

Silver Valley Unified School District

# Alternative Education Center (AEC)

Calico Continuation High School : Silver Valley Community Day School : Silver Valley Academy : Silver Valley Adult School

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## COMPREHENSIVE SAFE SCHOOL PLAN 2018-2019

Prepared by : Michael Cox

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### **Counselor**

*Deyonisha Arnold*

### **School Resource Officer**

### **District Administrator**

*J. Najera*

### **AEC Administrator**

*Michael Cox*

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**SILVER VALLEY UNIFIED SCHOOL DISTRICT**

**BOARD OF EDUCATION**

*2018-2019*

*Board of Education*

**President**     *Karen Gray*  
**Vice President**     *Brian Boatwright*  
**Clerk**     *Lynn McKee*  
**Member**     *Heather Rae Reid*  
**Member**     *Mark Staggs*

*District Administration*

*Superintendent*

*Jesse Najera*

*Assistant Superintendent*

*Student Services*

*Jeff Youskievich*

*Assistant Superintendent*

*Administrative Services*

*Marc Lacey*

## **VISION STATEMENT**

*THE ALTERNATIVE EDUCATION CENTER'S VISION IS TO CREATE A SAFE AND CONSTRUCTIVE LEARNING ENVIRONMENT WHICH PROMOTES ACADEMIC GROWTH AND PERSONAL SUCCESS FOR ALL STUDENTS. THROUGH THESE TECHNIQUES WE WILL DEVELOP INTERPERSONAL SKILLS AND ENSURE THE CREATION OF LIFELONG LEARNERS.*

## **MISSION STATEMENT**

*THE ALTERNATIVE EDUCATION CENTER WILL PROVIDE AN EDUCATIONAL ENVIRONMENT IN WHICH ALL STUDENTS CAN SUCCEED ACADEMICALLY AND MATURE PERSONALLY WHILE ACQUIRING THE ESSENTIAL CRITICAL AND CREATIVE THINKING SKILLS NEEDED FOR CAREERS IN THE 21<sup>ST</sup> CENTURY.*

AEC WILL SOLICIT THE PARTICIPATION, VIEWS, AND ADVICE OF TEACHERS, PARENTS, SCHOOL ADMINISTRATORS, AND COMMUNITY MEMBERS AND USE THIS INFORMATION TO PROMOTE THE SAFETY OF OUR PUPILS, STAFF AND COMMUNIT

AEC

Expected School-wide Learning Results (ESLR's)

The ESLR's are statements about what all students should know, understand, and be able to do by the time they graduate.

Focus at the Alternative Education Center is

REAL

Respect 4 Education 2 Achieve Life-long Success

R - espect

E - ducation –

A - chieve

L – ife-long SUCCESS

Respect:

...For self and others to promote healthy life styles

Education:

...By Name, By Need, By Skill (Strive to become Proficient in Reading, Writing, Speaking, and listening; mathematical computations, and problem solving based on California State Standards).

Achieve:

...Short and Long Term Goals 4 Career and Post- Secondary Options

Life-Long Success

...Demonstrate higher-level critical thinking skills

...Utilizing Evolving Technology

## **INTRODUCTION - SCHOOL PROFILE**

Silver Valley Unified School District is comprised of seven school sites including Lewis Elementary School, Newberry Springs Elementary School, Fort Irwin Middle school, Tiefert View Intermediate School, Yermo School (K-8), Silver Valley High School, and the Alternative Education Center (AEC). The Alternative Education Center uniquely houses four schools including Calico Continuation High School, Silver Valley Academy, Silver Valley Community School, and Silver Valley Adult School. . Staff, students, parents, and the community comment on the positive changes that are ongoing in our school.

Like so many other academic institutions, The Alternative Education Center faces challenges in maintaining a safe school. This section of our Comprehensive Safe School Plan will describe programs in place at our school as well as strategies and programs of our school site council for continued improvement in providing a safe, orderly, school environment conducive to learning.

### **School Crime Status and Reporting**

Students at the Alternative Education Center are guided by specific rules and classroom expectations that promote respect, cooperation, courtesy, and acceptance of others. Our discipline program is fair, firm, and consistent. Teachers develop classroom expectations which are supplemented by school-wide discipline policy. Parents and students are informed of discipline policies at the beginning of each school year during classroom orientation and within the student handbook. The suspension and expulsions illustrate total cases for all schools housed at the Alternative Center and include all grades level. Suspensions are expressed in terms of total infractions, not total number of students, as some students may have been suspended on several occasions. Expulsions occur when required by law or when all other alternatives are exhausted. For the 2014-15 school year the Alternative Education Center reported a total of 3 suspensions and 0 expulsion, whereas in 2018-2019 school year the AEC reported a total of 3 suspensions and 0 expulsion. The 2016-2017 school year the AEC reported 4 suspensions and 1 expulsion

### **Personal Characteristics of Pupil & Staff**

Approximately 57 % of the pupils are in families receiving Aid to Families with Dependent Children that are eligible for free/reduce lunches. The ethnic makeup of the pupil population is 26 % Hispanic or Latino, 9% African American, 61% Caucasian, and 4% others (Filipino, Native American, and Pacific Islander). Our pupils have a variety of life experiences. Some pupils have recently arrived from foreign countries while others have never left their neighborhood.



### **Curriculum and Educational Activities**

The course of study includes the basic core curriculum, **English, Mathematics, Science, Social Science**, and enrichment classes such as **Physical Education, Foreign Language Music, Art, Drawing, Sewing, Photography, Child Development, Community Service, ASB, Yearbook, and Foods**.

Staff provides opportunities and additional activities open to pupils to **participate in various community contests (posters and essays), participation in community events and activities such as Red Ribbon Week, Food Drive, Relay for Life, and a Recycling program.**

## **PHYSICAL ENVIRONMENT**

### **The Schools' Location and Physical Environment**

With the exception of 3 satellite campus for long term independent study offered at Fort Irwin Army Base, Yermo School, and Newberry Springs Elementary the Alternative Education Center is situated in the rural high desert of Southern California, 126 miles from Los Angeles and a 144 miles from Las Vegas, in the town of Daggett that has an above average crime rate and poverty level. The immediate area near the school includes a Marine Corp Logisitic / Annex base, single family dwellings, apartments, trailer parks, commercial buildings, a community center, and a public park which are served by a volunteer Fire and Rescue Department. Present safety hazards concerns include open desert land, vacant buildings, railroad tracks, a river bottom, the I-40 freeway, and the Cal/Nevada gas pipeline.

### **Description of School Grounds**

The school site encompasses 7.91 acres and is comprised of one administration building, 15 permanent classrooms, two portables, a multipurpose room, and one playground. The Alternative Education Center is completely fenced with lockable gates.

During the school day, staff members and administrators shall provide campus supervision. Identified problem areas receive increased supervision to reduce discipline, crime, or other school safety concerns.

It shall be the practice of Alternative Education Center to remove all graffiti from school property before pupils arrive to begin their school day. Other acts of vandalism are promptly addressed.

### **Maintenance of School Buildings/Classrooms**

The school's physical facility was constructed in 1950 and renovated in 1994. District personnel periodically examine the school's physical facility and help eliminate obstacles to school safety. Additionally, periodic inspections by health and fire department officials contribute to our school's safety.

Classrooms safety and appearance are monitored by the site administration and individual teachers. The students here take pride in the appearance of the school.

## Silver Valley Unified School District

### **Internal Security Procedures**

The Alternative Education Center has established procedures in the following areas: California Safe School Assessment (CSSA) reporting procedures, suspension and expulsion procedures.

The Alternative Education Center maintains a copy of the district's sexual harassment policy in the main office and the policy is available upon request. The District's Sexual Harassment Policy contains dissemination plans, applicable definitions, reporting requirements, investigation procedures, enforcement regulations, and information related to suspension and/or expulsion for sexual harassment of or by pupils. Additionally, a notice summarizing this sexual harassment policy appears in the *Parent & Student Handbook*. The parent student handbook is distributed at the beginning of each school year to all parents and pupils, and is also available online.

Included in this Safe School Plan is a school map established by the School Site Council indicating safe entrance and exit areas for pupils, parents and school employees.

To ensure the safety of pupils and staff, all visitors to the campus, except pupils of the school and staff members, shall register immediately upon entering any school building or grounds when school is in session. District employees, not assigned to the Alternative education Center shall wear appropriate identification badges while on campus conducting business.

Discipline procedures shall focus on finding the cause of problems and working with all concerned to reach the proper, lawful solutions. The school's discipline plan begins at the classroom level. Teachers shall use a visible classroom management plan to communicate classroom rules, promote positive pupil conduct, and reduce unacceptable conduct. Appropriate consequences are administered based on the seriousness of the pupil's misbehavior.

