

Marysville Joint Unified School District

Comprehensive Safe School Plan
(Education Code Section 32280-32288)
2017-18

[ENTER SCHOOL NAME]
School

[CODE HERE]
CDS Code

Every school will provide a safe environment that is conducive to learning. This will be measured by annual surveys of students, parents and staff and monthly discipline reports from Aeries.

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MISSION AND VISION STATEMENT

DISTRICT VISION STATEMENT

Our Vision for the Education of Children

- All students can meet even exceed the outcomes established in Our Vision for the Education of all Children.
- All students can meet even exceed the outcomes established in Board Policy for graduation requirements and grade level promotion/retention standards.
- All students will have multiple ways of learning and demonstrating that they have learned those things required by district graduation requirements and grade level promotion/retention standards.
- Student success is a self-fulfilling process; the more we believe that all students can be successful and the more students experience success, the more success will happen.
- We have the ability within our district and community to develop the resources necessary to ensure that all students experience success.
- The achievement of this belief will take place in a life-long learning environment for Board, staff, students, and parents.
- Board Policy for graduation requirements and grade level promotion/retention standards.
- All students will have multiple ways of learning and demonstrating that they have learned those things required by district graduation requirements and grade level promotion/retention standards.
- Student success is a self-fulfilling process; the more we believe that all students can be successful and the more students experience success, the more success will happen.
- We have the ability within our district and community to develop the resources necessary to ensure that all students experience success.
- The achievement of this belief will take place in a life-long learning environment for Board, staff, students, and parents.

[INSERT SCHOOL VISION STATEMENT]

STRATEGIES AND PROGRAMS THAT MAINTAIN A HIGH LEVEL OF SCHOOL SAFETY

EMERGENCY RESPONSE PLAN

PURPOSE:

The Marysville Joint Unified School District (MJUSD) Comprehensive Safe School Plan (CSSP) provides guidance and direction of two principals, faculty and staff who have Emergency Management Responsibilities (EMR). The Emergency Response Plan along with the School Comprehensive Safe School Plan shall be used during an emergency incident involving a MJUSD school facility. The plan details the flow of command from the district level to the school level.

LEVELS OF EMERGENCIES:

Level One Emergency

- A localized emergency that school site personnel can manage by following their own emergency plan. *Example: Power outage, campus disorder, student injured.*

Level Two Emergencies

- A moderate to severe emergency, somewhat beyond the school district response capability, which may require mutual aid assistance from the fire department, police department, etc.
Example: Fire, bomb threat, intruder on campus.

Level Three Emergencies

- A major disaster that requires mutual aid assistance; recovery time is extensive and response time may be delayed or impaired

PLAN IMPLEMENTATION:

The Emergency Response Plan will be:

- Initiated by the Superintendent, Principal or Designee;
- Implemented requiring the support of all staff who are mandated to remain on campus and perform their assigned duties until released;
- Reviewed annually for modifications
- Submit for approval by MJUSD Board of Trustees by March 1, 2018.

HAZARD ASSESSMENT:

A physical survey of each campus for hazardous conditions will be performed each year under the direction of the Principal or Designee. All staff members will report any hazardous conditions within his/her classroom or office space immediately.

STAFF TRAINING:

Understand that training is the most effective way to ensure a safe response to natural or man-caused disasters, all certificated and classified staff will review the safety plan annually and discuss the responsibilities set forth in the Emergency Response Plan.

EMERGENCY DRILLS:

In accordance with state law:

- Drills will be initiated by announcement or uniform bell.
- Fire drills will be conducted on a monthly basis.
- "Drop, Cover, and Hold" drills will be held twice per year.
- Earthquake plans will be initiated on a rotating basis at least twice during each school year.
- Lockdown drills will be held twice a year

EVACUATION ROUTES:

The Principal or Designee is responsible for establishing and maintaining a safe evacuation route from all school buildings. Evacuation routes will be reviewed on an annual basis and updates will be made, if necessary. ***Evacuation routes will be posted in all classrooms, multi-purpose rooms, libraries and school offices and on catapult EMS.***

PARENT COMMUNICATION:

Parents will be notified and reminded on annual basis of the procedures set out in the Emergency Response Plan. The Student Release Policy will be reviewed on an annual basis. Parents will be required to complete the Emergency Card which authorizes the district to release their students to other adults in the event of an emergency or disasters.

