8. Personnel without students at the time of the incident must report immediately to the Command Center.

If building evacuation requires students and staff to remain outside of the building the following steps will be taken:

- A. Warning: The warning signal for Action "Stay Out" is the verbal command by Principal or Emergency Response Team Member – either through the P.A. system or in person.
- B. Action "Stay Out" consists of:

1. Principal convenes Emergency Response Team.
2. Teachers move classes to designated secure areas and take roll. Prepare to report who is missing to the Emergency Response Team. Remain out of the routes that emergency vehicles will travel.
3. Teachers are required to stay with their class in a designated area as specified in the secure area map. Keep students calm and reassured.
4. Emergency Response Team sets up the Command Center.
5. Statement is prepared. Staff is notified of status of incident and told what to tell students.
6. Statement to media is prepared and given.
7. The Student Check-Out/Message Center Team is set up and staffed to prepare for releasing students to parents and possible Action "Go Home."

8. Teachers remain with students in the secure area and wait for further directions. Students must not be released until deemed safe to do so. Any student check-out must be done through the Student Check-Out/Message Center.

C. Action "Stay Out" is considered appropriate for, but not limited to the following:
Any occurrence which makes the school building uninhabitable.

Action "Go Home"

A. Warning: The warning signal for Action "Go Home" is the verbal command by Principal or Emergency Response Team Member – either through the P.A. system or in person.

B. Action "Go Home" consists of:

1. Emergency Response Team sees that Student Check-Out/Message Center is set up and staffed.
2. Appropriate parent and media notification will be made.
3. Teachers keep students in designated secure areas until notification that student is being released to an authorized adult.
~A member of the Student Check-Out Team, adult with proper identification, will be sent to release students.
~A person picking up any student must show picture I.D. and sign the student out on the back of the emergency card
~Any adult picking up a student must be listed on the emergency card.
4. When notified, the teacher in the student secure area checks off the student, noting on roll sheet the time of release.
5. Emergency Response Team will consolidate classes as they become smaller.
6. Staff members will be released by the Principal as soon as they are no longer needed as Disaster Service Workers. (Cal. Govt. Code, Sec. 3100)

C. Action "Go Home" may be appropriate for, but not limited to, the following:

1. Severe weather
2. Fire
3. Prolonged power outage
4. Any occurrence which makes the school building uninhabitable

LOCK DOWN PROCEDURES: Safety Task Force Members: Shannon Jacinto, Karen Everett, Rebecca Kattenhorn, Debby LaPorte, Alice Stanowicz, Karl Johnson, James Ramey, Mike Kirk

Lock down--Task Force Responsibilities:

1. Sound alarm—Make call on intercom
2. Teacher's/staff lock down—task force members obtain walkie-talkies.
Teacher's follow directions in lock down drill instructions.

During lock down process task force personnel will complete the following:

Shannon---Interface with emergency personnel, robo-call if appropriate

*Karen—begin safety check/check classrooms and check door locks for rooms 1-14 & 19-20. Check 4-6 bathrooms as well. Help staff and/or students into closest secure room.

*Rebecca—begin safety check/check classrooms and lock doors check library, science lab, computer lab and rooms 15-18. Help staff and/or students into closest secure room

Maintenance staff—Secure gym, music room, cafeteria and gym.

- -Close and lock front gates—DO NOT ALLOW PARENTS INSIDE GATE ONCE CLOSED until it is determined it is safe to do so. Follow instructions from Shannon.

- -Clear parking lot—check for parents/students send inside

—interface with emergency personnel as needed in front parking lot

- -assist with dismissal procedure if necessary (check parent ID's communicate with office to be sure person is cleared to pick up student and radio for Karen/Rebecca to bring students to parent car once cleared by front office

*Office Staff (Debby, Becky, Alice)—secure office

- -Debby: Call classrooms K-3 & SDC (start with K)—locate staff/students

Becky: Call classrooms 4-8 (begin with 8th)—locate staff/students

Alice: Help with checking emergency cards to release students to parent

Sue Kirk: Assist with first aide if needed otherwise assist with dismissal

* Lori Harper may assist in securing prescribed areas in the event of absence or if task force members are needed elsewhere.

LOCK DOWN PROCEDURES STAFF: Action "Lock down"

A. Warning: The warning signal at the school for Action "Lock down" is the verbal command by the Principal or Emergency Response Team Member – either through the P.A. system or in person.

B. Action "Secure Building" consists of:

1. Keep students in rooms down low and quiet. Lock doors, turn out the lights and close windows and shades.
2. Teachers direct any students in halls to move into the nearest room and stay.
3. Teachers with classes on the playground, return to the nearest room.
4. Teachers at lunch, collect your students and proceed to the nearest safe location.
5. Take roll and note missing students. Prepare list and wait for notification from office.
6. Wait for information. Do not call office unless you have information to give on specific situation.
7. Personnel without students find nearest room and stay there until notified.
8. Any school buses en-route to the affected school site will be diverted to a safe location until notified.
9. Principal consults with "ERT Coordinator" for action to be taken.
10. After the threat of imminent danger has passed, the Principal may initiate Action "Shelter in Place," " Evacuate Building," or "Go Home."
11. Within twenty-four hours of the incident, the principal will send a letter home to parents explaining the reason for the action.

C. Action "Secure Building" is considered appropriate for, but not limited to, the following:

1. Gunman on campus
2. Drive-by shooting
3. Gang confrontation
4. Hostage situation
5. Hazardous materials spill or accident

Action "Shelter in Place"

A. Warning: The warning signal for Action "Shelter in Place" is the verbal command by Principal or Emergency Response Team Member – either through the P.A. system or in person.

B. Action "Shelter in Place" consists of:

1. Principal convenes Emergency Response Team.
2. Teachers take roll. Prepare to report who is missing. Students must remain out of the halls as much as possible. Any student in the halls must be accompanied by an employee or have a written pass from the teacher (designated by principal) with the time they left the room noted on it. One student at a time released to use the restroom.
3. Teachers keep students calm and busy by using planned activities to lessen possible tension and hysteria.
4. Emergency Response Team sets up the Command Center.
5. Statement is prepared. Staff is notified of status of incident and told what to tell students.
6. Statement to media may be prepared and given, as needed.
7. The Student Check-Out/Message Center is set up and staffed to prepare for releasing students to parents and possible Action "Go Home."
8. Teachers remain with students in their classrooms and wait for further directions. Students must not be released until deemed safe to do so. Any student check-out must be done through the Student Check-Out/Message Center.

C. Action "Shelter in Place" is considered appropriate for, but not limited to, the following:

Any occurrence which makes students leaving the classrooms or school building more dangerous than staying.

Action "Duck and Cover"

A. Warning: The warning signal for Action "Duck and Cover" is a series of short bells, one after another.

B. Action "Duck and Cover" consists of:

1. Have students seek cover under desks, tables, or in doorways.
2. Teachers direct any students outside classrooms to stay put in an open area.
3. Take roll and note missing students.
4. Wait for all clear signal (long, long continuous bell).
5. Personnel without students should duck and cover in similar fashion, or stay put in open areas outdoors.
6. After threat of imminent danger has passed, the Principal may initiate Action "Leave Building," "Stay In" or "Go Home."

C. Action "Duck and Cover" is considered appropriate for, but not limited to, the following:

1. Earthquake
2. Explosions on or near campus.
3. Hazardous materials spill or accident

Public Agency Use of School Buildings for Emergency Shelters

(C) School Suspension, Expulsion and Mandatory Expulsion Guidelines

Foresthill Union ESD

Board Policy

Students BP 5144.1(a)

SUSPENSION AND EXPULSION/DUE PROCESS

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

(cf. 5131 - Conduct)

(cf. 5131.1 - Bus Conduct)

(cf. 5131.2 - Bullying)

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

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

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

(cf. 5112.5 - Open/Closed Campus)

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

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

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

Appropriate Use of Suspension Authority

Except when a student's act violates Education Code 48900(a)-(e), as listed in items #1-5 under "Grounds for Suspension and Expulsion: Grades K-12" of the accompanying administrative regulation, or when his/her presence causes a danger to others, suspension

BP 5144.1(b)

SUSPENSION AND EXPULSION/DUE PROCESS (continued)

shall be used only when other means of correction have failed to bring about proper conduct. (Education Code 48900.5, 48900.6)

(cf. 1020 - Youth Services)

(cf. 5138 - Conflict Resolution/Peer Mediation)

(cf. 5144 - Discipline)

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

(cf. 6164.2 - Guidance/Counseling Services)

(cf. 6164.5 - Student Success Teams)

No student in grades K-3 may be suspended for disruption or willful defiance, except by a teacher pursuant to Education Code 48910. (Education Code 48900)

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

(cf. 5113 - Absences and Excuses)

(cf. 5113.1 - Chronic Absence and Truancy)

On-Campus Suspension

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

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

Authority to Expel

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

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

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

(cf. 5131.7 - Weapons and Dangerous Instruments)

BP 5144.1(c)

SUSPENSION AND EXPULSION/DUE PROCESS (continued)

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

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

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

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

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

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

Due Process

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

(cf. 5119 - Students Expelled from Other Districts)

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

BP 5144.1(d)

SUSPENSION AND EXPULSION/DUE PROCESS (continued)

Maintenance and Monitoring of Outcome Data

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

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

(cf. 0460 - Local Control and Accountability Plan)

Legal Reference: BP 5144.1(e)

Legal Reference:

EDUCATION CODE

212.5 Sexual harassment

233 Hate violence

1981-1981.5 Enrollment of students in community school

17292.5 Program for expelled students

32261 Interagency School Safety Demonstration Act of 1985

35145 Open board meetings

35146 Closed sessions (regarding suspensions)

35291 Rules (for government and discipline of schools)

35291.5 Rules and procedures on school discipline

48645.5 Readmission; contact with juvenile justice system

48660-48666 Community day schools

48853.5 Foster youth

48900-48927 Suspension and expulsion

48950 Speech and other communication

48980 Parental notifications

49073-49079 Privacy of student records

52060-52077 Local control and accountability plan

CIVIL CODE

47 Privileged communication

48.8 Defamation liability

CODE OF CIVIL PROCEDURE

1985-1997 Subpoenas; means of production

GOVERNMENT CODE

11455.20 Contempt

54950-54963 Ralph M. Brown Act

HEALTH AND SAFETY CODE

11014.5 Drug paraphernalia

11053-11058 Standards and schedules

LABOR CODE

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

PENAL CODE

31 Principal of a crime, defined

240 Assault defined

241.2 Assault fines

242 Battery defined

243.2 Battery on school property

243.4 Sexual battery

245 Assault with deadly weapon

245.6 Hazing

261 Rape defined

266c Unlawful sexual intercourse

286 Sodomy defined

288 Lewd or lascivious acts with child under age 14
288a Oral copulation
289 Penetration of genital or anal openings
417.27 Laser pointers
422.55 Hate crime defined

Legal Reference continued: (see next page)
BP 5144.1(f)

SUSPENSION AND EXPULSION/DUE PROCESS (continued)

Legal Reference: (continued)

PENAL CODE (continued)

422.6 Interference with exercise of civil rights
422.7 Aggravating factors for punishment
422.75 Enhanced penalties for hate crimes
626.2 Entry upon campus after written notice of suspension or dismissal without permission
626.9 Gun-Free School Zone Act of 1995
626.10 Dirks, daggers, knives, razors, or stun guns
868.5 Supporting person; attendance during testimony of witness

WELFARE AND INSTITUTIONS CODE

729.6 Counseling

UNITED STATES CODE, TITLE 18

921 Definitions, firearm

UNITED STATES CODE, TITLE 20

1415(K) Placement in alternative educational setting

7151 Gun-free schools

UNITED STATES CODE, TITLE 42

11432-11435 Education of homeless children and youths

COURT DECISIONS

T.H. v. San Diego Unified School District (2004) 122 Cal. App. 4th 1267

Woodbury v. Dempsey (2003) 108 Cal. App. 4th 421

Board of Education of Sacramento City Unified School District v. Sacramento County Board of Education and Kenneth H. (2001) 85 Cal.App.4th 1321