Pupil conduct standards and consequences for the Alternative Education Center are specifically described in this Comprehensive Safe School Plan include: (a) the adopted school discipline rules and procedures, (b) District Disciplinary Guidelines, and (c) the adopted school-wide dress code.

Pupils may be suspended, transferred to another school, or recommended for expulsion or for certain acts. For specific student violations, a mandatory expulsion recommendation shall be submitted by the administration of the Alternative Educational Center

Site administrators contribute to a positive school climate, promote positive pupil behavior, and help reduce inappropriate conduct. The principal/designee uses available district and other appropriate records to inform teachers of each pupil identified under E.C. 49079.

Law enforcement is contacted and consulted to help maintain and to promote a safe and orderly school environment. The Alternative Education Center employees comply with all legal mandates, regulations, and reporting requirements for all instances of suspected child abuse.

Additional internal security procedures affecting the integrity of the school facility include: a security system operational during non-school hours, classrooms equipped with intercom and telephone system. Walkie-talkies are also utilized to enhance communication as needed.

### **Inventory System – Engraved ID, Security Storage**

Most school-site equipment has a metal ID tag or a bar code sticker adhered to its surface. These items are inventoried annually and there is an established accountability system. Office and classroom supplies are secured.

## **SCHOOL CLIMATE**

### **The School's Social Environment**

Leadership at The Alternative Education Center is a responsibility shared among district administration, the principal, instructional and support staff, students, and parents. Primary leadership duties at the Center are under the direction of the principal. A proactive role is assumed in all phases of the school operation. The current management team is committed to developing The Alternative Education Center toward excellence in the areas of academic and social behavior.

The principal sets a positive tone for the school, guides the staff and works closely with them on curriculum and school safety issues. The school site's organizational structure is open and flexible contributing to sensitivity concerning school safety issues and promoting a safe, orderly school environment conducive to learning.

### **Disaster Procedures, Routine and Emergency**

A contingency plan for emergencies is contained in a handbook available to each staff member. The District's Emergency Disaster Plan - **EDP** has been developed and provided as a separate document for each school site within the Silver Valley Unified School District. A staff member has also completed Community Emergency Response Training (CERT). The plan is reviewed at the beginning of each school year.

### **Classroom Organization and Structure**

Teachers at the Alternative Education Center provide a varied learning environment in their classrooms. Teachers use a variety of teaching strategies including: computer based learning (APEX), student projects, presentations, hands-on activities, portfolios, journals, creative writing, art, displays or others.)

The teachers at The Alternative Education Center are highly qualified, with many teachers holding advanced degrees. Additionally, staff providing core content instruction have Verification Process for Special Settings (VPSS) certification. The staff is united in their desire to provide quality education for all pupils. Classrooms and teachers provide safe, orderly learning environment, enhance the experience of learning, and promote positive interactions amongst pupil and staff. Instructional time is maximized and disruptions are minimized. Some classrooms have lock-down safety doors.

### **The School's Cultural Environment**

There is a high level of cohesiveness among the staff members at the Alternative Education Center. Cooperation and support between teachers and the administration is evident. Efforts are made by the administration and staff to show concern for all pupils.

Silver Valley Unified School District

All pupils are expected to behave in a manner that promotes safety and order. Pupils are encouraged to bring problems to the principal, counselor, teacher or other staff members. The everyday goal is for the staff to be proactive rather than reactive in all situations of concern.

The academic and behavior efforts of pupils are recognized and rewarded.

## SUMMARY OF SITE SAFETY ASSESSMENT DATA

### Accomplishments/Areas of Pride (REAL)

1. The staff here at AEC, believe the safety of our students, employees and guests is the highest priority. While real risks exist, we believe:
2. Accidents and injuries are preventable.
3. No education or business objective is so important that it be pursued at the sacrifice of safety.
4. Safe conduct and behavior is a condition of employment at the Silver Valley Unified School District
5. A job or activity is well done only if it is done safely and without incidents.
6. Anyone in the work place who observes an action or condition that is unsafe has an obligation to intervene and address the fundamental causes inherent in the process, activity or action.
7. Staff continues to participate with the districts online Safety Program
8. Ongoing emergency drills
9. The AEC has site representation on the District Safety & Emergency Preparedness team.
10. With the increase in technology as the primary source for student learning, the infrastructure has been assessed and upgraded

### Findings & Desired Improvements

1. Additional fencing is recommended to provide a more secure campus
2. All classroom doors have recently been equipped with a safety lockdown function.

### Priorities/Goals: As Needed

1. Review and revise the Comprehensive School Safety Plan
2. Review and revise Fire, Disaster, and Crisis Plan
3. Review and revise Injury and Illness Prevention Program
4. Review District's Uniform Disaster Plan

## **ACTION PLAN**

### **“Physical Environment”**

#### **SCHOOL SAFETY STRATEGY:**

**The Alternative Education Center believes that well maintained and managed facilities contribute to the success of all students and their learning.**

**GOAL #1: Ongoing assessment as to the condition (physical) of the campus and following district protocol and procedures will contribute to student success**

#### **I. Related Strategies and Activities**

- 1. Safety drills will be implemented throughout the year.**
- 2. Physical Inspections (Fire Department / District) as needed**
- 3. Equipment (fire-extinguishers) inspections as needed**
- 4. Online Staff Trainings to be completed as required by district**

#### **II. Funding Resources Required**

- 1. N/A**

#### **III. Evidence/Evaluation**

- 1. Log sheet verifications**

#### **IV. Responsibility; Who & When**

- 1. AEC administration and staff**

**GOAL #2: Administration and or staff will report any and all areas of the campus that appear to be unsafe and will work with the district office to ensure corrections are made in a timely manner.**

#### **I. Related Strategies and Activities**

- 1. Ongoing school-wide and classroom monitoring.**

#### **II. Funding Resources Required**

2. District and or site

### **III. Evidence/Evaluation**

3. Report needed corrections to site administrator

### **IV. Responsibility; Who & When**

4. District maintenance / facilities
5. Site Principal

## **ACTION PLAN**

### **“School Climate”**

#### **SCHOOL SAFETY STRATEGY:**

**The Alternative Education Center will create a safe and constructive learning environment which promotes academic and social growth to ensure student achievement and success so each individual may become lifelong learners.**

**GOAL #1: Review and Revise the Comprehensive Safe School Plan once a year**

#### **I. Related Strategies and Activities**

1. Review and revise CSSP plan at the beginning of the year
2. Review and revise as needed the School Plan for Student Achievement SPSA.
3. Review and revise as needed the site Western Association of School and Colleges accreditation report (WASC)

#### **II. Funding Resources Required**

1 N/A

#### **III. Evidence/Evaluation**

- 1 Staff Agenda
- 2 School Site Council Agenda

#### **IV. Responsibility; Who & When**

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4. Administration 2018-2019
5. Staff 2018-2019
6. School Site Council 2018-2019

**GOAL #2: Provide supports to assist students with academic and social / emotional issues.**

**1.Related Strategies and Activities**

1. Counselor
2. Counselor (outside support / services)

**2.Funding Resources Required**

3. District / Site as needed

**3.Evidence/Evaluation**

4. Counselor log
5. SPSA
6. WASC

**4.Responsibility; Who & When**

7. Counselor / log
8. School Site Council

**GOAL #3: Review and revise as needed Family/Student handbook**

**1.Related Strategies and Activities**

1. Review and Revise handbook as needed

**2.Funding Resources Required**

2. N/A

**3.Evidence/Evaluation**

3. District Student / Family Handbook

**4.Responsibility; Who & When**



4. Administration 2018-2019
5. Staff 2018-2019
6. School Site Council 2018-2019

## **Safe School Compliance**

### **Mandatory Policies to Include in Plan:**

#### **Child Abuse Reporting and Procedures**

#### **Suspected Child Abuse Reporting Procedures**

#### **Suspension and Expulsion/Due Process**

#### **Procedures for Notifying Teachers about Dangerous Pupils**

#### **Sexual Harassment Policy**

#### **School Wide Dress Code**

#### **Procedure for Safe Ingress to and Egress from School**

#### **Procedures to Ensure A Safe and Orderly Environment**

#### **Rules and Procedures on School Discipline**

#### **Other School Site / District Plans-Policies**

- AEC Fire, Disaster, and Crisis Plan (attached)
- AEC Illness and Injury Prevention Program (attached)
- District Uniform Disaster Plan (attached)
- AEC Chemical Hygiene Plan (attached)
- Transportation Policies and Safety Plan (attached)
- School Map