STUDENT RELEASE/ EMERGENCY FILE:

In all emergency situations, the Principal or Designee (under the direction of the Superintendent or Designee) will make the decision to release students. When students are released, certain portions of the Emergency Response Plan may be implemented.

If the evacuation of students is necessary, an emergency file containing pertinent information for each student will be maintained and available in the school office. Each school secretary or designee will be instructed to bring all emergency information to the evacuation assembly area. A student release policy will be followed for the safe release of students to their parents or other responsible adults.

COMMUNICATION:

During an emergency, each site will report the condition of the site, injuries, damage to buildings, through email using Catapult EMS Telephones and cell phones may be used but cannot be relied upon. Communication will occur only to report emergency conditions or to request emergency assistance. No other calls will be made. Students and parents will be informed of this policy and encouraged to adhere to it. Parents will be contacted through the district's off-site "School Messenger" notification system.

KEY EMERGENCY CONTACT:

After contacting 911, it is imperative during an emergency that the Principal or Designee contacts the Superintendent and District Safety Team using Catapult EMS.

SAFE SCHOOL LEADERSHIP TEAM (SSLT)

Each MJUSD facility and administrative site will have a Safe School Leadership Team (SSLT) to take charge of the emergency, respond effectively, protect the occupants of the facility and reduce the risk of physical injury, property damage and business interruption.

Operation Area, Regional and State

The school site Safe School Leadership Team (SSLT) carries out the Field Response level of crisis and emergency management and the District School Safety Team functions at the Local Government level.

- ☐ Facilitate the flow of information within and between levels of the system.
- ☐ Facilitate coordination among all responding agencies.

Essential Management Functions: There are five essential functions: Command, Operations, Planning/Intelligence, Logistics, and Finance/Administration. The term "Management" is used instead of command at all levels except Field Response. The titles of the other functions remain the same at all levels.

Tasks are delegated to members of the SSLT to successfully handle critical incidents. The SSLT member is then responsible for the task assigned and serves as the manager of the task. This type of delegation allows each manager to focus on just one or two aspects of the incident. These managers then provide information to the incident commander (principal) and assist them in making informed decisions. Using this organizational system during a critical incident creates clear communication and channels that will reduce the amount of confusion and chaos.

If telephone or electric services are interrupted, two-way radios, bull-horn, whistle, or runners will be utilized within the school grounds.

GENERAL EMERGENCY PROCEDURES:

The Emergency Response Plan establishes a format of general procedures to be followed in the event of any emergency. Administrators will develop and maintain emergency response teams according to these procedures and will drill and practice with their staff using these specific instructions. Minor adjustments may be necessary due to staff size but all modifications must be approved by the District Office. Uniformity to response is of utmost importance. Staff will be updated on an annual basis of any changes to established procedures.

SCHOOL CRIME STATUS AND REPORTING:

All schools within Marysville Joint Unified School District comply with all Federal regulations in the accumulation and reporting of data and statistics pertaining to expulsions, suspension and truancy information. All calls to law enforcement are documented and turned in monthly to the Student Discipline & Attendance Office. Discipline and truancy data can be found on School Site Report Cards as well as demographics of each school. None of the schools within MJSUD are at risk of being classified as persistently dangerous schools.

PREVENTION AND INTERVENTION STRATEGIES THAT PROMOTE VIOLENCE-FREE AND DRUG-FREE SCHOOLS

Restorative Justice Practice is a social science that studies how to build social capital and achieve social discipline through participatory learning and decision making.

The use of restorative practices helps to:

- reduce crime, violence and bullying
- improve human behavior
- strengthen civil society
- provide effective leadership
- restore relationships
- repair harm

Second Step

Second Step is a violence prevention curriculum implemented in kindergarten through third grades. Students participant in Second Step learn and practice vital social skills, such as empathy, emotion management, problem solving and cooperation. These essential life skills help students in the classroom, on the playground and at home.