Garcia v. Los Angeles Board of Education (1991) 123 Cal. App. 3d 807

Fremont Union High School District v. Santa Clara County Board (1991) 235 Cal. App. 3d 1182

John A. v. San Bernardino School District (1982) 33 Cal. 3d 301

ATTORNEY GENERAL OPINIONS

84 Ops.Cal.Atty.Gen. 146 (2001)

80 Ops.Cal.Atty.Gen. 348 (1997)

80 Ops.Cal.Atty.Gen. 91 (1997)

80 Ops.Cal.Atty.Gen. 85 (1997)

Management Resources:

CSBA PUBLICATIONS

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

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

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

WEB SITES

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

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

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

U.S. Department of Education, Office for Civil Rights: <http://www.ed.gov/about/offices/list/ocr/docs/crdc-2012-data-summary.pdf>

U.S. Department of Education, Office of Safe and Drug-Free Schools: <http://www.ed.gov/about/offices/list/osdfs>

Policy FORESTHILL UNION SCHOOL DISTRICT
adopted: June 9, 2015 Foresthill, California

Foresthill Union ESD
Administrative Regulation

Students AR 5144.1(a)

SUSPENSION AND EXPULSION/DUE PROCESS

Definitions

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

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

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

Notice of Regulations

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

(cf. 5144 - Discipline)
(cf. 5145.6 - Parental Notifications)

Grounds for Suspension and Expulsion: Grades K-12

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

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

1. Caused, attempted to cause, or threatened to cause physical injury to another person; willfully used force or violence upon another person, except in self-defense; or committed as an aider or abettor, as adjudged by a juvenile court, a crime of physical violence in which the victim suffered great or serious bodily injury (Education Code 48900(a) and (t)) AR 5144.1(b)
2. Possessed, sold, or otherwise furnished any firearm, knife, explosive, or other dangerous object, unless, in the case of possession of any object of this type, the student had obtained written permission to possess the item from a certificated school employee, with the principal or designee's concurrence (Education Code 48900(b)) (cf. 5131 - Conduct) (cf. 5131.7 - Weapons and Dangerous Instruments)

3. Unlawfully possessed, used, sold, otherwise furnished, or was under the influence of any controlled substance as defined in Health and Safety Code 11053-11058, alcoholic beverage, or intoxicant of any kind (Education Code 48900(c)) (cf. 5131.6 - Alcohol and Other Drugs)

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

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

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

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

8. Possessed or used tobacco or products containing tobacco or nicotine products, including, but not limited to, cigars, cigarettes, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets, and betel, except that this restriction shall not prohibit a student from using or possessing his/her own prescription products (Education Code 48900(h)) (cf. 5131.62 - Tobacco)

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

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

11. Knowingly received stolen school property or private property (Education Code 48900(l)) AR 5144.1(c)

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

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

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

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

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

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

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

Bullying shall include any act of sexual harassment, hate violence, or harassment, threat, or intimidation, as defined in Education Code 48900.2, 48900.3, or 48900.4 and below in items #1-3 of "Additional Grounds for Suspension and Expulsion: Grades 4-12," that has any of the effects described above on a reasonable student. AR 5144.1(d)

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

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

(cf. 1114 - District-Sponsored Social Media)

(cf. 5131.2 - Bullying)

(cf. 6163.4 - Student Use of Technology)

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

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

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

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

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

Additional Grounds for Suspension and Expulsion: Grades 4-12

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

(cf. 5131.4 - Student Disturbances)

A student in grades 4-12 shall be subject to suspension or recommendation for expulsion when it is determined that he/she: AR 5144.1(e)

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

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

(cf. 5145.7 - Sexual Harassment)

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

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

(cf. 5145.9 - Hate-Motivated Behavior)

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

(cf. 5145.3 - Nondiscrimination/Harassment)

Suspension from Class by a Teacher

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

When suspending a student from class, the teacher shall immediately report this action to the principal or designee and send the student to the principal or designee for appropriate action. If that action requires the continuing presence of the student at school, he/she shall be AR 5144.1(f) appropriately supervised during the class periods from which he/she has been suspended. (Education Code 48910)

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

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

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

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

Suspension by Superintendent, Principal or Principal's Designee

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

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

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

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

AR 5144.1(g)

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

(cf. 5125 - Student Records)

Length of Suspension

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

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

(cf. 6184 - Continuation Education)

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

Due Process Procedures for Suspension

Suspensions shall be imposed in accordance with the following procedures:

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

This conference may be omitted if the Superintendent, principal, or designee determines that an emergency situation exists involving a clear and present danger to the lives, safety, or health of students or school personnel. If a student is suspended without this conference, both the parent/guardian and student shall be notified of the AR 5144.1(h) student's right to return to school for the purpose of the conference and the conference shall be held within two school days, unless the student waives his/her right to it or is physically unable to attend for any reason. In such a case, the conference shall be held as soon as the student is physically able to return to school. (Education Code 48911)

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

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

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

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

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

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

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

a. The extension of the original period of suspension is preceded by notice of such extension with an offer to hold a conference concerning the extension, giving the student an opportunity to be heard. This conference may be held in conjunction with a meeting requested by the student or parent/guardian to challenge the original suspension. AR 5144.1(i)

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

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

(cf. 6173.1 - Education for Foster Youth)

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

(cf. 6173 - Education for Homeless Children)

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

On-Campus Suspension

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

1. The on-campus suspension classroom shall be staffed in accordance with law.

2. The student shall have access to appropriate counseling services.

3. The on-campus suspension classroom shall promote completion of schoolwork and tests missed by the student during the suspension.

4. The student shall be responsible for contacting his/her teacher(s) to receive assignments to be completed in the supervised suspension classroom. The teacher(s) shall provide all assignments and tests that the student will miss while suspended. If no such work is assigned, the person supervising the suspension classroom shall assign schoolwork. AR 5144.1(j)

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

Superintendent or Principal's Authority to Recommend Expulsion

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

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

2. Possession of any knife or other dangerous object of no reasonable use to the student

3. Unlawful possession of any controlled substance as listed in Health and Safety Code 11053-11058, except for (a) the first offense for the possession of not more than one ounce of marijuana, other than concentrated cannabis, or (b) the student's possession of over-the-counter medication for his/her use or other medication prescribed for him/her by a physician

4. Robbery or extortion

5. Assault or battery, as defined in Penal Code 240 and 242, upon any school employee

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

Student's Right to Expulsion Hearing

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

The student is entitled to at least one postponement of an expulsion hearing for a period of not more than 30 calendar days. The request for postponement shall be in writing. Any subsequent postponement may be granted at the Board's discretion. (Education Code 48918(a)) AR 5144.1(k)

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

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

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

Stipulated Expulsion

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

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

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

Rights of Complaining Witness

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

Whenever the Superintendent or designee recommends an expulsion hearing that addresses allegations of sexual assault or sexual battery, he/she shall give the complaining witness a copy of the district's suspension and expulsion policy and regulation and shall advise the witness of his/her right to: (Education Code 48918.5) AR 5144.1(l)

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

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

Written Notice of the Expulsion Hearing

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

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

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

(cf. 5119 - Students Expelled from Other Districts)

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

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

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

6. The right to inspect and obtain copies of all documents to be used at the hearing
AR 5144.1(m)
7. The opportunity to confront and question all witnesses who testify at the hearing
8. The opportunity to question all evidence presented and to present oral and documentary evidence on the student's behalf, including witnesses

Additional Notice of Expulsion Hearing for Foster Youth and Homeless Students

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

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

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

Conduct of Expulsion Hearing

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

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

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

2. Record of Hearing: A record of the hearing shall be made and may be maintained by any means, including electronic recording, as long as a reasonably accurate and (AR 5144.1(n)) complete written transcription of the proceedings can be made. (Education Code 48918(g))

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

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

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

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

Findings of fact shall be based solely on the evidence at the hearing. Although no finding shall be based solely on hearsay, sworn declarations may be admitted as testimony from witnesses whose disclosure of their identity or testimony at the hearing may subject them to an unreasonable risk of physical or psychological harm. (Education Code 48918(f)) AR 5144.1(o) In cases where a search of a student's person or property has occurred, evidence describing the reasonableness of the search shall be included in the hearing record.

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

- a. Any complaining witness shall be given five days' notice before being called to testify.
- b. Any complaining witness shall be entitled to have up to two adult support persons, including, but not limited to, a parent/guardian or legal counsel, present during his/her testimony.
- c. Before a complaining witness testifies, support persons shall be admonished that the hearing is confidential.
- d. The person presiding over the hearing may remove a support person whom he/she finds is disrupting the hearing.
- e. If one or both support persons are also witnesses, the hearing shall be conducted in accordance with Penal Code 868.5.
- f. Evidence of specific instances of prior sexual conduct of a complaining witness shall be presumed inadmissible and shall not be heard unless the person conducting the hearing determines that extraordinary circumstances require the evidence to be heard. Before such a determination is made, the complaining witness shall be given notice and an opportunity to oppose the introduction of this evidence. In the hearing on the admissibility of this evidence, the complaining witness shall be entitled to be represented by a parent/guardian, legal counsel, or other support person. Reputation or opinion evidence regarding the sexual behavior of a complaining witness shall not be admissible for any purpose.
- g. In order to facilitate a free and accurate statement of the experiences of the complaining witness and to prevent discouragement of complaints, the district shall provide a nonthreatening environment.

(1) The district shall provide a room separate from the hearing room for the use of the complaining witness before and during breaks in testimony. AR 5144.1(p)

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

(3) The person conducting the hearing may:

- (a) Arrange the seating within the hearing room so as to facilitate a less intimidating environment for the complaining witness
- (b) Limit the time for taking the testimony of a complaining witness to the hours he/she is normally in school, if there is no good cause to take the testimony during other hours
- (c) Permit one of the support persons to accompany the complaining witness to the witness stand

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

Alternative Expulsion Hearing: Hearing Officer or Administrative Panel

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

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

The hearing officer or administrative panel shall, within three school days after the hearing, determine whether to recommend expulsion of the student to the Board. If expulsion is not recommended, the expulsion proceeding shall be terminated and the student shall be immediately reinstated and permitted to return to the classroom instructional program from which the referral was made, unless another placement is requested in writing by the student's parent/guardian. Before the student's placement decision is made by his/her parent/guardian, the Superintendent or designee shall consult with the parent/guardian and (AR 5144.1(q)) district staff, including the student's teachers, regarding other placement options for the student in addition to the option to return to the classroom instructional program from which the student's expulsion referral was made. The decision to not recommend expulsion shall be final. (Education Code 48918(e))

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

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

Final Action by the Board

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

(cf. 9321.1 - Closed Session Actions and Reports)

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

Upon ordering an expulsion, the Board shall set a date when the student shall be reviewed for readmission to a school within the district. For a student expelled for any act listed under "Mandatory Recommendation and Mandatory Expulsion" above, this date shall be one year from the date the expulsion occurred, except that the Board may set an earlier date on a case-by-case basis. For a student expelled for other acts, this date shall be no later than the last day of the semester following the semester in which the expulsion occurred. If an expulsion is ordered during summer session or the intersession period of a year-round program, the Board shall set a date when the student shall be reviewed for readmission not later than the last day of the semester following the summer session or intersession period in which the expulsion occurred. (Education Code 48916) AR 5144.1(r) At the time of the expulsion order, the Board shall recommend a plan for the student's rehabilitation, which may include: (Education Code 48916)

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

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

Written Notice to Expel

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

1. The specific offense committed by the student for any of the causes for suspension or expulsion listed above under "Grounds for Suspension and Expulsion: Grades K-12" or "Additional Grounds for Suspension and Expulsion: Grades 4-12" (Education Code 48900.8)