**[THE FOLLOWING ARE AREAS THAT MAY BE INCLUDED IN YOUR COMPREHENSIVE PLAN. INSERT ANY ADDITIONAL POLICIES REQUESTED BY SCHOOL SITE]**

1. *Accelerated Reading*
2. *Anabolic Steroids*
3. *Announcements*
4. *Assemblies*

5. *Associated Student Body*
6. *ATOD policy*
7. *ATOD Use by Students*
8. *Attendance*
9. *Apprehension*
10. *Behavior*
11. *Behavior-Code of Conduct*
12. *Bills*
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45. *Guidance*
46. *Guidelines for the Playground*
47. *Gum Chewing*
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50. *Honor Role*
51. *Intervention*
52. *Insurance, School*
53. *Laboratory Safety*
54. *Language*
55. *Library*
56. *Lockers*
57. *Medication*
58. *Non-Punitive Self Referral*
59. *Open/Closed Campus*
60. *Overaffection*
61. *Parking and Traffic*
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71. *Research Based Curriculum*
72. *Rewards for Good Behavior, Exceptional Effort, and Acad. Excel.*
73. *Rights and Responsibilities*
74. *Safe Ingress To and Egress From School*

- 75. *Search and Seizure*
- 76. *Stealing*
- 77. *Suspension and Expulsion/Due Process*
- 78. *Telephones*
- 79. *Textbooks*
- 80. *Truancy*
- 81. *Uniforms/Dress*
- 82. *Upper Grades Discipline Referral Procedures*
- 83. *Vandalism/Theft/Graffiti*
- 84. *Weapons*
- 85. *Yard Duty*
- 86. *Zero Tolerance*

**Silver Valley USD**

**Alternative Education Center**

**COMPREHENSIVE SCHOOLS SAFETY PLAN:**

**School Site Council Evaluation and Public Hearing Certification**

California law requires the Comprehensive Safe School Plan of each school to be annually evaluated and amended, as needed, to ensure the plan is being properly implemented (Education Code 35294.2[e]). An updated file of all safety-related plans and materials is maintained by The Alternative Education Center and is readily available for inspection by the public.

California law also requires notice for public input prior to the adoption of the Comprehensive Safe School Plan. Notice for public comment was provided on February 24th at the Alternative Education Center's School Site Council meeting held in room 1 at 1:30 pm. Notice was provided by posting of School Site Agenda on February 18<sup>th</sup> 2015.

The Alternative Education Center's school "Safety Committee" and "School Site Council" have evaluated our Comprehensive Safe School Plan and has determined the following:

The plan (has) been properly implemented and "NO" amendment has been made.

School Site Safety Committee members are teachers; Derek Baker, Stephanie Pratt, Janet Worland, Tim Foster, Trista Hignett, and Cate Corrigan other staff; Jan Steele, Deyonisha Arnold, Kristina Andrade, Kim Woltman, Roberta McElFresh, Elaine O'Neal, and the principal; Michael Cox.

SSC: Chairperson - Sally Vintus

Signatures of The Alternative Education Center's School Safety  
Committee Members

Michael 4 12/7/18  
Signature Date

D. J. L. 12/7/18  
Signature Date

Janice A. 12/7/18  
Signature Date

Stephanie Pratt 12/7/18  
Signature Date

Kyle 12/7/18  
Signature Date

Dea 12/7/18  
Signature Date

Elaine 12-7-18  
Signature Date

Signature Date

John 12-7-18  
Signature Date

Signature Date

Kim 12-7-18  
Signature Date

Signature Date

Janet Worland 12-7-18  
Signature Date

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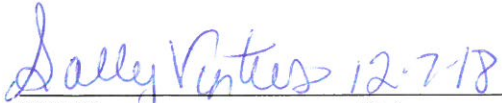
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**Signatures of The Alternative Education Center's School Site Council**  
**Chairperson**

  
SSC Signature                      Date

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SSC Signature                      Date

**Appendix A**

**CHILD ABUSE REPORTING PROCEDURES**

Definitions

Child Abuse or neglect includes the following:

1. A physical injury inflicted by other than accidental means on a child by another person
2. Sexual abuse of a child as defined in Penal Code 11165.1
3. Neglect as defined in Penal Code 11165.2
4. Willful cruelty or unjustifiable punishment of a child
5. Unlawful corporal punishment or injury resulting in a traumatic condition as defined in Penal Code 11165.4

Child abuse or neglect does not include:

1. A mutual affray between minors.
2. An injury caused by reasonable and necessary force used by a peace officer acting within the course and scope of his/her employment
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

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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 the student
5. Physical pain or discomfort caused by athletic competition or other such recreational activity voluntarily engaged in by the student

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; administrators and employees of a licensed day care facility; Head Start teachers, district police or security officers; and administrators, presenters or counselors of a child abuse prevention program.

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.

### **CHILD ABUSE REPORTING PROCEDURES**

#### **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.

A mandated reporter who has knowledge of or who reasonably suspects that a child is mental suffering serious emotion damage or is at a substantial risk of suffering serious emotion 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.

Any person shall notify a peace officer if he/she 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, where the victim is a child under age 14.

#### **Responsibility for Reporting**

The reporting duties of mandated reporters are individual and cannot be delegated to another person.

When two or more mandated reporters jointly have knowledge of a known or suspected instance of child abuse or neglect, and when there is agreement among them, the report may be made by a member of the team selected by mutual agreement and a single report



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may be made and signed by the selected by mutual agreement and a single report may be made and signed by the elected 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.

No supervisor or administrator shall impede or inhibit a mandated reporter from making a report.

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.

### **Reporting Procedures**

#### 1. Initial Telephone Report

Immediately or as soon as practicably possible after knowing or observing suspected child abuse or neglect, a mandated reporter shall make a 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 the county welfare department, and the military police if the family lives on post.

### **CHILD ABUSE REPORTING PROCEDURES**

Fort Irwin residence: Any time a mandated reporter contacts the Sheriff's Department, they may also contact the Fort Irwin Military Police. The Sheriff's Department will contact CPS.

Department

San Bernardino County Sheriff's  
225 E. Mountain View  
Barstow, CA 92311

(760) 256-1796

Fort Irwin Military Police  
(760) 380-4444

Child Protective Services  
170 N. Yucca Ave., Suite D  
Barstow, CA 92311  
(760) 255-5400

Valley Residence (Yermo, Daggett, Ludlow, Newberry Springs, or Barstow) The Sheriff's Department will contact CPS.

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Department

San Bernardino County Sheriff's  
225 E. Mountain View  
Barstow, CA 92311

(760) 256-1796

Child Protective Services  
170 N. Yucca Ave., Suite D  
Barstow, CA 92311  
(760) 255-5400

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

2. Written Report

Within 36 hours of receiving the information concerning the incident, the mandated reporter shall prepare and send to the appropriate agency a written report which includes a completed Department of Justice form (Form SS 8572). ***The designated agency for reporting and sending written report is the San Bernardino County Sheriff's Department. The Sheriff's Department will then contact the appropriate authorities.***

Mandated reporters may obtain copies of the above form either from the district or the appropriate agency.

**CHILD ABUSE REPORTING PROCEDURES**

Reports of suspected child abuse or neglect shall include, if known:

- 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 information that gave rise to the reasonable suspicion of child abuse or neglect and the source(s) of that information
- e. The name, address, telephone number and other relevant personal information about the person(s) who might have abused or neglected the child

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

Information relevant to the incident of child abuse or neglect may also be given to an investigator from an agency that is investigating the case.

3. Internal Reporting

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Employees reporting child abuse or neglect to the appropriate agency are encouraged, but not required, to notify the principal or designee as soon as possible after the initial telephone report to an appropriate agency. When so notified, the principal shall inform the Superintendent or designee.

The principal or designee 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.

The mandated reporter shall not be required to disclose his/her identity to the principal.

He/she may provide or mail a copy of the written report to the principal, Superintendent or designee without his/her signature or name.

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

### **Training**

Training of mandated reporters shall include child abuse identification and reporting.

Training shall also include guidance in the appropriate discipline of students, physical contact with students, and maintenance of ethical relationships with students to avoid actions that may be misinterpreted as child abuse.

## **CHILD ABUSE REPORTING PROCEDURES**

### **Victim Interviews**

Whenever a representative of an agency investigating suspected child abuse or neglect deems it necessary, a suspected victim may be interviewed during school hours, on school premises, concerning a report of suspected child abuse or neglect that occurred within the child's home or out-of-home care facility. The child shall be given the choice of being interviewed in private or in the presence of any adult school employee or volunteer aide selected by the child. (Penal Code 11174.3)

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

1. The purpose of the selected person's presence at the interview is to lend support to the child and enable him/her to be as comfortable as possible.