Research indicates that children who are socially competent perform better academically. Second Step lessons give tools to help children become socially skilled and develop strong bonds to school. The engaging photo-lesson cards show adults and children expressing emotions and solving problems in real-life situations. Lesson cards include objectives, scripts, discussion questions, role-plays and other activities. Lively classroom videos also spark discussion, enriching students' learning of important social and emotional skills.

Too Good for Drugs

Too Good for Drugs is a school-based prevention program designed to reduce risk factors and enhance protective factors related to alcohol, tobacco and other drug (ATOD) use among students.

Too Good for Drugs has a separate, developmentally appropriate curriculum for each grade level in kindergarten through 9th grade. Each curriculum builds on earlier grade levels, an instructional design which enables students to learn important skills sequentially and retain them year after year.

Too Good for Drugs builds five essential life skills:

- Goal setting
- Decision making
- Bonding with pro-social others
- Identifying and managing emotions
- Communicating effectively

Parenting with Dignity Parenting Classes: Parenting classes are offered every Tuesday from 12:30 p.m. -2:30 p.m. for all parents. Referrals for parenting classes come from school staff, Yuba County Child Protective Services and Yuba County Courts.

Positive Behavior Interventions and Supports (PBIS):

School-wide Positive Behavior Interventions and Supports is a systems approach to establishing the social culture and behavioral supports needed for all children in a school to achieve both social and academic success. PBIS is not a packaged curriculum, but an approach that defines core elements that can be achieved through a variety of strategies. The core elements at each of the three tiers in the prevention model are defined below:

- •Behavioral Expectations Taught
- •Reward system for appropriate behavior
- •Clearly defined consequences for problem behavior
- •Differentiated instruction for behavior
- •Continuous collection and use of data for decision-making
- •Universal screening for behavior support

COMMUNITY RELATIONSHIPS

Law Enforcement: Marysville Joint Unified School District has teamed with Yuba County Sheriff's Department, Marysville Police Department and Yuba County Probation Office to promote positive relationships with law enforcement as well as prevent violence and criminal

activity. Administrators meet monthly with Marysville Police Department and Yuba County Sheriff's Department to address concerns, schedule assemblies, and work on strategies to decrease student discipline. The goal of the partnership with YCSO and MPD are develop relationships with families, counsel students and enforce the rules of the school and laws of the community.

Yuba County Probation: The P.A.S.S. Program through Yuba County Probation began its collaboration with MJUSD in 1986. The primary goal has been to counteract factors interfering with student learning underperformance with a comprehensive and multifaceted approach. This collaborative approach includes:

- Facilitating student and family access to effective services and special assistance as needed.
- Responding to, and where feasible, preventing school and personal crises.
- Supporting transitions by assisting students and their families as they negotiate school and grade changes, and daily transitions.
- Focus on increasing a partnership between home and school.
- Increasing community involvement and support to develop greater community involvement and support.

Yuba County Gang Task Force Committee: MJUSD administrators meet with Yuba County Probation, Yuba County Sheriff's Department and Marysville Police Department weekly to discuss gang trends, gang activity in the community and to offer gang awareness training to school staff parents, etc.

SAFE SCHOOL CLIMATE STRATEGIES

SCHOOL DATA:

SCHOOL	Attendance 2014-2015	Attendance 2015-2016	Attendance 2016-2017	Days of Suspension 2014-2015	Days of Suspension 2015-2016	Days of Suspension 2016-2017	Expulsion 2014-2015	Expulsion 2015-2016	Expulsion 2016-2017
Enrollment									

GOAL: Our students' physical, emotional, social, vocational and academic needs are identified and met.

- ✓ Survey staff, students and teachers through on-line surveys annually
- ✓ Healthy Kids Survey every other year
- ✓ Counseling services available through referrals to school psychologist, Victim Witness, Sutter-Yuba Mental Health, YCAT.
- ✓ Schedule Student Study Team (SST) meetings for students at-risk for retention, suspension and/or truancy.
- ✓ Align resources to meet the student's individual needs.
- ✓ After-School homework assistance with para professionals through our ASES (After School Care).

GOAL: Continue to promote a safe educational environment conducive to student learning.