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

Decision to Suspend Expulsion Order

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

1. The student's pattern of behavior AR 5144.1(s)
2. The seriousness of the misconduct
3. The student's attitude toward the misconduct and his/her willingness to follow a rehabilitation program

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

1. The Board may, as a condition of the suspension of enforcement, assign the student to a school, class, or program appropriate for the student's rehabilitation. This rehabilitation program may provide for the involvement of the student's parent/guardian in the student's education. However, a parent/guardian's refusal to participate in the rehabilitation program shall not be considered in the Board's determination as to whether the student has satisfactorily completed the rehabilitation program. (Education Code 48917)
2. During the period when enforcement of the expulsion order is suspended, the student shall be on probationary status. (Education Code 48917)
3. The suspension of the enforcement of an expulsion order may be revoked by the Board if the student commits any of the acts listed under "Grounds for Suspension and Expulsion: Grades K-12" or "Additional Grounds for Suspension and Expulsion: Grades 4-12" above or violates any of the district's rules and regulations governing student conduct. (Education Code 48917)
4. When the suspension of enforcement of an expulsion order is revoked, a student may be expelled under the terms of the original expulsion order. (Education Code 48917)
5. Upon satisfactory completion of the rehabilitation assignment, the Board shall reinstate the student in a district school. Upon reinstatement, the Board may order the expunging of any or all records of the expulsion proceedings. (Education Code 48917)
6. The Superintendent or designee shall send written notice of any decision to suspend the enforcement of an expulsion order during a period of probation to the student or parent/guardian. The notice shall inform the parent/guardian of the right to appeal the expulsion to the County Board, the alternative educational placement to be provided to the student during the period of expulsion, and the student's or parent/guardian's obligation to inform any new district in which the student seeks to enroll of his/her status with the expelling district, pursuant to Education Code 48915.1(b). (Education Code 48918(j)) AR 5144.1(t)
7. Suspension of the enforcement of an expulsion order shall not affect the time period and requirements for the filing of an appeal of the expulsion order with the County Board. (Education Code 48917)

Appeal

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

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

Notification to Law Enforcement Authorities

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

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

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

Placement During Expulsion

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

1. Appropriately prepared to accommodate students who exhibit discipline problems

AR 5144.1(u)

2. Not provided at a comprehensive middle, junior, or senior high school or at any elementary school, unless the program is offered at a community day school established at any of these

3. Not housed at the school site attended by the student at the time of suspension

(cf. 6158 - Independent Study)

(cf. 6185 - Community Day School)

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

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

Readmission After Expulsion

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

1. The Superintendent or designee shall hold a conference with the parent/guardian and the student. At the conference, the student's rehabilitation plan shall be reviewed and the Superintendent or designee shall verify that the provisions of this plan have been met. School regulations shall be reviewed and the student and parent/guardian shall be asked to indicate in writing their willingness to comply with these regulations.

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

3. If the readmission is granted, the Superintendent or designee shall notify the student and parent/guardian, by registered mail, of the Board's decision regarding readmission.
4. The Board may deny readmission only if it finds that the student has not satisfied the conditions of the rehabilitation plan or that the student continues to pose a danger to campus safety or to other district students or employees. (Education Code 48916) AR 5144.1(v)
5. If the Board denies the readmission of a student, the Board shall determine either to continue the student's placement in the alternative educational program initially selected or to place the student in another program that serves expelled students, including placement in a county community school.
6. The Board shall provide written notice to the expelled student and parent/guardian describing the reasons for denying readmittance into the regular program. This notice shall indicate the Board's determination of the educational program which the Board has chosen. The student shall enroll in that program unless the parent/guardian chooses to enroll the student in another school district. (Education Code 48916)

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

Maintenance of Records

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

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

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

(cf. 5119 - Students Expelled from Other Districts)

Regulation FORESTHILL UNION SCHOOL DISTRICT
approved: June 9, 2015 Foresthill, California

Suspendable and/or Expellable Offenses

EDCODE 48900

Due Process

Students facing major disciplinary action such as suspension, expulsion, or transfer to another school have a right to a fair hearing. The process requires that procedures be established to guarantee that penalties that deny access to educational opportunity are administered for good and just cause. Due process procedures entitle students to: 1) oral or written notification of the charges; 2) explanation of the evidence; 3) opportunity to present his/her side of the story; and 4) a right to appeal decisions resulting in major disciplinary action to the next higher authority. The procedures are designed to ensure that corrective action, if any, is taken only after a thorough examination of the facts. The nature of the corrective action must be reasonably related to the nature and circumstances of the violations. It is hoped that students will never place themselves in a situation requiring the protection of due process. If however, a student does become involved in a situation in which a suspension, expulsion, or transfer might result, both the student and his/her parents will be given a more detailed description of the due process procedures.

A student may be suspended or expelled for acts that are listed below. Students are responsible for their actions 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. FDS has a closed campus.
4. During, or while going to or coming from, a school sponsored activity.

Reasons for suspension and/or expulsion:

1. Caused, attempted to cause, or threatened to cause physical injury to another person. (SUSPENSION 1-5 days and EXPULSION for repeat offenders of severe circumstances)
2. Possess, 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 pupil had obtained written permission to possess the item from a certificated school employee, which is concurred in writing by the principal or the designee of the principal. Threatening or brandishing a knife. (SUSPENSION AND RECOMMENDATION FOR EXPULSION)
3. Unlawfully possessed, used, sold, or otherwise furnished, or been under the influence of, any controlled substance listed in Chapter 2 of Division 10 of the Health and Safety Code, an alcoholic beverage, or an intoxicant of any kind. (SUSPENSION AND RECOMMENDATION FOR EXPULSION)
4. Unlawfully offered, arranged, or negotiated to sell any controlled substance listed in Chapter 2 of Division 10 of the Health and Safety Code, an alcoholic beverage, or an intoxicant of any kind, and then either sold, delivered, or otherwise furnished to any person another liquid, substance, or material and represented the liquid, substance, or material as a controlled substance, alcoholic beverage, or intoxicant. (SUSPENSION AND RECOMMENDATION FOR EXPULSION)
5. Committed or attempted to commit robbery or extortion. (SUSPENSION AND RECOMMENDATION FOR EXPULSION)
6. Caused or attempted to cause damage to school property or private property. (SUSPENSION AND RECOMMENDATION FOR EXPULSION)
7. Stolen or attempted to steal school property or private property. (SUSPENSION AND PROBABLE EXPULSION FOR REPEAT OFFENDERS OR SEVERE CIRCUMSTANCES)
8. Possessed or used tobacco, or any products containing tobacco or nicotine products, including, but not limited to, cigarettes, cigars, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets, and betel. Prescription medication excluded. (SUSPENSION AND RECOMMENDATION FOR EXPULSION)
9. Committed an obscene act or engaged in habitual profanity or vulgarity. (SUSPENSION AND RECOMMENDATION FOR EXPULSION)
10. Unlawfully possessed, or unlawfully offered, arranged, or negotiated to sell any drug, drug paraphernalia, as defined in Section 11014.5 of the Health and Safety Code. (SUSPENSION AND RECOMMENDATION FOR EXPULSION)
11. 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. (SUSPENSION AND PROBABLE EXPULSION FOR REPEAT OFFENDERS OR SEVERE CIRCUMSTANCES)
12. Knowingly received stolen school property or private property.
13. 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.
14. 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.
15. Harassed, threatened, or intimidated a pupil who is a complaining witness or witness in a school disciplinary proceeding for the purpose of either preventing that pupil from being a witness, or both.

Alcohol and Other Drugs; Drug Related Paraphernalia; Weapons; Tobacco; Physical or Verbal Harassment; Sexual Harassment;

Students may be suspended and recommended for expulsion for the following infractions to the Foresthill Union School District Board Policy:

- . Possession of alcohol or other drugs
- . Use of alcohol or other drugs
- . Selling alcohol or other drugs
- . Providing alcohol or drugs to another person
- . Possession and/or use of any drug paraphernalia
- . Possession of weapons, imitation firearms (replica), or dangerous instruments of any kind in a school building, school grounds, buses, to and from school, or at a school-related or school sponsored activity or event that takes place away from school
- . Possession, use, or furnishing of tobacco products

. Physical, verbal, or sexual harassment

FDS IS A TOBACCO FREE ENVIRONMENT

Smoking or other tobacco use is prohibited (Information on cessation of smoking is available in the school office)

(D) Procedures to Notify Teachers of Dangerous Pupils (EC 49079)

Board Policy
Employee Security

BP 4158
Personnel

The Governing Board desires to provide a safe, orderly working environment for all employees. As part of the district's comprehensive school safety plan, the Superintendent/Principal or designee shall develop strategies for protecting employees from potentially dangerous persons and situations and for assisting them in the event of an emergency situation.

(cf. 0450 - Comprehensive Safety Plan)
(cf. 3515 - Campus Security)
(cf. 5131.4 - Student Disturbances)

The Superintendent/Principal or designee shall ensure that employees are informed, in accordance with law, regarding crimes and offenses by students who may pose a danger in the classroom.

When violence is directed against an employee by any individual and the employee so notifies the Superintendent/Principal or designee, the Superintendent/Principal or designee shall take steps to ensure that appropriate legal measures are instituted. When the employee notifies the Superintendent/Principal or designee of a threat of bodily harm, the district shall take appropriate measures to enable the employee to request assistance if a threat occurs on school grounds.

The Superintendent/Principal or designee shall ensure that employees are trained in crisis prevention and intervention techniques in order to protect themselves and students. Staff development may include training in classroom management, effective communication techniques and crisis resolution.

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

The Board recognizes that access to two-way communications devices allows employees to call for assistance from their supervisor or law enforcement in the event of a threat of violence or medical emergency. The district shall provide such communications devices in classrooms to the extent possible.

(cf. 5141 - Health Care and Emergencies)

Employees may not carry or possess pepper spray on school property or at school activities. On a case-by-case basis, however, the Superintendent/Principal or designee may allow the possession of a pepper spray weapon that meets the requirements of Penal Code 12403.7 when justified by unusual dangerous circumstances. Any employee who is negligent or careless in the possession or handling of pepper spray shall be subject to appropriate disciplinary measures.

(cf. 4118 - Suspension/Disciplinary Action)

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

Reporting of Injurious Objects

The Board requires school employees to take immediate action upon being made aware that any person is in possession of an 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 dangerousness of the situation and, based upon this analysis, 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 notify the local law enforcement agency and the principal

(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.

Legal Reference:

EDUCATION CODE

32210-32212 Willful disturbance, public schools or meetings

32225-32226 Communication devices

35204 Contract with attorney in private practice or use of administrative advisor

35205 Contract for legal services

35208 Liability insurance

35213 Reimbursement for loss, destruction or damage of school property

44014 Report of assault by pupil against school employee

44807 Duty concerning conduct of students

48201 Transfer of student records

48900-48926 Suspension or expulsion Grounds for suspension or expulsion

49079 Notification to teacher; student who has engaged in acts constituting grounds for suspension or expulsion

49330-49335 Injurious objects

CIVIL CODE

51.7 Freedom from violence or intimidation

CODE OF CIVIL PROCEDURE

527.8 Workplace violence safety act

GOVERNMENT CODE

995-996.4 Defense of public employees

3543.2 Scope of representation

PENAL CODE

71 Threatening public officers and employees and school officials

240 Definition of assault

241.2 Assault on school or park property against any person

241.3 Assault against school bus drivers

241.6 Assault on school employee includes board member

242 Definition of battery

243 Battery; definition of "injury" and "serious bodily injury"

243.2 Battery on school or park property against any person

243.3 Battery against school bus drivers

243.6 Battery against school employee includes board member

245.5 Assault with deadly weapon; school employee includes board member

290 Registration of sex offenders

601 Trespass by person making credible threat

626.9 Gun-Free School Zone Act of 1995

626.10 Exceptions to bringing weapons on school grounds

646.9 Stalking

12403.7 Weapons approved for self defense

WELFARE AND INSTITUTIONS CODE

827 Juvenile court proceedings; reports; confidentiality

828.1 District police or security department, disclosure of juvenile records

Management Resources:

CDE CORRESPONDENCE

0401.01 Protecting Student Identification in Reporting Injurious Objects

WEB SITES

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

California Department of Education, Safe Schools and Violence Prevention Office: <http://www.cde.ca.gov/lr/ss/>

Policy FORESTHILL UNION SCHOOL DISTRICT

adopted: June 8, 2009 Foresthill, California

Administrative Regulation

Employee Security

AR 4158

Personnel

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

(cf. 5131.7 - Weapons and Dangerous Instruments)

(cf. 5144 - Discipline)

Employees shall promptly report to the Superintendent/Principal or designee immediate supervisor any attack, assault or physical threat made against them by a student.