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2. The selected person shall not participate in the interview.
3. The selected person shall not discuss 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. It is the responsibility of the peace officer or agent to notify the parent/guardian of the situation.

Peace officers shall be asked to sign an appropriate release or acceptance of responsibility form.

**Parent/Guardian Complaints**

Upon request, the Superintendent or designee shall provide parents/guardians with procedures that describe how to report suspected child abuse occurring at a school site to appropriate agencies. For parents/guardians whose primary language is other than English, such procedures shall be in the primary language of the parent/guardian and, when communicating orally regarding those procedures, an interpreter shall be provided

**CHILD ABUSE REPORTING PROCEDURES**

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 to any district employee, that employee 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.

In addition, if the child is enrolled in special education, a separate complaint may be filed with the California Department of Education under 5 CCR 4650(a)(viii)(C).

**Notifications**

The Superintendent or designee shall provide all new employees who are mandated reporters a statement that informs them that they are mandated reporters, of their reporting obligations under Penal Code 11166, and of their confidentiality rights under

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Penal Code 11167. The district shall also provide these new employees with a copy of Penal Code 11165.7, 11166, and 11167.

Before beginning employment, employees shall sign the statement indicating that they have knowledge of the reporting obligations under Penal Code 11166 and that they will comply with those provisions. The signed statements shall be retained by the Superintendent or designee.

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 shall also 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 reports.

2. If a mandated report fails to report an incident of known or reasonably suspected child abuse or neglect, he/she is guilty of a misdemeanor punishable by a fine and/or imprisonment.

3. No employee shall be subject to any sanction by the district for making a report.

### Regulation

Adopted: 4-14-97

Revised: 12-10-01, 12-9-02

Revised: 11-14-05

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## Appendix B

### Suspension and Expulsion / Due Process

#### Definitions

Suspension from school means removal of a student from ongoing instruction for adjustment purposes. However, "suspension" does not mean any of the following:

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.

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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. Removal from a particular class shall not occur more than once every five school days.

Expulsion means removal of a student from the immediate supervision and control, or the general supervision, of school personnel.

Day means a calendar day unless otherwise specifically provided.

School day means a day upon which the schools of the district are in session or weekdays during the summer recess.

Student includes a student's parent/guardian or legal counsel.

Principal's designee means one or more administrators or, if there is not a second administrator at one school site, a certificated person specifically designated by the principal, in writing, to assist with disciplinary procedures. Only one such person may be designated at any time as the principal's primary designee and only one such person may be designated as secondary designee for the school year. The names of such persons shall be on file in the principal's office.

School property, for the purposes described in Education Code 48900, includes, but is not limited to, electronic files and databases.

### **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, suspension and expulsion.

### **Grounds for Suspension and Expulsion**

A student may be subject to suspension or expulsion when it is determined that he/she:

1. Caused, attempted to cause, or threatened to cause physical injury to another person or willfully used force or violence upon the person of another, except in self-defense.

A student who aids or abets the infliction or attempted infliction of physical injury on another person, as defined in Penal Code 31, may be suspended, but not

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expelled. However, a student may be suspended or expelled pursuant to Education Code 48900(a) once he/she has been adjudged by a juvenile court to have committed, as an aider or abettor, a crime of physical violence in which the victim suffered great or serious bodily injury.

1. 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.
2. Unlawfully possessed, used, sold, or 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.
3. 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 controlled substance, alcohol beverage or intoxicant.
4. Committed or attempted to commit robbery or extortion.
5. Caused or attempted to cause damage to school property or private property.
6. Stole or attempted to steal school property or private property.
7. Possessed or used tobacco or any products containing tobacco or nicotine products, including but not limited to cigars, cigarettes, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets and betel. This restriction shall not prohibit a student from using or possessing his/her own prescription products.
8. Committed an obscene act or engaged in habitual profanity or vulgarity.
9. Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Health and Safety Code 11014.5.
10. Disrupted school activities or otherwise willfully defied the valid authority of supervisors, teachers, administrators, other school officials, or other school personnel engaged in the performance of their duties.
11. Knowingly received stolen school property or private property.
12. Possessed an imitation firearm, i.e. 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.

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- a. 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.
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.
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.
15. Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma.
16. Engaged in, or attempted to engage in, hazing as defined in Education Code 32050.
  - a. 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.
17. Made terrorist threats against school officials and/or school property.
18. 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.
19. A student in grades 4 through 12 is also subject to suspension or recommendation for expulsion when it is determined that he/she:
20. Committed sexual harassment as defined in Education Code 212.5.
  - a. Sexual harassment means that conduct, 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.
21. Caused, attempted to cause, threatened to cause, or participated in an act of hate violence as defined in Education Code 33032.5.



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- a. Hate violence means any act punishable under Penal Code 422.6, 422.7, or 422.75. Such acts include injuring or intimidating another person, interfering with the exercise of a person's civil rights, or damaging a person's property because of the person's race, color, religion, ancestry, national origin, disability, gender, or sexual orientation.
22. Intentionally engaged in harassment, threats, or intimidation against district personnel or a students that is sufficiently severe or pervasive to have the actual and reasonably expected effect of materially disrupting class work, creating substantial disorder, and invading the rights of school personnel or students by creating an intimidating or hostile educational environment.
23. Engaged in an act of bullying, including, but not limited to, bullying by means of an electronic act, directed toward a student or school personnel.
- a. Bullying mean one or more acts by a student or group of students that constitutes sexual harassment pursuant to Education Code 48900.2, as defined in item #19 above; hate violence pursuant to Education Code 48900.3, as defined in item #20 above; or harassment, threats, or intimidation pursuant to Education Code 48900.4, as defined in item #21 above.
  - b. Electronic act means the transmission of a communication, including, but not limited to, a message, text, sound, or image by means of an electronic device, including, but not limited to, a telephone, wireless telephone, or other wireless communication device, computer, or pager.
24. A student may be suspended or expelled for any of the acts listed above if the act is related to school activity or school attendance occurring at any district school under the jurisdiction of the Superintendent or principal or within any other school district, including but not limited to the following circumstances:
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.
  4. During, going to, or coming from a school-sponsored activity.
- The Superintendent or principal may use his/her discretion to provide alternatives to suspension or expulsion for a student subject to discipline under this administrative regulation, including, but not limited to, counseling and an anger management program.
- Alternatives to suspension or expulsion will be used with students who are truant, tardy, or otherwise absent from assigned school activities.

**Removal from Class by a Teacher/Parental Attendance**

A teacher may suspend any student from his/her class for the remainder of the day and the following day for any act listed in “Grounds for Suspension and Expulsion” above.

A teacher also may refer a student to the principal or designee for consideration of suspension from school.

When removing a student from his/her class, the teacher shall immediately report this action to the principal and send the student to the principal for appropriate action. The student shall be appropriately supervised during the class periods from which he/she has been removed.

As soon as possible, the teacher shall ask the student’s parent/guardian to attend a parent-teacher conference regarding the removal. 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.

A student removed from class shall not be returned to class during the period of removal without the approval of the teacher of the class and the principal.

A student removed from class shall not be placed in another regular class during the period of removal. However, if a student is assigned to more than one class per day, he/she may be placed in any other regular classes except those held at the same time as the class from which the student was removed.

The teacher of any class from which a student is removed may require the student to complete any assignments and tests missed during the removal.

Pursuant to Board policy, a teacher may provide that the parent/guardian of a student whom the teacher has removed attend a portion of a school day in his/her child’s classroom. When a teacher makes this request, the principal shall send the parent/guardian a written notice that the parent/guardian’s attendance is requested pursuant to law.

This notice shall also:

1. Inform the parent/guardian when his/her presence is expected and by what means he/she may arrange an alternate date.
2. State that if the parent/guardian does not have a means of transportation to school, he/she may ride the school bus with the student.
3. Ask the parent/guardian to meet with the principal after the visit and before leaving school, as required by Education Code 48900.1.

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**Suspension by Superintendent, Principal or Principal's Designee**

The Superintendent, or principal, may suspend a student from a school for not more than five consecutive school days unless the suspension is extended pending expulsion.

The Superintendent or designee shall immediately suspend any student found at school or at a school activity to be:

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

Explosive means a destructive device and includes, but is not limited to, any explosive, incendiary, or poison gas bomb, grenade, rocket having a propellant charge of more than four ounces, missile having an explosive or incendiary charge of more than one-quarter ounce, mine or similar device. A destructive device includes any other type of weapon (except a shotgun or shotgun shell recognized by the United States Secretary of Army as suitable for sporting purposes) which might be converted to project an explosive.