Both the employee and the principal or other immediate supervisor shall promptly report such instances to the appropriate local law enforcement agency. (Education Code 44014)

In addition, employees shall promptly report to the Superintendent/Principal or designee, and may report to law enforcement, any attack, assault or threat made against them on school grounds by any other individual.

(cf. 3515.2 - Disruptions)

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

An employee whose person or property is injured or damaged by willful misconduct of a student may ask the district to pursue legal action against the student or the student's parent/guardian. (Education Code 48905)

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

Notice Regarding Student Offenses Committed While Under School Jurisdiction

The Superintendent/Principal or designee shall inform the teacher of each student who has engaged in, or is reasonably suspected of, any act during the previous three school years which could constitute grounds for suspension or expulsion under Education Code 48900, with the exception of the possession or use of tobacco products, or Education Code 48900.2, 48900.3, 48900.4, or 48900.7. 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/Principal or designee shall inform any of the student's teacher(s) that the student was suspended 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/Principal or designee. (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/Principal or designee shall so inform the school principal. (Welfare and Institution Code 827)

The Superintendent/Principal or designee shall disseminate this information to the counselor(s) who directly supervises or reports on the student's behavior or progress. The the Superintendent/Principal or designee also may inform any teacher or administrator 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/Principal or designee shall hold the court's information in a separate confidential file until the student is returned to public school. If the student is returned to a different district, the Superintendent/Principal or designee 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; it 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 requesting him/her to review a student's file in the school office as soon as practicable. This notification 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.

The staff member shall also initial the student's file when reviewing it in the school office. Once the district has made a good faith effort to comply with the notification requirement of Education Code 49079 and Welfare and Institutions Code 827, an employee's failure to review the file constitutes district compliance with the requirement to provide notice to the teacher.

Use of Pepper Spray

Employees who possess pepper spray on school property shall be notified 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 - Suspension/Disciplinary Action)

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

3. The employee shall ensure that the pepper spray is stored in a secure place and not accessible to students or other individuals. An employee who is negligent in the storage of pepper spray may be subject to disciplinary action.

Employees wishing to carry pepper spray on school property or to a school-related activity shall submit to the Superintendent/Principal or designee a written request setting forth the need for the pepper spray. Should the Superintendent/Principal or designee determine that the employee may not carry pepper spray, the employee shall receive a written statement of the reason for this determination.

Regulation FORESTHILL UNION SCHOOL DISTRICT

approved: June 8, 2009 Foresthill, California

(E) Sexual Harassment Policies (EC 212.6 [b])

Board Policy

Sexual Harassment

BP 4319.11

Personnel

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

(cf. 0410 - Nondiscrimination in District Programs and Activities)
(cf. 4030 - Nondiscrimination in Employment)

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

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

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

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

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

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

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

Complaints of sexual harassment shall be filed in accordance with AR 4031 - Complaints Concerning Discrimination in Employment. An employee may bypass his/her supervisor in filing a complaint where the supervisor is the subject of the complaint.

(cf. 4031 - Complaints Concerning Discrimination in Employment)

Any district employee who engages or participates in sexual harassment or who aids, abets, incites, compels, or coerces another to commit sexual harassment against a district employee, job applicant, or student is in violation of this policy and is subject to disciplinary action, up to and including dismissal.

(cf. 4117.4 - Dismissal)
(cf. 4118 - Suspension/Disciplinary Action)
(cf. 4218 - Dismissal/Suspension/Disciplinary Action)

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination on the basis of sex

GOVERNMENT CODE

12900-12996 Fair Employment and Housing Act, especially:

12940 Prohibited discrimination

12950.1 Sexual harassment training

LABOR CODE

1101 Political activities of employees

1102.1 Discrimination: sexual orientation

CODE OF REGULATIONS, TITLE 2

7287.8 Retaliation

7288.0 Sexual harassment training and education

CODE OF REGULATIONS, TITLE 5

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

UNITED STATES CODE, TITLE 42

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

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

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

CODE OF FEDERAL REGULATIONS, TITLE 34

106.9 Dissemination of policy

COURT DECISIONS

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

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

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

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

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

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

Management Resources:

OFFICE OF CIVIL RIGHTS AND NATIONAL ASSOCIATION OF ATTORNEYS GENERAL

Protecting Students from Harassment and Hate Crime, January, 1999

WEB SITES

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

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

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

Policy FORESTHILL UNION SCHOOL DISTRICT

adopted: June 8, 2009 Foresthill, California

Administrative Regulation

Sexual Harassment

AR 4319.11

Personnel

Definitions

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

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 such conduct by the individual is used as the basis for an employment decision affecting him/her.
3. The conduct has the purpose or effect of having a negative impact upon the individual's work or has the purpose or effect of creating an intimidating, hostile, or offensive work environment. The conduct is sufficiently severe, persistent, pervasive, or objectively offensive so as to create a hostile or abusive working environment or to limit the individual's ability to participate in or benefit from an education program or activity.

4. Submission to or rejection of the conduct by the other individual is used as the basis for any decision affecting him/her regarding benefits, services, honors, programs, or activities available at or through the district.

Other examples of actions that might constitute sexual harassment, whether committed by a supervisor, a co-worker, or a non-employee, in the work or educational setting, 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

Prohibited sexual harassment may also include any act of retaliation against an individual who reports a violation of the district's sexual harassment policy or who participates in the investigation of a sexual harassment complaint.

Training

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

The district's training and education program for supervisory employees shall include information and practical guidance regarding the federal and state laws on the prohibition against and the prevention and correction of sexual harassment, and the remedies available to the victims of sexual harassment in employment. The training shall also include all of the content specified in 2 CCR 7288.0 and practical examples aimed at instructing supervisors in the prevention of harassment, discrimination, and retaliation. (Government Code 12950.1; 2 CCR 7288.0)

In addition, the Superintendent/Principal or designee shall ensure that all employees receive periodic training regarding the district's sexual harassment policy, particularly the procedures for filing complaints and employees' duty to use the district's complaint procedures.

Notifications

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

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

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

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

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

1. The illegality of sexual harassment

2. The definition of sexual harassment under applicable state and federal law
3. A description of sexual harassment, with examples
4. The district's complaint process available to the employee
(cf. 4031 - Complaints Concerning Discrimination in Employment)
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 7287.8 for opposing harassment prohibited by law or for filing a complaint with or otherwise participating in an investigation, proceeding, or hearing conducted by DFEH and the EEOC

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

Regulation FORESTHILL UNION SCHOOL DISTRICT
approved: June 8, 2009 Foresthill, California

(F) School-wide Dress Code Relating to Gang-Related Apparel (EC 35183)

Appropriate Dress:

The Board of Trustees has established the following guidelines. School is considered a place of business and students are expected to dress accordingly. Proper dress is essentially an individual matter and discretion is expected.

The following specific guidelines will be enforced:

1. Shorts and skirts may be worn that are appropriate for school-wear and should be 11 inches from waistband to hem.
2. Bare midriff's (Stomach area), halter tops, open-sided tank-tops, backless garments, tube tops, "spaghetti" or mini straps (straps less than 3 inches in width). Shirts with sleeves are recommended. Clothing that allows undergarments to be seen is provocative or revealing, or promotes "sagging" where underwear can be seen are not permitted at school. Costumes are not permitted at school unless authorized. Pajamas are not appropriate for any school event aside from a designated "Spirit Week" Pajama Day. Students that dress in the above mentioned "style" will be immediately sent home to change into clothing that meet School Site Council's (parent/teacher/administration) dress code recommendations.
3. Footwear must be worn at all times. Students must have appropriate shoes for P.E. at school (Grades 5-8). Sandals may be worn at school but shall not be worn for P.E. related activities. No flip-flop style shoes are permitted on campus.
4. Dress and grooming will not be such as to disrupt the learning process.
5. Ball caps or visors may be worn on sunny days to protect students from the potentially harmful effects of sun exposure. Ball caps are to be worn bill forward and must be worn above the ears. Bandanas or other head apparel are not to be worn to school, unless deemed religious in nature. Knit caps may be worn outdoors during inclement weather only.
6. Students may wear sunglasses to school but they must be worn outdoors only.
7. Students are to use the appropriate restroom for their grade.
8. Other-Students are expected to do their grooming at home. Curling irons, hair color, hair spray, nail polish, perfume, cologne, etc., should be used at home and may not be brought to school.

Because each student is a representative of FDS it must be understood that the administration has the right to approve or disapprove of student appearance at any school activity and take appropriate actions. Students may be sent home to change clothes (with parental permission) if the manner of dress creates a disruption to the normal educational process. It is further expected that clothing will be clean, safe, and not disruptive to learning. Therefore, no clothing will be allowed which depicts violence, gore, mutilation, alcohol, drugs, controlled substances, sexual content, prejudicial (swastikas, colors etc.), or gang involvement and/or emulation.

(G) Procedure for Safe Ingress and Egress of Pupils, Parents, and Staff to and from School (EC 35294.2)

Walking to and from School

Students, who live less than one mile from school, may be required to walk. Students are expected to go directly to and from school without stopping for any unwarranted reason. All students should follow the “rules of the road,” walking against traffic and as far off the roadway as possible. Students should never talk to strangers while on route to school and should never accept rides from anyone without parental consent. Students are required to use crosswalks where applicable and follow directions issued by crossing guards, if present. If crossing guards are not available, bus pick-up and drop-off will be available to any students needing to cross the Foresthill Road. Upon entering the campus, all pedestrians should avoid walking through the parking areas and bus routes. Students who are late to school must check-in through the school office.

Parent Drop-off and Pick-up

Parents providing transportation for students must use the “Parent Pick-up and Drop-off Areas.” The following rules safety rules apply:

Parents driving vehicles will enter the school grounds via Foresthill Road and enter the campus only through the parking lot. Students will be picked up and dropped off next to the green pillars. Our blacktop parking lot areas are clearly marked to assist with directions. Driving parents will leave the parking lot only through the area marked “exit.”

Parents wanting to park in designated areas and escort their children to waiting vehicles can do so, but they need to pick up the students by the front office. Parents are required to utilize the crosswalks and will need to demonstrate extreme caution. We are continuing to discourage parents from parking on Foresthill Road for safety reasons.

Other important reminders:

Between 7:45 a.m. – 8:30 a.m. and again between 2:30 p.m. – 3:00 p.m. parents will not be allowed to park along the green pillars. Parents are requested to never leave a vehicle unattended in this area during this time.

- Never leave a running automobile unattended. Also, please don't leave children in unattended vehicles.
- Parents wishing to stop and leave their unattended vehicle will need to park in a designated parking stall.
- All vehicles entering the campus during the pickup and drop-off times will need to circle the parking lot in a counter-clockwise pattern turning hard right upon entering, circling the perimeter of the parking lot.
- Parents are asked to pull as far forward as traffic allows in a single-file line, stop, let the student enter or exit the vehicle and then pull out of line (if traffic permits) and exit the parking lot.
- Once again.
- Be extra alert! Talking on the cell phone, visiting with friends or attending to details in vehicles can divert attention away from the students entering or exiting cars. Please be considerate to the classes in session by visiting with each other quietly!
- Parents waiting on foot should do so in a manner so as not to block the flow of traffic. While waiting for school-age students, parents need to safely control any preschoolers who might also be waiting.
- Parents waiting in cars for students must park and not block the road
- Students exiting vehicles from the driver side must walk behind the car from which they exit.
- Students are not allowed to run to or from vehicles in the area.
- At dismissal time, school staff will escort students to any parents waiting in vehicles. Waiting students must do so behind the painted line on the pathway.
- Parents are encouraged to enter and leave expeditiously to avoid congesting the area.
- Parents are to keep vehicles out of the bus zones where buses will be loading and unloading. The drop-off zones are located on the school maps.
- Parents walking children through bus zones must be alert to cars backing out of parking spaces, moving vehicles, buses entering and exiting the zone as well other pedestrians.
- Follow directions from school personnel. We are there to help keep our students safe. Please help us by following these important safety guidelines!

Biking to and from School

Students who ride bicycles to and from school are expected to go directly to and from school without stopping for any unwarranted reason. All students should follow the “rules of the road,” riding with traffic and/or as far off the roadway as possible. Upon entering the campus, all bicycle riders must dismount and walk bicycles through the parking areas and bus routes. Students are prohibited from riding bikes on campus at any time. Students who are late to school must check-in through the school office. Specific rules for each campus include:

Students entering from either side of the campus must dismount at the school gate, walk bikes to the central part of the campus, and park bikes in the rack located next to the library.

Students wishing to transverse the campus must do so on foot and avoid going through the parking lots.

Under no circumstances will students be allowed to ride bikes through the parking lots, across the campus, along the main road, or in the Bus Circle.

Riding the School Bus:

Students are expected to follow all safety rules as given by their respective driver. Students are to wear seat belts when applicable. Any student that is not following all safety rules will receive a disciplinary referral from the driver. Student will lose bus riding privileges if unsafe behaviors continue.

Revised: 10/3/11, 11/14/12

(H) A Safe and Orderly School Environment Conducive to Learning (EC 35294.2)

Component:

Personal Characteristics of Students and Staff

Element:

Foresthill Divide School is greatly influenced by the supportive and caring staff, students, family members and community. The level of involvement is an area of great pride for the school. The school's motto is “Foresthill School—Where Learning is Celebrated.” It is evident that this motto is put into practice. The staff members serve as positive role models for the students. The school sets high standards and expectations for the students and staff.

The goal of providing a safe and secure environment is strongly supported by the community, students and staff.

Opportunity for Improvement:

We feel it is important to have all of our staff members understand what to do during an emergency situation, including all guest employees. Therefore, we will create an emergency procedure flip book to be placed in every classroom and reviewed by each guest teacher/staff prior to beginning their day.

Objectives	Action Steps	Resources	Lead Person	Evaluation
Create Emergency Check List	Place one copy in each classroom Extra copies for office--for guests on campus to review Cafeteria, library, science lab and custodial rooms will each have a flip book.	Current Safety plan	Rebecca Kattenhorn	
Safety Task Force Roles and Responsibilities	Create roles and responsibilities sheet to place in emergency binder and a copy to each task force member.		R. Kattenhorn	

Component:

School Physical Environment

Element:

The physical environments of the Foresthill Divide School is extremely pleasant. The facilities and grounds are well kept. The lighting in the building is good. Accessibility for handicapped individuals is available. The school serves as a community center for meetings, sports and activities. Perimeter fences secure the campuses.

In an effort to ensure a safe environment, a visitor policy is in effect. The policy requires visitors to sign in at the school office before entering a campus. The visitors are provided with badges. The badges serve to help staff and students know that the individuals are authorized to be on campus. To help remind visitors of the policy, there are signs in place that address the policy requirements.

In addition all volunteers at school and on fieldtrips are required to fill out a personal emergency card, and get DOJ and tuberculosis clearance before being allowed to work with students.

Opportunity for Improvement:

FDS will hold campus clean up days to work towards repairing and maintaining campus areas.

Objectives	Action Steps	Resources	Lead Person	Evaluation
Painting Green Stansions	Purchase paint and apply		Karl Johnson	
Painting Library/Science Walls	Purchase paint and apply		Karl Johnson	
Install security lighting on outside of office and Library	Purchase and install lights		Karl Johnson, Mike Kirk, James Ramey	
Air fresheners for Bathrooms	Purchase and install		M&O	
Repair and Replace wall paper in gym	Purchase and install		M&O	
Repair and Replace damaged gym floor boards	Purchase and install		M&O	
Replace lighting in various buildings on campus	Purchase and install		M&O	
Replace carpet and tile in various calssrooms	Purchase and install		M&O	
Install new sinks into classrooms	Purchase and Install		M&O	

Component:

School Social Environment

Element:

The social environment on campus is positive. There is a sense of pride evident. This is demonstrated by the school's focus on shared decision-making, positive leadership, and a district-wide emphasis on respect and responsibility. We have been encouraged by parents and community members to continue to make our schools safe places for all. This positive social environment continues to be an asset as we implement any changes that affect the safety of our students.

Opportunity for Improvement:

Objectives	Action Steps	Resources	Lead Person	Evaluation
BEST logo on gym wall	Contact high school student artists		Debby LaPorte	

(I) School Discipline Rules and Consequences (EC 35291 and EC 35291.5)

Foresthill Divide School Student Conduct Code

Conduct Code Procedures

Board Policy
Discipline

BP 5144
Students

Note: The following policy is optional. In amending Education Code 48900 through AB 1729 (Ch. 425, Statutes of 2012), the legislature declared that the public policy guiding the development of discipline policies for California schools should be for the creation of a safe, positive, supportive, and equitable school environment which enables students to learn rather than unnecessary exclusion of students from instruction and other school activities. As amended, Education Code 48900 authorizes the use of age-appropriate alternatives to suspension and expulsion of students. In addition, Education Code 48900.5, as amended by AB 1729, provides alternative methods of discipline that should be considered before suspension is imposed. Such alternative methods include conferences with the student and his/her parents/guardians, use of study teams, and participation in restorative justice programs. Education Code 48900.5 also authorizes a district to document in a student's records other means of correction that may have been used to address the student's behavior.

Note: For further information about disciplinary strategies, see the accompanying administrative regulation and CSBA's publication Safe Schools: Strategies for Governing Boards to Ensure Student Success.

The Governing Board desires to provide a safe, supportive, and positive school environment conducive to student learning and to prepare 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, and parent involvement can minimize the need for discipline.

The Superintendent or designee shall approve, a complement of effective, age-appropriate strategies for correcting student behavior. Such strategies may include, but are not limited to, conferences with students and their parents/guardians; use of study, guidance, or other intervention-related teams; enrollment in a program teaching prosocial behavior or anger management; and participation in a restorative justice program. Staff shall use preventative measures and positive conflict resolution techniques whenever possible. Disciplinary measures that may result in loss of instructional time or cause students to be disengaged from school, such as suspension and expulsion, shall be imposed only when required by law and when other means of correction have failed. (Education Code 48900.5)

(cf. 5020 - Parent Rights and Responsibilities)
(cf. 5137 - Positive School Climate)
(cf. 5138 - Conflict Resolution/Peer Mediation)
(cf. 5145.9 - Hate-Motivated Behavior)
(cf. 6020 - Parent Involvement)
(cf. 6164.5 - Student Success Teams)

Board policies and administrative regulations shall outline acceptable student conduct and provide the basis for sound disciplinary practices.

(cf. 5131 - Conduct)
(cf. 5131.1 - Bus Conduct)
(cf. 5131.2 - Bullying)

Note: Education Code 35291.5 authorizes, but does not require, school sites to adopt rules and procedures for student discipline. The following paragraph is optional.

The administrative staff may develop disciplinary rules to meet the school's particular needs. However, the rules shall be consistent with law, Board policy, and district regulations. The Board may review, at an open meeting, the approved school discipline rules for consistency with Board policy and state law. (Education Code 35291.5)

(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 and opportunity to learn.

Persistently disruptive students may be assigned to alternative programs or removed from school in accordance with law, Board policy, and administrative regulation.

- (cf. 0450 - Comprehensive Safety Plan)
- (cf. 3515 - Campus Security)
- (cf. 3515.3 - District Police/Security Department)
- (cf. 4158/4258/4358 - Employee Security)
- (cf. 5136 - Gangs)
- (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. 6184 - Continuation Education)
- (cf. 6185 - Community Day School)

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 consistent classroom management skills, implementing effective disciplinary techniques, and establishing cooperative relationships with parents/guardians.

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

At the beginning of every school year, the Superintendent or designee shall report to the Board regarding disciplinary strategies used in the immediately preceding school year and the effect on student learning in the school.

Corporal Punishment

Corporal punishment shall not be used as a disciplinary measure against any student. Corporal punishment includes the willful infliction of, or willfully causing the infliction of, physical pain on a student. (Education Code 49001)

However, corporal punishment does not include any pain or discomfort suffered by a student as a result of his/her voluntary participation in an athletic or other recreational competition or activity. In addition, an employee's use of force that is reasonable and necessary to protect himself/herself, students, staff, or other persons, to prevent damage to property, or to obtain possession of weapons or other dangerous objects within the control of the student is not corporal punishment. (Education Code 49001)

- (cf. 4158/4258/4358 - Employee Security)
- (cf. 5131.7 - Weapons and Dangerous Instruments)
- (cf. 6145.2 - Athletic Competition)

Legal Reference:

EDUCATION CODE

- 32280-32288 School safety plans
- 35146 Closed sessions
- 35291 Rules
- 35291.5-35291.7 School-adopted discipline rules
- 37223 Weekend classes
- 44807.5 Restriction from recess
- 48900-48926 Suspension and expulsion

48980-48985 Notification of parent/guardian
49000-49001 Prohibition of corporal punishment
49330-49335 Injurious objects
CIVIL CODE
1714.1 Parental liability for child's misconduct
CODE OF REGULATIONS, TITLE 5
307 Participation in school activities until departure of bus
353 Detention after school

Management Resources:

CSBA PUBLICATIONS

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

Maximizing Opportunities for Physical Activity during the School Day, Fact Sheet, 2009

CALIFORNIA DEPARTMENT OF EDUCATION PROGRAM ADVISORIES

Classroom Management: A California Resource Guide for Teachers and Administrators of Elementary and Secondary Schools, 2000

STATE BOARD OF EDUCATION POLICIES

01-02 School Safety, Discipline, and Attendance, March 2001

WEB SITES

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

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

U.S. Department of Education: <http://www.ed.gov>

Policy FORESTHILL UNION ELEMENTARY SCHOOL DISTRICT

Adopted September 10, 2013 Foresthill, California

Administrative Regulation

Discipline

AR 5144

Students

Site-Level Rules

Note: The following section is optional. Pursuant to Education Code 35291.5, schools are authorized, but not required, to adopt site-level student discipline rules and procedures. Schools that choose to adopt student discipline rules, or that are directed by the Governing Board to do so, must solicit input from groups specified in items #1-5 below. If the school develops student discipline rules, Education Code 32282 requires that they be included in the comprehensive safety plan; see BP/AR 0450 - Comprehensive Safety Plan.

In developing site-level disciplinary rules, the principal or designee may solicit the participation, views, and advice of one representative selected by each of the following groups: (Education Code 35291.5)

1. Parents/guardians
2. Teachers
3. School administrators
4. School security personnel, if any

(cf. 3515.3 - District Police/Security Department)

Note: Item #5 below may be deleted by elementary districts.

5. For junior high schools, students enrolled in the school

Note: The following paragraph is optional.

The school shall file a copy of its rules with the Superintendent or designee.

Note: Education Code 35291.5 provides that schools may adopt discipline rules at least every four years. The following optional paragraph, including the timelines for review of the school's discipline rules, may be revised to reflect district practice.

The school shall review its site-level discipline rules at least every four years.