Suspension also may be imposed upon a first offense if the Superintendent, or principal, determines the student violated items #1-5 listed in "Grounds for Suspension and Expulsion" above or if the student's presence causes a danger to persons or property or threatens to disrupt the instructional process.

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

The district may count suspensions that occur while a student is enrolled in another school district toward the maximum number of days for which a student may be suspended in any school year.

Suspensions shall be initiated according to the following procedures:

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

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

2. Administrative Actions: All requests for student suspension are to be processed by the principal or designee of the school in which the student is enrolled at the time of the misbehavior. A school employee shall report the suspension, including the name of the student and the cause for the suspension, to the Superintendent or designee.

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 be notified in writing of the suspension. This notice shall state the specific offense committed by the student.

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

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

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

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.

Any extension of the original period of suspension shall be preceded by notice of such extension with an offer to hold a conference concerning the extension, giving the student

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an opportunity to be heard. This conference may be held in conjunction with a meeting requested by the student or parent/guardian to challenge the original suspension. Extension of the suspension may be made only if the Superintendent or designee determines, following a meeting in which the student and the student's parent/guardian were invited to participate, that the student's presence at the school or at an alternative school would endanger persons or property or threaten to disrupt the instructional process.

### **Suspension by the Board**

The Board may suspend a student for any of the acts listed in "Grounds for Suspension and Expulsion" above and within the limits specified in "Suspension by Superintendent, Principal or Principal's Designee" above.

The Board may suspend a student enrolled in a continuation school or class for a period not longer than the remainder of the semester if any of the acts listed in "Grounds for Suspension and Expulsion" occurred. The suspension shall meet the requirements of Education Code 48915.

When the Board is considering a suspension, disciplinary action or any other action (except expulsion) against any student, it shall hold closed sessions if a public hearing would lead to disclosure of information violating a student's right to privacy under Education Code 49073-49079.

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

### **Supervised Suspension Classroom**

Students for whom an expulsion action has not been initiated and who pose no imminent danger or threat to the school may be assigned to a supervised suspension classroom in a separate classroom, building, or site for the entire period of suspension. The following conditions shall apply:

1. The supervised suspension classroom shall be staffed in accordance with law.
2. The student shall have access to appropriate counseling services.
3. The supervised suspension classroom shall promote completion of schoolwork and tests missed by the student during the suspension.

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

At the time a student is assigned to a supervised suspension classroom, the principal or designee shall notify the student's parent/guardian in person or by telephone. When the assignment is for longer than one class period, this notification shall be made in writing.

### **Authority to Expel**

A student may be expelled only by the Board. The Board shall expel, as required by law, any student found to have committed certain offenses listed below under "Mandatory Recommendation and Mandatory Expulsion."

The Board may also order a student expelled for any of the acts listed above under "Grounds for Suspension and Expulsion" upon recommendation by the principal, Superintendent, hearing officer or administrative panel, based on either or both of the following finding(s):

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.

### **Mandatory Recommendation for Expulsion**

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

1. Causing serious physical injury to another person, except in self-defense.
2. Possession of any knife as defined in Education Code 48915(g), explosive or other dangerous object of no reasonable use to the student.
3. Unlawful possession of any controlled substance, as listed in Health and Safety Code 11053-11058, except for the first offense for the possession of not more than one ounce of marijuana, other than concentrated cannabis.
4. Robbery or extortion.

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

**Mandatory Recommendation and Mandatory Expulsion**

The principal, Superintendent or designee shall recommend that the Board expel any student found at school or at a school activity to be:

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

Upon finding that the student committed any of the above acts, the Board shall expel the student.

**Student's Right to Expulsion Hearing**

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

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.

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.

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.

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Once the hearing starts, all matters shall be pursued with reasonable diligence and concluded without unnecessary delay.

### **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.

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:

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 in 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.

### **Written Notice of the Expulsion Hearing**

Written notice of the 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:

1. The date and place of the hearing;
2. A statement of the specific facts, charges and offense upon which the proposed expulsion is based;
3. A copy of district disciplinary rules which relate to the alleged violation;
4. Notification of the student's or parent/guardian's obligation, pursuant to Education Code 48915.1, to provide information about the student's status in the district to any other district in which the student seeks enrollment. This obligation applies when a student is expelled for acts other than those described in Education Code 48915(a) or (c);
5. The opportunity for the student or the student's parent/guardian to appear in person or to employ and be represented by legal counsel or by a nonattorney advisor;



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

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

### **Conduct of Expulsion Hearing**

1. Closed Session: Notwithstanding the provisions of Government Code 54953 and Education Code 35145, the Board shall conduct a hearing to consider the expulsion of the student in a session closed to the public unless the student requests in writing at least five days prior to the hearing that the hearing be a public meeting. If such request is made, the meeting shall be public unless another student's privacy rights would be violated.

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 shall also be allowed to attend the closed session.

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.

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

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 the Code of Civil Procedure 1985-1985.2 and enforced in accordance with Government Code 11455.20.

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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.

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.

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

Findings of fact shall be based solely on the evidence at the hearing. While 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.

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 hearings involve allegations of sexual assault or sexual battery by a student:

- 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 according to Penal Code 868.5.

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

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

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

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

(3) The person conducting the hearing may:

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

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

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

6. Decision Within 10 Days: The Board's decision on whether to expel a student shall be made within 10 school days after the conclusion of the hearing, unless the student requests in writing that the decision be postponed

7. Decision Within 40 Days: If the Board does not meet on a weekly basis, its decision on 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.

**Alternative Expulsion Hearing: Hearing Officer or Administrative Panel**

Instead of conducting an expulsion hearing itself, the Board may contract with the county hearing officer or with the Office of Administrative Hearings of the State of California for a hearing officer. Alternatively, the Board may appoint an impartial administrative

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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.

A hearing conducted by the hearing officer or administrative panel shall conform to the same applicable to a hearing conducted by the Board as specified above in "Conduct of Expulsion Hearing."

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 student shall be immediately reinstated. The Superintendent or designee shall place the student in a classroom instructional program, any other instructional program, a rehabilitation program, or any combination of these programs after consulting with district staff, including the student's teachers and with the student's parent/guardian. The decision to not recommend expulsion shall be final.

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.

In accordance with Board policy, the hearing officer or administrative panel may recommend that the Board suspend the enforcement of the expulsion for a period of one year.

The Board shall make its decision about the student's expulsion within 40 school days after the date of the student's removal from school unless the student requests in writing that the decision be postponed.

### **Stipulated Agreement Alternative to Expulsion Hearing**

A student, his parent/guardian, and the District may enter into a stipulated agreement for expulsion in lieu of conducting an expulsion hearing. The District may not enter into a stipulated agreement for expulsion unless all of the following are met:

1. The student and/or his/her parents/guardian admit that the student committed the acts alleged by the Superintendent or Principal to have violated Education Code 48900 and/or 48915 and that the acts are grounds for expulsion.
2. The student and/or his/her parent/guardian have been fully informed of their right to an expulsion hearing and the conduct of the hearing as described herein.
3. The student and/or his/her parent/guardian have been fully informed of and voluntarily

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waive their rights to a hearing and appeal of the expulsion order.

The Board shall take final action to approve or disapprove a stipulated agreement for expulsion.

If the Board modified the terms of the agreement, the student and/or his/her parent/guardian may request in writing, within five (5) school days from such modification, that a hearing be conducted.

If the Board does not approve a stipulated agreement, an expulsion hearing shall be conducted.

The hearing shall be conducted within thirty (30) days from the date the agreement was modified or disapproved by the Board.

### **Final Action by the Board**

Whether the expulsion hearing is conducted in closed or public session by the Board, a hearing officer, or an administrative panel, the final action to expel shall be taken by the Board at a public meeting.

If the Board conducts the hearing and reaches a decision not to expel, this decision shall be final and the student shall be reinstated immediately.

Upon ordering an expulsion, the Board shall set a date when the student shall be reviewed for readmission to a school within the district. For a student expelled for an 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 the 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.

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

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

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With parental 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.

### **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 in Education Code 48900, 48900.2, 48900.3, 48900.4, 48900.7 or Education Code 48915.
2. The fact that a description of readmission procedures will be made available to the student and his/her parent/guardian.
3. Notice of the right to appeal the expulsion to the County Board of Education.
4. Notice of the alternative educational placement to be provided to the student during the time of expulsion.
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.