It shall be the duty of each employee of the school to enforce the school rules on student discipline. (Education Code 35291)

Disciplinary Strategies

Note: Education Code 48900.5, as amended by AB 1729 (Ch. 425, Statutes of 2012), provides methods of correction of student behavior that a district may use. The district should select those strategies that are appropriate for its student population. The following strategies may be modified or expanded to reflect district practice. Also see CSBA's publication Safe Schools: Strategies for Governing Boards to Ensure Student Success.

To the extent possible, staff shall use disciplinary strategies that keep students in school and participating in the instructional program. Disciplinary strategies may include, but are not limited to:

1. Discussion or conference between school staff and the student and his/her parents/guardians

(cf. 5020 - Parent Rights and Responsibilities)

(cf. 6020 - Parent Involvement)

2. Referral of the student to the school counselor or other school support service personnel for case management and counseling

(cf. 5138 - Conflict Resolution/Peer Mediation)

(cf. 6164.2 - Guidance/Counseling Services)

3. Convening of a study, guidance, resource panel, or other intervention-related team to assess the behavior and develop and implement an individual plan to address the behavior in partnership with the student and his/her parents/guardians

(cf. 6164.5 - Student Success Teams)

4. When applicable, referral for a comprehensive psychosocial or psychoeducational assessment, including for purposes of creating an individualized education program or a Section 504 plan

(cf. 6159 - Individualized Education Program)

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

5. Enrollment in a program for teaching prosocial behavior or anger management

6. Participation in a restorative justice program

7. A positive behavior support approach with tiered interventions that occur during the school day on campus

8. After-school programs that address specific behavioral issues or expose students to positive activities and behaviors, including, but not limited to, those operated in collaboration with local parent and community groups

(cf. 5148.2 - Before/After School Programs)

9. Recess restriction as provided in the section below entitled "Recess Restriction"

10. Detention after school hours as provided in the section below entitled "Detention After School"

11. Community service as provided in the section below entitled "Community Service"

12. In accordance with Board policy and administrative regulation, restriction or disqualification from participation in extracurricular activities

(cf. 6145 - Extracurricular/Cocurricular Activities)

13. Reassignment to an alternative educational environment

(cf. 6158 - Independent Study)

(cf. 6181 - Alternative Schools/Programs of Choice)

(cf. 6184 - Continuation Education)

(cf. 6185 - Community Day School)

14. Suspension and expulsion in accordance with law, Board policy, and administrative regulation

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

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

Recess Restriction

Note: Education Code 44807.5 authorizes the district to adopt reasonable regulations allowing a teacher to restrict recess time for disciplinary purposes. The following optional section should be revised to reflect district practice.

A teacher may restrict a student's recess time only when he/she believes that this action is the most effective way to bring about improved behavior. When recess restriction may involve the withholding of physical activity from a student, the teacher shall try other disciplinary measures before imposing the restriction. Recess restriction shall be subject to the following conditions:

1. The student shall be given adequate time to use the restroom and get a drink or eat lunch, as appropriate.

2. The student shall remain under a certificated employee's supervision during the period of restriction.

3. Teachers shall inform the principal of any recess restrictions they impose.

(cf. 5030 - Student Wellness)

(cf. 6142.7 - Physical Education and Activity)

Detention After School

Note: 5 CCR 353 limits after-school detention to one hour after the close of the maximum school day except as otherwise provided by 5 CCR 307. 5 CCR 307 allows schools to require students to stay at school and participate in school activities until the departure of the school transportation to which the student has been assigned. The California Department of Education's legal counsel has interpreted these regulations to mean that a school may detain a student up to an hour after school even if the student misses his/her bus, and may require a student to remain at school for more than one hour if the school bus leaves more than one hour after the end of the school day. For safety purposes, when a student will miss his/her transportation due to detention, the school should notify the parent/guardian at least one day in advance so that alternative arrangements may be made.

Students may be detained for disciplinary reasons up to one hour after the close of the maximum school day. (5 CCR 353)

Note: The following paragraph should be modified to reflect district practice.

If a student will miss his/her school bus on account of being detained after school, or if the student is not transported by school bus, the principal or designee shall notify parents/guardians of the detention at least one day in advance so that alternative transportation arrangements may be made. The student shall not be detained unless the principal or designee notifies the parent/guardian.

In cases where the school bus departs more than one hour after the end of the school day, students may be detained until the bus departs. (5 CCR 307, 353)

Students shall remain under the supervision of a certificated employee during the period of detention.

Note: The following optional paragraph is offered for districts that use Saturday classes for purposes of detention. Education Code 37223 authorizes the use of Saturday classes; however, except in the case of truants, attendance at such classes must be at the election of the student or parent/guardian.

Students may be offered the choice of serving their detention on Saturday rather than after school.

(cf. 6176 - Weekend/Saturday Classes)

Community Service

As part of or instead of disciplinary action, the Board, Superintendent, principal, or principal's designee may, at his/her discretion, require a student to perform community service during nonschool hours on school grounds, or, with written permission of the student's parent/guardian, off school grounds. Such service may include, but is not limited to, community or school outdoor beautification, campus betterment, and teacher, peer, or youth assistance programs. (Education Code 48900.6)

Note: Education Code 48900.6 provides that the community service option is not available for those students who have been suspended, pending expulsion, for acts qualifying for either "mandatory recommendation for expulsion" or "mandatory expulsion" pursuant to Education Code 48915. See AR 5144.1 - Suspension and Expulsion/Due Process.

This community service option is not available for a student who has been suspended, pending expulsion, pursuant to Education Code 48915. However, if the recommended expulsion is not implemented or the expulsion itself is suspended, then a student may be required to perform community service for the resulting suspension. (Education Code 48900.6)

Notice to Parents/Guardians and Students

At the beginning of the school year, the Superintendent or designee shall notify parents/guardians, in writing, about the availability of district rules related to discipline. (Education Code 35291, 48980)

(cf. 5145.6 - Parental Notifications)

The Superintendent or designee shall also provide written notice of the rules related to discipline to transfer students at the time of their enrollment in the district.

Regulation FORESTHILL UNION ELEMENTARY SCHOOL DISTRICT
Adopted September 10, 2013 Foresthill, California

Discipline 2012-2013

Positive citizenship and exceptional grades are important at FDS and will be recognized and fostered through our reward system. Students that exhibit positive behaviors, make good decisions, and are in "Good Standing" will reap the rewards that they have earned and desire. Students who are "disciplined," who show control and restraint, know, understand, and follow FDS regulations are entitled to the following:

Special School Activities - Field trips, Dances, Games, Sports

Trimester Awards

Positive Commendations

Honor Roll -

Order of the Mountain Lion 4.0 G.P.A.

Superintendent's 3.5 G.P.A.

Principal's 3.0 G.P.A.

Trimester "Good Standing" Activities or Events

End of the year Good Standing Trip (Must be in good standing 2 out of 3 trimesters)

Treats – Sponsored by Student Council

Perfect Attendance 8th grade graduation

Good Standing (Each Trimester)

*Every student begins the year with a clean slate.

To be in GOOD STANDING students must meet the following standards and exhibit a positive and cooperative attitude:

1) Have less than 3 major referrals for behavior

A. 1 Student referral (A warning does not count as a referral)

B. 1 bus citation = 1 referral

C. 3 minor referrals equal 1 major referral.

2) Have passing grades equivalent to a 2.0 GPA and no "F's".

3) Have not been referred to the Student Attendance Review Board (SARB) due to excessive absences, tardies, truancy, or failure to comply with previous SARB recommendations or directives.

4) Have not been suspended from school.

All students must be in GOOD STANDING to attend after-school events or participate in sports.

Immediate consequence: All students who are deemed "Ineligible" due to the aforementioned criteria are no longer in GOOD STANDING and therefore INELEGIBLE to compete in sports competitions and after-school activities.

Suspension Period: At the Mid-Term Progress Report if a student has an "F" they are placed on a 2 week suspension. They can not compete in any games or travel with the team. At the end of that time period they may apply to Athletic Director for reinstatement based on improved grades.

Game Suspension requirements:

1. The student is allowed to try-out for all teams.

2. The student is allowed to actively participate in all practices

3. The student is not to "dress down" nor participate in any official league games.

Process for reinstatement:

1) Make a written appeal as to why you were denied league access to the Athletic Director.

2) Request that the Athletic Director seek information that would make your reinstatement from your academic or behavior authorities reconsider their previous evaluation.

3) It is the decision of the Athletic Director to reinstate fully or require another 4 week game suspension. The outlined criteria would then be repeated IF DENIED if the student was to seek reinstatement. If the student is accepted by the Director for full reinstatement, the student is eligible for game reinstatement and after school activities. However, if 2 out-of-3 trimesters acquire the strikes outlines above, the student is not eligible to attend the end-of-the-year field trip.

If a student was disqualified during the first trimester due to 3 major referrals or a suspension, please note that on the date during the subsequent trimester that a student is to acquire any of the aforementioned offenses, the student is no longer in GOOD STANDING.

Please note that NOT being in GOOD STANDING for 2 trimesters leaves them ineligible to attend any end-of-the-year GOOD STANDING FIELD TRIP.

Student Referral Process

Most students flourish under a reward system. We appreciate a student's mature and cooperative attitude while working with peers and adults as well as being academically responsible. Each school year we experience a small number of students who fail to follow school rules or fall short of their academic and behavior responsibilities. The following actions and/or interventions will be enforced as a result of student referrals. It is each student's responsibility to keep parents informed of their status by sharing all written correspondence from the school.

1st Referral - -Student will receive a warning or serve a consequence as specified on the referral

- Referral is sent home, with the student, to give to parent(s), to sign and return to the office

2nd Referral - -Student will serve a consequence as specified on the referral

- Referral is sent home, with the student, to give to parent(s), to sign and return to the office.
- Student is informed that they are in jeopardy of losing their school privileges for the remainder of the trimester

3rd Referral - -Student will serve a consequence as specified on the referral

- Referral is sent home, with the student, to give to parent(s), to sign and return to the office
- Loss of school privileges - Student may not participate in school activities for the remainder of the trimester
- Parent, student, teacher, administrator conference upon request of one or more parties

4 or more referrals -Schedule Student Study Team Meeting (Refer to SST Coordinator)

(Based on a need) -Develop and implement a behavior contract with specific rewards and consequences

- Student will serve a consequence as specified on the referral

In addition to the consequences listed above the following recommendations and/or consequences may be utilized:

Detention

After school or lunch time campus clean-up

Suspension

Expulsion

General School Rules

FDS school rules are based on the underlying principles of:

BE SAFE

BE RESPECTFUL

BE RESPONSIBLE

All campus staff will utilize the Nurtured Heart Approach and focus on positive attributes exhibited by students.

(J) Hate Crime Reporting Procedures and Policies

Board Policy

Hate-Motivated Behavior

BP 5145.9

Students

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

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

(cf. 0450 - Comprehensive Safety Plan)

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

(cf. 5131.5 - Vandalism and Graffiti)

(cf. 5136 - Gangs)

(cf. 5137 - Positive School Climate)

- (cf. 5141.52 - Suicide Prevention)
- (cf. 5145.3 - Nondiscrimination/Harassment)
- (cf. 5147 - Dropout Prevention)
- (cf. 5149 - At-Risk Students)

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

- (cf. 1020 - Youth Services)
- (cf. 1400 - Relations Between Other Governmental Agencies and the Schools)
- (cf. 1700 - Relations Between Private Industry and the Schools)
- (cf. 5148.2 - Before/After School Programs)
- (cf. 5148.3 - Preschool/Early Childhood Education)
- (cf. 6020 - Parent Involvement)

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

- (cf. 5138 - Conflict Resolution/Peer Mediation)
- (cf. 6142.3 - Civic Education)
- (cf. 6142.4 - Service Learning/Community Service Classes)
- (cf. 6141.94 - History-Social Science Instruction)

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

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

Grievance Procedures

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

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

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

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

As necessary, the district shall provide counseling, guidance, and support to students who are victims of hate-motivated behavior and to students who exhibit such behavior.