### **Decision Not to Enforce Expulsion Order**

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

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

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

1. The Board may, as a condition of the suspension of enforcement, assign the student to a school, class or program appropriate for the student's rehabilitation. This rehabilitation program may provide for the involvement of the student's parent/guardian in the student's education. However, a parent/guardian's refusal to participate in the

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rehabilitation program shall not be considered in the Board's determination as to whether the student has satisfactorily completed the rehabilitation program.

2. During the period when enforcement of the expulsion order is suspended, the student shall be on probationary status.
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" above or violates any of the district's rules and regulations governing student conduct.
4. When the suspension of the enforcement of an expulsion order is revoked, a student may be expelled under the terms of the original expulsion order.
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.
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 also inform the parent/guardian of the right to appeal the expulsion to the County Board.
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.

### **Right to Appeal**

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

The student shall submit a written request for a copy of the written transcripts and supporting documents from the district simultaneously with the filing of the notice of appeal with the County Board. The district shall provide the student with these documents within 10 school days following the student's written request.

### **Notifications 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.

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

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a controlled substance or possession of weapons or firearms in violation of Penal Code 626.9 and 626.10.

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.

### **Post-Expulsion Placements**

The Board shall refer expelled students to a program of study that is:

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

When the placement described above is not available, and when the County Superintendent so certifies, students expelled for acts described in items #6-13 and #20-22 under "Grounds for Suspension and Expulsion" above may be instead referred to a program of study that is provided at another comprehensive middle, junior, or senior high school, or at an elementary school. 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.

### **Readmission after Expulsion**

Readmission procedures shall be as follows:

1. On the date set by the Board when it ordered the expulsion, the district shall consider readmission of the student.
2. 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.
3. The Superintendent or designee shall transmit to the Board his/her recommendation regarding readmission. The Board shall consider this recommendation in closed session if information would be disclosed in violation of Education Code 49073-49079. If a written request for open session is received from the parent/guardian or adult student, it shall be honored.



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4. 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.
5. 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.
6. 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.
7. 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.

### **Maintenance of Records**

The Board shall maintain a record of each expulsion, including the specific cause of the expulsion. The expulsion record shall be maintained in the student's mandatory interim record and sent to any school in which the student subsequently enrolls, upon receipt of a written request by the admitting school.

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

### **Outcome Data**

The Superintendent or designee shall maintain the following data:

1. The number of students recommended for expulsion.
2. The specific grounds for each recommended expulsion.
3. Whether the student was subsequently expelled.
4. Whether the expulsion order was suspended.
5. The type of referral made after the expulsion.
6. The disposition of the student after the end of the expulsion period.

#### Regulation

Adopted: 10-11-84

Revised: 10-26-98, 2-11-02, 1-13-03, 7-14-03, 5-10-04

Revised: 2-10-09

District

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**Appendix C**

Teachers are notified about current and new potentially dangerous students by the following notice:

**Confidential Notice Regarding Student Behavior:**

Current Law (Assembly Bill 29) requires that teachers be informed regarding acts committed by pupils that result in suspension or expulsion from school. The information shall be received in confidence for the limited purpose for which it is provided and shall not be further disseminated by the teacher.

All copies of suspensions and expulsions are in the student's cumulative file for your review. Please note that the cumulative files must not leave the counseling office.

**Appendix D**

**Sexual Harassment Policy**

Prohibited sexual harassment includes, but is not limited to, unwelcome sexual advances, requests for sexual favors, and other unwanted verbal, visual or physical conduct of a sexual nature when made against another person of the same or opposite gender, in the educational setting, when:

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

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

1. Unwelcome leering sexual flirtations or propositions.
2. Sexual slurs, epithets, threats, verbal abuse, derogatory comments or sexually degrading descriptions.

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3. Graphic verbal comments about an individual's body, or overly personal conversation.
4. Sexual jokes, notes, stories, drawings, pictures or gestures.
5. Spreading sexual rumors.
6. Teasing or sexual remarks about students enrolled in a predominantly single-gender class.
7. Massaging, grabbing, fondling, stroking or brushing the body.
8. Touching an individual's body or clothes in a sexual way
9. Purposefully cornering or blocking normal movements.
10. Displaying sexually suggestive objects.

**Notifications**

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

1. Be included in the notifications that are sent to parents/guardians at the beginning of each school year.
2. Be displayed in a prominent location in the main administrative building or other area where notices of district rules, regulations, procedures and standards of conduct are posted.
3. Be provided as part of any orientation program conducted for new students at the beginning of each quarter, semester or summer session.
4. Appear in any school or district publication that sets forth the school's or district's comprehensive rules, regulations, procedures and standards of conduct.
5. Be provided to employees and employee organizations.

**Investigation of Complaints at School (Site-Level Grievance Procedure)**

1. The principal or designee shall promptly investigate all complaints of sexual harassment. In so doing, he/she shall talk individually with:
  - a. The student who is complaining
  - b. The person accused of harassment

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- c. Anyone who witnessed the conduct complained of
  - d. Anyone mentioned as having related information
2. The student who is complaining shall have an opportunity to describe the incident, present witnesses and other evidence of the harassment, and put his/her complaint in writing.
3. The principal or designee shall discuss the complaint only with the people described above. When necessary to carry out his/her investigation or for other good reasons that apply to the particular situation, the principal or designee also may discuss the complaint with the following persons:
  - a. The Superintendent or designee
  - b. The parent/guardian of the student who complained
  - c. If the alleged harasser is a student, his/her parent/guardian
  - d. A teacher or staff member whose knowledge of the students involved may help in determining who is telling the truth
  - e. Child protective agencies responsible for investigating child abuse reports
  - f. Legal counsel for the district
4. When the student who complained and the alleged harasser so agree, the principal or designee may arrange for them to resolve the complaint informally with the help of a counselor, teacher, administrator or trained mediator. The student who complained shall never be asked to work out the problem directly with the accused person unless such help is provided and both parties agree.
5. In reaching a decision about the complaint, the principal or designee may take into account:
  - a. Statements made by the persons identified above
  - b. The details and consistency of each person's account
  - c. Evidence of how the complaining student reacted to the incident
  - d. Evidence of past instances of harassment by the alleged harasser
  - e. Evidence of past harassment complaints that were found to be untrue
6. To judge the severity of the harassment, the principal or designee may take into consideration:
  - a. How the misconduct affected one or more students' education
  - b. The type, frequency and duration of the misconduct
  - c. The number of persons involved
  - d. The age and sex of the person accused of harassment

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- e. The subject(s) of harassment
- f. The place and situation where the incident occurred
- g. Other incidents at the school, including incidents of harassment that were not related to gender

7. The principal or designee shall write a report of his/her findings, decision, and reasons for the decision and shall present this report to the student who complained and the person accused.

8. The principal or designee shall give the Superintendent or designee a written report of the complaint and investigation. If the principal or designee verifies that sexual harassment occurred, this report shall describe the actions taken to end the harassment, address the effects of the harassment on the student harassed, and prevent retaliation or further harassment.

9. Within two weeks after receiving the complaint, the principal or designee shall determine whether or not the student who complained has been further harassed. The principal or designee shall keep a record of this information and shall continue this follow-up.

**Enforcement**

The Superintendent or designee shall take appropriate actions to reinforce the district's sexual harassment policy. As needed, these actions may include any of the following:

1. Removing vulgar or offending graffiti
2. Providing staff inservice and student instruction or counseling
3. Notifying parents/guardians of the actions taken
4. Notifying child protective services.
5. Taking appropriate disciplinary action. In addition, the principal or designee may take disciplinary measures against any person who is found to have made a complaint of sexual harassment, which he/she knew was not true.

Regulation

Adopted: 4-14-97

Revised: 6-17-02

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**Appendix E**

**School Wide Dress Code**

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Alternative Education Center dress code will be strictly enforced. When the site administrator determines that a student's attire is in violation of this policy, the student will be required to modify his/her clothing and /or apparel in such a manner that it no longer violates the policy. If necessary, the student may be taken or sent home to modify unacceptable dress before returning to school. Refusal to take steps as described shall be cause for disciplinary action. When necessary, with prior notice, the administration may ban certain items deemed gang related.

1. Inappropriate, distinctive modes of dress and accessories identifying a student with a non-school related group will not be allowed. Any clothing or accessories, including bandanas, identified by the San Bernardino County Sheriff's office as gang-type clothing is strictly forbidden.
2. Oversized clothing is not allowed. Pants or shorts must fit at the waist. "Sagging" is not permitted.
3. Shoes must be worn at all times.
4. Extremely brief or tight garments that are distracting to the educational environment will not be allowed. Bare midriff, halter, tube, strapless tops or spaghetti straps and visible undergarments are not permitted.
5. Garments or accessories with violent, suggestive or obscene statements will not be allowed. Garments or accessories with slogans, pictures, or logos that depict or promote gangs, hate and intolerance, tagging or graffiti, drugs, alcohol, tobacco or controlled substances will not be allowed.
6. Earrings, jewelry or accessories that present a safety hazard to the wearer or others are not suitable for school wear. This includes wallet chains, hanging belts and straps.
7. Hats, doo rags and sun glasses must be taken off when entering a building, unless approved by administration.
8. Slippers are not allowed.

### **DRESS AND GROOMING**

BP5152

The Governing Board believes that appropriate dress and grooming contribute to a productive learning environment. The Board expects students to give proper attention to personal cleanliness and to wear clothes that are suitable for the school activities in which they participate. Students' clothing must not present a health or safety hazard or a distraction, which would interfere with the educational process.

Students and parents/guardians shall be informed about dress and grooming standards at the beginning of the school year and whenever these standards are revised. A student who violates these standards shall be subject to appropriate disciplinary action.

### **Gang-Related Apparel**

The principal, staff and parents/guardians at a school may establish a reasonable dress code that prohibits students from wearing gang-related apparel when there is evidence of a gang presence that disrupts or threatens to disrupt the school's activities. Such a dress code may be included as part of the school safety plan and must be presented to the

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Board for approval. The Board shall approve the plan upon determining that it is necessary to protect the health and safety of the school's students.

**Uniforms**

In order to promote student safety and discourage theft, peer rivalry and/or gang activity, the principal, staff and parents/guardians at a school may establish a reasonable dress code requiring students to wear uniforms. Such a dress code may be included as part of the school safety plan and must be presented to the Board for approval.

The Board shall approve the plan upon determining that it is necessary to protect the health and safety of the school's students.

If a school's plan to require uniforms is adopted, the Superintendent or designee shall establish procedures whereby parents/guardians may choose to have their children exempted from the school uniform policy. Students shall not be penalized academically, otherwise discriminated against or denied attendance to school if their parents/guardians so decide.

The Superintendent or designee shall ensure that resources are identified to assist economically disadvantaged students in obtaining uniforms.

Legal Reference:

EDUCATION CODE

35183 School dress codes: uniforms

35294.1 School safety plans

48907 Student exercise of free expression

49066 Grades: effect of physical education class apparel

CODE OF REGULATIONS. TITLE 5

302 Pupils to be neat and clean on entering school

Hartzell v. Connell (1984) 35 Cal. 3d 899

Arcadia Unified School District v. California Department of Education, (1992) 2

Cal. 4th 251

Marvin H. Jeglin et al v. San Jacinto Unified School District et al 827 F.Supp.

1459 (C.D.Cal. 1993)

Adopted

Date: 9-13-84

Revised: 2-13-96

Revised: 6-17-02

District

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**Appendix F**

**OPEN/CLOSED CAMPUS**

**Closed Campus**

In order to keep our students in a supervised, safe, and orderly environment, the Governing Board establishes a "closed campus" at all district high schools. Once students arrive at school, they must remain on campus until the end of the school day unless they have brought written authorization from their parents/guardians and received permission from school authorities to leave for a specific purpose. Students who leave campus without such authorization shall be classified as truant and subject to disciplinary action.

The Board finds that school facilities and resources are adequate to serve the lunchtime needs of all of our students. The Board further perceives that a closed campus benefits students by encouraging them to participate in school activities, rather than following other pursuits which may not be in their best interests. The requirement to keep students on campus is part of the Board's efforts to maintain a safe school climate and to reduce afternoon absenteeism.

The administration shall provide educational, recreational organizational, and social opportunities for students during the lunch period. Students who have finished eating shall always have a quiet place to read or study.

The Superintendent or designee shall design a system of identification and passes appropriate for use at each school. Each high school principal shall be expected to enforce mechanisms whereby all students may be accounted for at all times during the school day. Parents/guardians shall be informed whenever students are unaccounted for.

Student handbooks shall fully explain all rules and disciplinary procedures involved in the maintenance of the closed campus.

Legal Reference:

EDUCATION CODE

44808.5      Permission for pupils to leave school grounds; notice

Adoption

Date:            2-13-96

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**Appendix G**

**POSITIVE SCHOOL CLIMATE**

BP 5137 (a)



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

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

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

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

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

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

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

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

### Legal Reference:

#### EDUCATION CODE

233-233.8	Hate violence prevention
32280-32289	School safety plans
32295.5	Teen court programs

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- 35181 Governing board policy on responsibilities of students
- 35291-35291.5 Rules
- 44807 Teachers' duty concerning conduct of students
- 48900-48925 Suspension and expulsion

Management Resources:

CSBA PUBLICATIONS

- Cyberbullying: Policy Considerations for Boards, Policy Brief, July 2007
- Protecting Our Schools: Governing Board Strategies to Combat School Violence, rev. 1999

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

- Bullying at School, 2003
- Creating Safe and Drug-Free Schools: An Action Guide, 1996

U.S. DEPARTMENT OF EDUCATION PUBLICATIONS

- Preventing Bullying: A Manual for Schools and Communities, 1998

WEB SITES

- CSBA: <http://www.csba.org>
- California Department of Education, Learning Support: <http://www.cde.ca.gov/lr>
- National School Safety Center: <http://www.schoolsafety.us>
- U.S. Department of Education, Office of Safe and Drug-Free Schools: <http://www.ed.gov/offices/OESE/SDFS>

Adopted

Date: 2-13-96

Revised: 11-9-10

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**SAFETY**

BP 5142

The Governing Board recognizes the importance of providing a safe school environment in order to help ensure student safety and the prevention of student injury. The Superintendent or designee shall implement appropriate practices to minimize the risk of harm to students, including practices relative to school facilities and equipment, outdoor environment, educational programs and school-sponsored activities.

Staff shall be responsible for the proper supervision of students during school hours, while at school-sponsored activities and while students are using district transportation to and from school.

The principal or designee shall establish school rules for the safe and appropriate use of school equipment and materials and for student conduct consistent with law, Board

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policy and administrative regulation. Copies of the rules shall be sent to parents/guardians and be readily available at the school at all times.

The Superintendent or designee shall ensure that students receive appropriate instruction on topics related to safety, injury prevention and disease prevention.

Legal Reference:

EDUCATION CODE

- 8482-8484.6 After School Learning and Safe Neighborhood Partnerships Program
- 17280-17317 Building approvals (Field Act)
- 17365-17374 Fitness of school facilities for occupancy
- 32001 Fire alarms and drills
- 32020 School gates: entrances for emergency vehicles
- 32030 32034 Eye safety
- 32040 First aid equipment
- 32050-32051 Hazing
- 32225-32226 Two-way communication devices in classroom
- 32240-32245 Lead-free schools
- 32250-32254 CDE school safety and security resources unit
- 32270.5 Cellular telephones for classroom safety
- 35183.5 Sun protection
- 35294-35294.9 Safety plans
- 44807 Duty of teachers concerning conduct of students, on playgrounds, and during recess
- 44808 Exemption from liability when students are not on school property
- 44808.5 Permission for pupils to leave school grounds; notice (high school)
- 49300-49307 School safety patrol
- 49330-49334 Injurious objects
- 49341 Hazardous materials in school science laboratories
- 51202 Instruction in personal and public health and safety

GOVERNMENT CODE

- 810 996.6 California Tort Claims Act, especially:
- 815 Liability for injuries generally: immunity of public entity
- 835 Conditions of liability
- 4450 4458 Access to public buildings by physically handicapped persons

HEALTH AND SAFETY CODE

- 115725-115750 Playground safety
- 115775-115800 Wooden playground equipment
- 115810-115816 Playground safety and recycling grants

PUBLIC RESOURCES CODE

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5411 Purchase of equipment usable by physically disabled persons

VEHICLE CODE

21212 Use of helmets

CODE OF REGULATIONS, TITLE 5

202 Exclusion of students with a contagious disease

5531 Supervision of social activities

5552 Playground supervision

5570 When school shall be open and teachers present

14103 Bus driver; authority over pupils

CODE OF REGULATIONS, TITLE 22

65700-65750 Safety regulations for playgrounds; definitions and general standards

COURT DECISIONS

Hoyem v. Manhattan Beach City School District (1978) 22 Cal. 3d 508

Dailey v. Los Angeles Unified School District (1970) 2 Cal 3d 741

Management Resources:

OFFICE OF THE STATE ARCHITECT ADVISORIES

400.90 Death and Injury from Collapse of Free-Standing Walls

U.S. CONSUMER PRODUCT SAFETY COMMISSION

Handbook for Public Playground Safety, 1997, Pub. No. 325

AMERICAN SOCIETY FOR TESTING AND MATERIALS

F 1487-98, Standard Consumer Safety Performance Specifications for Playground Equipment for Public Use, 1998

CENTERS FOR DISEASE CONTROL PUBLICATIONS

Guidelines for School Programs to Prevent Skin Cancer, April 26, 2002

WEB SITES

CDE, School Safety Branch: <http://www.cde.ca.gov/spbranch/safety>

California Department of Health Services: <http://www.dhs.ca.gov>

Environmental Protection Agency: <http://www.epa.gov>

Centers for Disease Control: <http://www.cdc.gov>

Adopted

Date: 9-13-84

Revised: 2-13-96

Revised: 12-10-01

## **Appendix H**

### **Rules & Procedures on School Discipline / Expectations**

The Alternative Education Center is committed to the education of all students and maintaining a safe, positive learning environment. Students are expected to know school and classroom rules and to assume responsibility for their actions.