(cf. 6164.2 - Guidance/Counseling Services)

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination

32282 School safety plans

48900.3 Suspension for hate violence

48900.4 Suspension or expulsion for threats or harassment

PENAL CODE

422.55 Definition of hate crime

422.6 Crimes, harassment

CODE OF REGULATIONS, TITLE 5

4600-4687 Uniform Complaint Procedures

4900-4965 Nondiscrimination in elementary and secondary education programs

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION LEGAL ADVISORIES

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

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

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

U.S. DEPARTMENT OF JUSTICE PUBLICATIONS

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

WEB SITES

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

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

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

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

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

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

Policy FORESTHILL UNION ELEMENTARY SCHOOL DISTRICT

adopted: February 9, 2010 Foresthill, California

Safety Plan Review, Evaluation and Amendment Procedures

Whether from meeting discussions, annual parent opinion survey data, input from the School Site Council or input from Student Council, the message is loud and clear – Our school community demands a safe and healthy environment for its students, our most important resource. Our Safe Schools Plan was developed through the stakeholder input and review process. It is reviewed and adjusted annually to guarantee that our campus is a safe haven for the students. Areas of concern are identified yearly and funds allocated to strengthen or remedy areas of concern. Safety upgrades include automatic snow chains for the district's school bus fleet, implementing a school visitor/employee identification badge program, establishing and re-supplying school crisis response kits, a reconfiguration of parent drop-off and pickup areas, a parental notification system, and lead/asbestos abatement on the older portion of our FES campus. Further, safety purchases of and improvements include two-way bus radios, video cameras to monitor safe bus behavior, and speed bumps for the parent pick-up area. Emergency drills are held monthly requiring students and staff to practice how to handle emergencies as they occur. A sequential health education component is part of our current K-8 curriculum. A full adoption in health will be considered, through the CDC process, when it next comes up in the state adoption cycle. A district-wide alcohol, drug, violence-prevention and tobacco program is in and is reviewed and modified on a yearly basis as needed.

Health education is also an important part of our school focus on safety. Embedded into the curriculum across the grade levels, each year students study various aspects of family life and participate in tobacco and drug prevention education. We have partnered with Sutter Health to provide our teachers with a web-based supplemental health program containing lessons, videos and activities called Health Teacher. Our credentialed school nurse works twenty days a year and conducts hearing, vision and health screenings. Additionally, she checks immunization records, provides student first aid as needed, sits in on IEP meetings to report on student health issues, works with teachers to provide family life education, assists office staff with the administration of student medications, provides staff training on health issues, and reports to parents. Our student population is well served by the school nurse.

A safe school also requires that students be physically fit. A quality PE program is offered to all students. Students participate in a rigorous program for the requisite amount of time each week. The foundation is laid in the Kindergarten PE program which uses the Jack Capon developmental approach, as well as movement to music and specific large motor skill development activities. Grades 1 through 4 use the Quality Daily Physical Education Program that offers sequential skill development and opportunities to learn a variety of games. Each year the school sponsors a "Jog-a-thon" from which thousands of dollars are raised to purchase new PE equipment and replenish consumable supplies. The program forms the cornerstone of the P.E. program. People on our campus are required to conduct themselves in a way that promotes a positive and safe environment. Behavioral standards are communicated to students and parents in a variety of different formats—at Back to School Night, through the Parent Calendar/Student Handbook, classroom instruction, behavioral contracts, classroom management systems, class meetings, newsletters, parent conferences and phone calls home. Appropriate standards of student behavior are recognized and rewarded through award assemblies, good conduct activities, rewards from local merchants, Students of the Week/Month, positive notes and phone calls to parents, and good conduct field trips. Our adopted PE program teaches cooperative strategies for resolving conflicts. Students are taught to use strategies such as Ro-Sham-Bo to settle playground disputes. Many behavior issues are dealt with using the "classroom meeting" model designed the Caring Schools Community Program. Our school public address system provides the principal a daily opportunity to deliver a positive message, as well as remind students and staff of the weekly B.E..S.T. lesson. This feature also utilizes quotes and inspirational messages which help students do their personal best, take responsibility for their actions, deal with bullying, and be more understanding of different races, cultures, and religions. Our school behavioral expectations are reviewed annually by staff and Site Council.

The FDS Best Team has embraced the commitment for universally known rules: Be Safe, Be Respectful, Be Responsible. These norms are taught throughout each year with mini lessons to depict appropriate behaviors in different areas of the campus. Students are rewarded with "BEST" cards and entered into weekly drawings when "caught" behaving in an exemplary manner.

Our hallways and outside bulletin boards allow our displays to spill out onto the campus so that the entire school community can enjoy the fruits of our students' labor!

Safety Plan Appendices

Emergency Contact Numbers

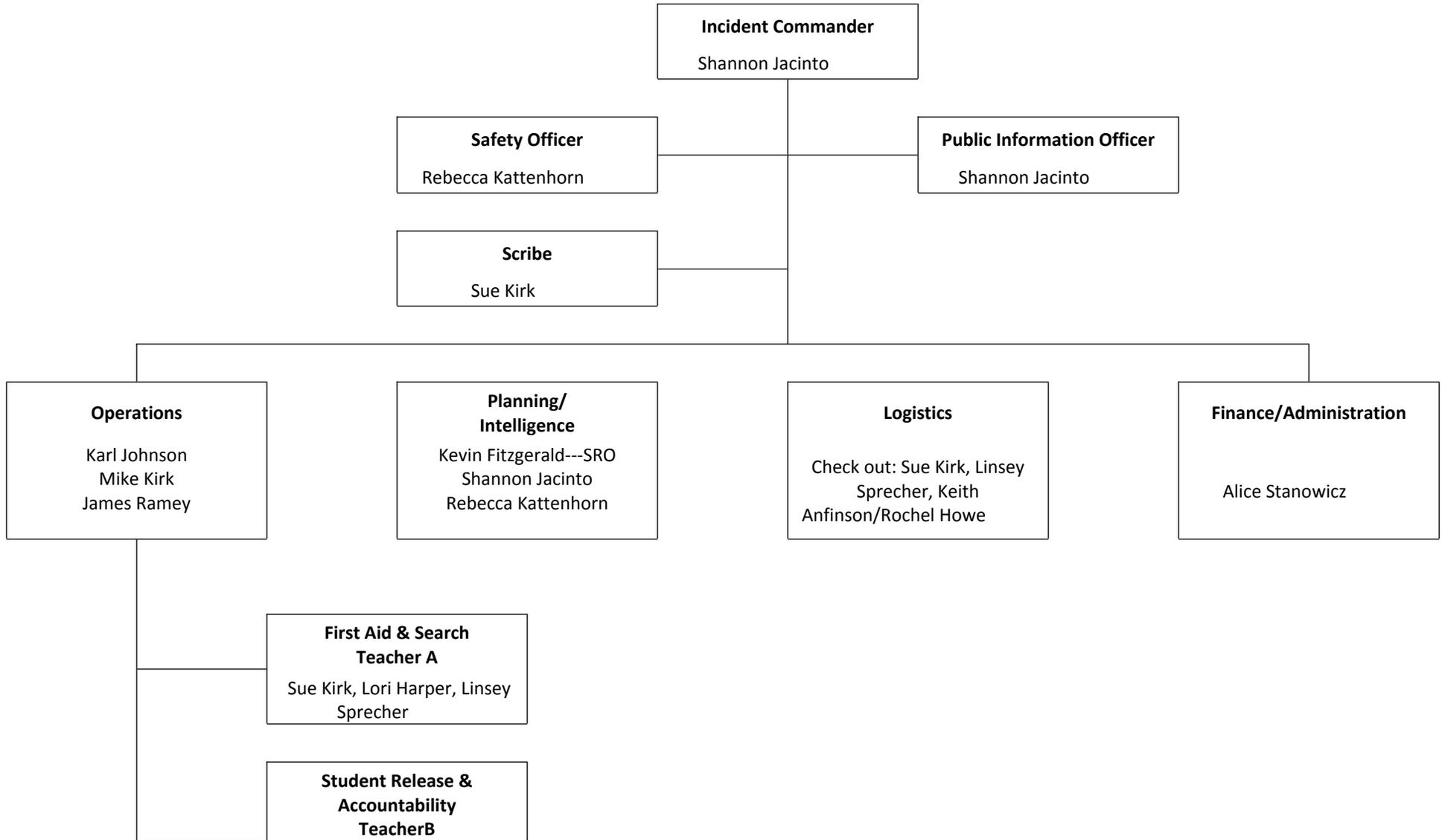
Utilities, Responders and Communication Resources

Type	Vendor	Number	Comments
Other	CDF	530-367-2468	
Emergency Services	911	911	
Other	Forest Service--Jan Cutts	530-367-2224	
Law Enforcement/Fire/Paramedic	Foresthill Substation (Sheriff)	530-367-4444	
Law Enforcement/Fire/Paramedic	School Resource Officer K. Fitzgerald	530-367-5244x.8	
Law Enforcement/Fire/Paramedic	Foresthill Fire Department/Safety Club	530-367-2465	
Local Hospitals	Sutter Auburn Faith	530-888-4500	
Law Enforcement/Fire/Paramedic	HWY Patrol	530-663-3344	
Emergency Services	OES Duty Officers & Media (Anna Yoder)	530-886-5300	

Safety Plan Review, Evaluation and Amendment Procedures

Activity Description (i.e. review steps, meetings conducted, approvals, etc)	Date and Time	Attached Document (description and location)
Review of Safety Plan	10/2016	Rebecca Kattenhorn & Shannon Jacinto Reviewed the current document
Uploading of Safety Plan into Document Tracking Services	10/2016	Rebecca Kattenhorn uploaded current information into the Document Tracking Services Program
First Review of Draft Plan	11/2016	FUSD Board reviewed the first draft of the current safety plan
Site Council Review of Draft	12/2016	FUSD Site Council members reviewed the current draft of the safety plan
Site Council approval of 2105-2016 Safety Plan	11/2016	
Board Approval of 2015-2016 Safety Plan	12/2016	

Foresthill Divide School Incident Command System



Sue Kirk
Lori Harper
Tiersa Warmuth
Shannon Jacinto
Rebecca Kattenhorn

Incident Command Team Responsibilities

Standardized Emergency Response Management System Overview

The California Standardized Emergency Management System (SEMS) is designed to centralize and coordinate emergency response through the use of standardized terminology and processes. This greatly facilitates the flow of information and resources among the agencies participating in response to an emergency. SEMS consists of five functions:

Management

During an emergency, the Incident Commander directs response actions from a designated Command Post. To effectively do this, the Incident Commander must constantly assess the situation, and develop and implement appropriate strategies. The Incident Commander must be familiar with the available resources, accurately document all response actions, and effectively communicate response strategies to others participating in the response. This function is typically filled by the school principal. The principal is assisted in carrying out this function by a Public Information & Liaison Officer and Safety Officer.

Planning & Intelligence

Planning and Intelligence involves the use of various methods to efficiently gather information, weigh and document the information for significance, and actively assess the status of the emergency. This understanding and knowledge about the situation at hand is vital to the effective management of a response. These activities are performed by a single person who reports directly to the Incident Commander.

Operations

All response actions are implemented under by Operations. This includes staff performing first aid, crisis intervention, search and rescue, site security, damage assessment, evacuations, and the release of students.

Logistics

Logistics supports the response by coordinating personnel; assembling and deploying volunteers; providing supplies, equipment, and services; and facilitating communications among emergency responders.

Finance & Administration

Finance & Administration involves the purchasing of all necessary materials, tracking financial records, timekeeping for emergency responders, and recovering school records following an emergency. These activities are performed by a single person who reports directly to the Incident Commander.

Emergency Response Guidelines

Step One: Identify the Type of Emergency

See emergency response section for exact instructions on how to respond

In the event of fire or other emergency and FDS must be used as an evacuation site/shelter, superintendent or team member in charge will coordinate with OEMS to prepare site for incoming families and community members.

Step Two: Identify the Level of Emergency

see above

Step Three: Determine the Immediate Response Action

see above

Step Four: Communicate the Appropriate Response Action

Staff/Students will be notified on how to respond; families will be updated via robo-call as necessary, determined by superintendent
Communication on use of FDS as evacuation site will come from OEMS, County Superintendent and school site administrator.

Types of Emergencies & Specific Procedures

Aircraft Crash

In the event of an aircraft crash staff and students will be guided to evacuate if necessary or shelter in place (see disaster procedures for details)

Animal Disturbance

Follow all lock down procedures

Armed Assault on Campus

Action "Secure Building"

A. Warning: The warning signal at the school for Action "Secure Building" is the verbal command by the Principal or Emergency Response Team Member – either through the P.A. system or in person.

B. Action "Secure Building" consists of:

1. Keep students in rooms down low and quiet. Lock doors, turn out the lights and close windows and shades.
2. Teachers direct any students in halls to move into the nearest room and stay.
3. Teachers with classes on the playground, return to the nearest room.
4. Teachers at lunch, collect your students and return to your classroom.
5. Take roll and note missing students. Prepare list and wait for notification from office.
6. Wait for information. Do not call office unless you have information to give on specific situation.
7. Personnel without students find nearest room and stay there until notified.
8. Any school buses enroute to the affected school site will be diverted to a safe location until notified.
9. Principal consults with "ERT Coordinator" for action to be taken.
10. After the threat of imminent danger has passed, the Principal may initiate Action "Stay In," "Leave Building," or "Go Home."
11. Within twenty-four hours of the incident, the principal will send a letter home to parents explaining the reason for the action.

C. Action "Secure Building" is considered appropriate for, but not limited to, the following:

1. Gunman on campus
2. Drive-by shooting
3. Gang confrontation
4. Hostage situation
5. Hazardous materials spill or accident

Biological or Chemical Release

Action "Secure Building"

A. Warning: The warning signal at the school for Action "Secure Building" is the verbal command by the Principal or Emergency Response Team Member – either through the P.A. system or in person.

B. Action "Secure Building" consists of:

1. Keep students in rooms down low and quiet. Lock doors, turn out the lights and close windows and shades.
2. Teachers direct any students in halls to move into the nearest room and stay.
3. Teachers with classes on the playground, return to the nearest room.
4. Teachers at lunch, collect your students and return to your classroom.
5. Take roll and note missing students. Prepare list and wait for notification from office.
6. Wait for information. Do not call office unless you have information to give on specific situation.
7. Personnel without students find nearest room and stay there until notified.
8. Any school buses enroute to the affected school site will be diverted to a safe location until notified.
9. Principal consults with "ERT Coordinator" for action to be taken.
10. After the threat of imminent danger has passed, the Principal may initiate Action "Stay In," "Leave Building," or "Go Home."
11. Within twenty-four hours of the incident, the principal will send a letter home to parents explaining the reason for the action.

C. Action "Secure Building" is considered appropriate for, but not limited to, the following:

1. Gunman on campus
2. Drive-by shooting
3. Gang confrontation
4. Hostage situation
5. Hazardous materials spill or accident

Bomb Threat/ Threat Of violence

Bus Disaster

Disorderly Conduct

Earthquake

Action "Duck and Cover"

A. Warning: The warning signal for Action "Duck and Cover" is a series of short bells, one after another.

B. Action "Duck and Cover" consists of:

1. Have students seek cover under desks, tables, or in doorways.
2. Teachers direct any students outside classrooms to stay put in an open area.

3. Take roll and note missing students.
 4. Wait for all clear signal (long, long continuous bell).
 5. Personnel without students should duck and cover in similar fashion, or stay put in open areas outdoors.
 6. After threat of imminent danger has passed, the Principal may initiate Action “Leave Building,” “Stay In” or “Go Home.”
- C. Action “Duck and Cover” is considered appropriate for, but not limited to, the following:
1. Earthquake
 2. Explosions on or near campus.
 3. Hazardous materials spill or accident

Explosion or Risk Of Explosion

Fire in Surrounding Area

III. ACTIONS FOR EMERGENCIES

Action “Leave Building”

- A. Warning: The warning signal at the school for Action “Leave Building” shall be regular fire alarm.
- B. Action “Leave Building” consists of:
 1. Orderly movement of students and staff from inside school building to a designated outside area of safety. Turn out the lights and lock the door after the students leave the building.
 2. Students must remain lined up in single rows in their designated areas for roll and further directions.
 3. Students working in a special group (i.e.: Title I, Special Education, Library, Computer Lab, Cafeteria) must evacuate the building with the teacher in charge at the time. Students must be escorted, by an adult, to their regular classroom teacher’s assigned area.
 4. Teachers must bring the classroom emergency box and an up-to-date grade book with them and take roll. Be prepared to tell the Emergency Response Team who is missing. Teachers will display a green card if all students are accounted for or a red card if someone is missing. Green/red cards are located in the classroom emergency box.
 5. Office staff must remove student and staff Emergency Data from the office to an outside area of safety. Be prepared to implement Actions “Stay Out” and “Go Home,” if necessary.
 6. Personnel without students at the time of the incident must report immediately to the Command Center.
 7. Safety of building is assessed.
 8. If building is safe to re-enter, a verbal command will be given. Do not return by mechanical signal. (i.e.: bell, horn, P.A. system, etc.)
 9. If building is not safe to re-enter, the decision to implement Action “Stay Out” may be made by the Principal.

C. Action “Leave Building” is considered appropriate for, but not limited to, the following:

1. Fire
2. Bomb threat
3. Post earthquake
4. Other similar occurrence which may make school building uninhabitable

Fire on School Grounds

III. ACTIONS FOR EMERGENCIES

Action "Leave Building"

A. Warning: The warning signal at the school for Action "Leave Building" shall be regular fire alarm.

B. Action "Leave Building" consists of:

1. Orderly movement of students and staff from inside school building to a designated outside area of safety. Turn out the lights and lock the door after the students leave the building.
2. Students must remain lined up in single rows in their designated areas for roll and further directions.
3. Students working in a special group (i.e.: Title I, Special Education, Library, Computer Lab, Cafeteria) must evacuate the building with the teacher in charge at the time. Students must be escorted, by an adult, to their regular classroom teacher's assigned area.
4. Teachers must bring the classroom emergency box and an up-to-date grade book with them and take roll. Be prepared to tell the Emergency Response Team who is missing. Teachers will display a green card if all students are accounted for or a red card if someone is missing. Green/red cards are located in the classroom emergency box.
5. Office staff must remove student and staff Emergency Data from the office to an outside area of safety. Be prepared to implement Actions "Stay Out" and "Go Home," if necessary.
6. Personnel without students at the time of the incident must report immediately to the Command Center.
7. Safety of building is assessed.
8. If building is safe to re-enter, a verbal command will be given. Do not return by mechanical signal. (i.e.: bell, horn, P.A. system, etc.)
9. If building is not safe to re-enter, the decision to implement Action "Stay Out" may be made by the Principal.

C. Action "Leave Building" is considered appropriate for, but not limited to, the following:

1. Fire
2. Bomb threat
3. Post earthquake
4. Other similar occurrence which may make school building uninhabitable

Flooding

Action "Go Home"

A. Warning: The warning signal for Action "Go Home" is the verbal command by Principal or Emergency Response Team Member – either through the P.A. system or in person.

B. Action "Go Home" consists of:

1. Emergency Response Team sees that Student Check-Out/Message Center is set up and staffed.
2. Appropriate parent and media notification will be made.
3. Teachers keep students in designated secure areas until notification that student is being released to an authorized adult. A member of the Student Check-Out Team, a student or adult with proper identification, will be sent to release students.
4. When notified, the teacher in the student secure area checks off the student, noting on roll sheet the time of release.
5. Emergency Response Team will consolidate classes as they become smaller.
6. Staff members will be released by the Principal as soon as they are no longer needed as Disaster Service Workers. (Cal. Govt. Code, Sec. 3100)

C. Action "Go Home" may be appropriate for, but not limited to, the following:

1. Severe weather
2. Fire
3. Prolonged power outage
4. Any occurrence which makes the school building uninhabitable

Loss or Failure Of Utilities

Action "Go Home" Prolonged Power Outage

A. Warning: The warning signal for Action "Go Home" is the verbal command by Principal or Emergency Response Team Member – either through the P.A. system or in person.

B. Action "Go Home" consists of:

1. Emergency Response Team sees that Student Check-Out/Message Center is set up and staffed.
2. Appropriate parent and media notification will be made.
3. Teachers keep students in designated secure areas until notification that student is being released to an authorized adult. A member of the Student Check-Out Team, a student or adult with proper identification, will be sent to release students.
4. When notified, the teacher in the student secure area checks off the student, noting on roll sheet the time of release.
5. Emergency Response Team will consolidate classes as they become smaller.
6. Staff members will be released by the Principal as soon as they are no longer needed as Disaster Service Workers. (Cal. Govt. Code, Sec. 3100)

C. Action "Go Home" may be appropriate for, but not limited to, the following:

1. Severe weather
2. Fire

3. Prolonged power outage
4. Any occurrence which makes the school building uninhabitable

Motor Vehicle Crash

Stay in OR Secure the Building Procedure

Action "Secure Building"

A. Warning: The warning signal at the school for Action "Secure Building" is the verbal command by the Principal or Emergency Response Team Member – either through the P.A. system or in person.

B. Action "Secure Building" consists of:

1. Keep students in rooms down low and quiet. Lock doors, turn out the lights and close windows and shades.
2. Teachers direct any students in halls to move into the nearest room and stay.
3. Teachers with classes on the playground, return to the nearest room.
4. Teachers at lunch, collect your students and return to your classroom.
5. Take roll and note missing students. Prepare list and wait for notification from office.
6. Wait for information. Do not call office unless you have information to give on specific situation.
7. Personnel without students find nearest room and stay there until notified.
8. Any school buses enroute to the affected school site will be diverted to a safe location until notified.
9. Principal consults with "ERT Coordinator" for action to be taken.
10. After the threat of imminent danger has passed, the Principal may initiate Action "Stay In," "Leave Building," or "Go Home."
11. Within twenty-four hours of the incident, the principal will send a letter home to parents explaining the reason for the action.

C. Action "Secure Building" is considered appropriate for, but not limited to, the following:

1. Gunman on campus
2. Drive-by shooting
3. Gang confrontation
4. Hostage situation
5. Hazardous materials spill or accident

III. ACTIONS FOR EMERGENCIES

Action "Stay In"

A. Warning: The warning signal for Action "Stay In" is the verbal command by Principal or Emergency Response Team Member – either through the P.A. system or in person.

B. Action "Stay In" consists of:

1. Principal convenes Emergency Response Team.
 2. Teachers take roll. Prepare to report who is missing. Students must remain out of the halls as much as possible. Any student in the halls must have a written pass from the teacher with the time they left the room noted on it. One student at a time released to use the restroom.
 3. Teachers keep students calm and busy by using planned activities to lessen possible tension and hysteria.
 4. Emergency Response Team sets up the Command Center.
 5. Statement is prepared. Staff is notified of status of incident and told what to tell students.
 6. Statement to media may be prepared and given, as needed.
 7. The Student Check-Out/Message Center is set up and staffed to prepare for releasing students to parents and possible Action "Go Home."
 8. Teachers remain with students in their classrooms and wait for further directions. Students must not be released until deemed safe to do so. Any student check-out must be done through the Student Check-Out/Message Center.
- C. Action "Stay In" is considered appropriate for, but not limited to, the following:
- Any occurrence which makes students leaving the classrooms or school building more dangerous than staying.

Psychological Trauma

Suspected Contamination of Food or Water

Unlawful Demonstration or Walkout

Emergency Evacuation Map