Each teacher will provide each student with his/her class rules and explain expectations. The school has provided each student with this handbook containing school rules and laws, and the administration holds discipline assemblies to explain and clarify these. Replacement handbooks may be purchased in the main office for \$5.00.

Students are encouraged to report any concerns. If a student believes a staff member is mistaken, the student is to obey the staff member, then at a later time, appeal to the appropriate administrator. Mistakes can and will occur, but the place for resolving mistakes begins in the administrator's office.

### **General School Expectations and Procedures**

1. Follow directions of teachers, administrators, campus assistants and all other school personnel.
2. Cameras, skateboards, scooters, and roller skates are not allowed on campus at any time.
3. Students are to arrive no earlier than twenty minutes before school starts and are to leave campus within twenty minutes after the school day or activity.
4. Cell Phones, Radios, Tape/CD players, MP3 players, video games, cameras, pagers, or other electronic devices are not allowed during the instructional day.

*All personal items are brought at the student's own risk. School assumes no liability for loss or theft of said devices while being stored or during confiscation. All items are brought to school at the students own risk. Cameras are not permitted on campus at any time.*

5. Students may use the phones in the front office to call home before/after school or at lunch. Cell phones are permitted on campus, before school, lunch time and after school; however, cell phones must be off during instructional time. Students using cell phones during instructional time will have the phone confiscated and will require parent pick up on second offense.
6. Students are to eat in the lunch area and place their trash in the trashcans. Food and drinks are not permitted in classrooms unless authorized by the teacher.

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7. Inappropriate displays of affection will not be tolerated.
8. The Alternative Education Center and the Silver Valley Unified School District are not responsible for stolen or lost items. The individual student is responsible for his/her personal property and textbooks or other school items checked out to that student.
9. Once a student arrives on campus, he/she must not leave the campus until the end of the school day. A student may be off campus during the school day only by obtaining an Off Grounds Pass from the attendance office.
10. In accordance with California State law, Silver Valley Unified School District is smoke and tobacco free.

**It is against the law for anyone to smoke on school grounds at any time.**

11. All types of gambling are prohibited.
12. Horseplay is prohibited on our campus. This includes, but not limited to: running, chasing, play fighting, water fights, water balloons and rock throwing.
13. Academic honesty policies are established by each individual classroom teacher and may lead to further administrative action.
13. Garments or accessories with violent, suggestive or obscene statements will not be allowed. Garments or accessories with slogans, pictures, or logos that depict or promote gangs, hate and intolerance, tagging

Dress Code (continued...)

- or graffiti, drugs, alcohol, tobacco or controlled substances will not be allowed.
14. Earrings, jewelry or accessories that present a safety hazard to the wearer or others are not suitable for school wear. This includes wallet chains, hanging belts and straps.
15. Hats, doo rags and sun glasses must be taken off when entering a building, unless approved by administration.
16. Slippers are not allowed.

Harassment

All pupils at Silver Valley High School shall have the right to attend school and participate in all school related activities without fear of or subjection to disruption, intimidation, violence or crime.

Harassment can be anything from teasing to racial slurs and physically pushing someone around trying to frighten him/her. We are dedicated to doing all we can to stop this type of behavior. Since this behavior usually happens when adults are not present, it is important for students to inform their parents, teachers or school personnel when this happens. The administration will handle harassment complaints seriously and with the

## Silver Valley Unified School District

utmost confidentiality in order to protect students who are being harassed. Any initiation into a group by punishment or harassment is strictly forbidden.

### San Bernardino County Sheriff Department

In cooperation with the San Bernardino County Sheriff's Department, Silver Valley High School is a Clean SWEEP Campus. Operation Clean SWEEP is a coalition of law enforcement, educators and courts whose focus is to promote a safe learning environment for our children. Citations will be issued to students for violation of law in cooperation with our San Bernardino County Sheriff's Department School Resource Officer (SRO) located on campus.

### **Causes of Suspension or Expulsion**

California Education Code 48900: (Grades K-12)

- (a) (1) Caused, attempted to cause or threatened to cause physical injury to another person.
- (a) (2) Willfully used force or violence upon the person of another except in self defense
- (b) Possessed, sold, or otherwise furnished any firearm, knife, explosive, or other dangerous object.
- (c) Unlawfully possessed, used, sold, or otherwise furnished or been under the influence of any controlled substance.
- (d) Unlawfully offered, arranged, or negotiated to sell any controlled substance.
- (e) Committed or attempted to commit robbery or extortion.
- (f) Caused or attempted to cause damage to school property or private property.
- (g) Stolen or attempted to steal school property or private property.
- (h) Possessed or used tobacco, or any products containing tobacco.
- (i) Committed an obscene act or engaged in habitual profanity or vulgarity.
- (j) Had unlawfully possession, or unlawfully offered, arranged or negotiated to sell any drug paraphernalia.
- (k) Disrupted school activities or otherwise willfully defied the valid authority of supervisors, teachers, administrators, school officials, or other school personnel.
- (l) Knowingly received stolen school property or private property.
- (m) Possessed an imitation firearm.
- (n) Committed or attempted to commit a sexual assault.
- (o) Harassed, threatened, or intimidated a pupil who is a complaining witness or a witness in a school disciplinary proceeding.
- (p) Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma.
- (q) Engaged in, or attempted to engage in, hazing as defined in Section 32050.
- (r) A pupil may not be suspended or expelled for any of the acts enumerated in this section, unless that act is related to school activity or school attendance occurring within a school under the jurisdiction of the superintendent or principal or occurring within any other school district. A pupil may be suspended or expelled for acts that are enumerated in this section and related to school activity or attendance that occur at any time, including, but not limited to, any of the following: (1) While on school grounds. (2) While going to or coming from

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- school. (3) During the lunch period whether on or off the campus. (4) During, or while going to or coming from, a school sponsored activity.
- (s) A pupil who aids or abets, as defined in Section 31 of the PC, the infliction or attempted infliction of physical injury to another person.
  - (t) As used in this section, "school property" includes, but is not limited to, electronic files and databases.
  - (u) A superintendent or principal may use his or her discretion to provide alternatives to suspension or expulsion including, but not limited to, counseling and an anger management program, for a pupil subject to discipline under this section.
  - (v) It is the intent of the Legislature that alternatives to suspension or expulsion be imposed against any pupil who is truant, tardy, or otherwise absent from school activities.

California Education Code:

48900.2 Committed sexual harassment.

48900.3 Cause, attempted to cause, threatened to cause, or participated in, an act of hate/violence.

48900.4 Intentionally engaged in harassment, threats, or intimidation.

48900.7 Has made terrorist threats against school officials or school property, or both.

48915 Mandatory Recommendations for Expulsion:

- (A) 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 pupil.
- 3. Unlawful possession of any controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the health and Safety Code, except for the first offense for the possession of not more than

48915 Mandatory Recommendations for Expulsion (continued...)

one avoirdupois ounce of marijuana, other than concentrated cannabis.

- 4. Robbery or extortion.
  - 5. Assault or battery, as defined in Section 240 and 242 of the Penal Code, upon any school employee.
- (C) 1. Possessing, selling, or otherwise furnishing a firearm.
  - 2. Brandishing a knife at another person.
  - 3. Unlawfully selling a controlled substance listed in Chapter 2 (commencing with Section 11053)
  - 4. Committing or attempting to commit a sexual assault as defined in subdivision (n) of Section 48900 or committing a sexual battery as defined in subdivision (n) of Section 48900.



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5. Possession of an explosive.