- ✓ Positive Behavior Supports and Interventions (PBIS) are implemented at most school sites.
- ✓ School-wide Positive Behavior Interventions and Supports is a systems approach to establishing the social culture and behavioral supports needed for all children in a school to achieve both social and academic success. The ultimate goal is to have fewer days of suspension, higher attendance and academic success for our students as they are present to learn.
- ✓ Implemented CATAPULT EMS to provide instant notification to staff, school administrators, district administrators and local law enforcement in the event of a lockdown, shelter in place or evacuation of students on our campus.
- ✓ Monthly Safety Meetings with Marysville Police Department, Yuba County Sheriff's Department, Yuba County Probation, school administrators and district administrators. Safety procedures, concerns and school site needs are addressed at this meeting.
- ✓ Weekly gang meetings are held at Yuba County Courthouse.
- ✓ Attendance and Discipline data is shared with all stakeholders over the years to compare trends.
- ✓ Student Attendance and Review Board (SARB) provides services to our families that have students that are considered truant.
- ✓ Updated the dress code policy to be more specific to certain gang attire.
- ✓ Ability for students and parents to report bullying anonymously on all school websites. The report alerts all school site safety team members and Director of Student Discipline & Attendance.



Anonymous Bullying Reporting:

Parents and students can report bullying anonymously on all school websites. The report alerts all school site safety team members and Director of Student Discipline & Attendance.

Marysville Joint Unified School District
ANONYMOUS BULLYING OR HARASSMENT REPORT FORM

Complete this form if you have credible information regarding a bullying or harassment incident and want to report it anonymously. **Submit it to the school secretary or other school staff. You can also email the form to Jolie Carreon at jcarreon@mjustd.com.** This form is completely anonymous. Please type or print clearly.

School:		Report Date:	Report Time:
Alleged Victim's Name (last, first, middle)	Age:	Grade/Dept.	Gender/Race
Alleged Perpetrator's Name (last, first, middle)	Age:	Grade/Dept.	Gender/Race

Where did the incident occur? Be specific (i.e. classroom, hallway, cafeteria, playground, bus)

When did the incident occur? Day: _____ Date: _____ Time: _____ AM/PM

What happened? Describe in detail:

Were there any witnesses? Yes No (Circle One) Provide their name(s) and contact information below:

List and attach any evidence of bullying or harassment. (i.e. letters, text, photo, etc.)

Was there a previous report filed by anyone regarding this incident? Yes No (Circle One) When?

Was there a police report filed? Yes No (Circle One) If so, when?

Have you been bullied or harassed or witnessed bullying or harassment by this person before? Yes No (Circle One)

If so, how many times? _____ Was a report filed for the previous time(s)? Yes No (Circle one) When?

This report will be investigated in a timely manner. If you fear a student is in IMMEDIATE danger, contact a staff member at your child's school or law enforcement if after school hours.

Office Use:

Findings: _____

Investigator's Name: _____ Investigator's Signature: _____

SAFE SCHOOL LEADERSHIP TEAM

In the event of an emergency situation, the Safe School Leadership Team should report to Principal's Office/Main Office (designated location) to oversee and provide directions during the emergency situation. The principal and/or designee in charge are to facilitate the following:

- (1) Secure the area,
- (2) Check for damage,
- (3) Assess injury situations,
- (4) Report findings through CATAPULT which will alert DISTRICT SAFETY TEAM.

POSITION & NAME	PHONE

THREAT ASSESSMENT MANAGEMENT TEAM (TAMT)

(Student Wellness Team)

When a school identifies an individual or group that may pose a potential harm to themselves or others, the school will convene their **Threat Assessment Management Team (TAMT)**.

The task of the TAMT is to assess the level of threat posed; determine what level of response the school site will initiate; what district resources may be required and what response may be needed.

This team should work with outside agencies when making referrals under Welfare and Institution Code 5150.

The team will oversee and document the school site's response to threats, 5150 referrals and plan for monitoring or services that may need to occur after the crisis has passed.

When engaged in the MJUSD 5150 process, this team becomes a **Student Wellness Team**. The team may expand at that point to include other staff, parents or whoever else may be required to monitor the student's wellbeing when and if returned to school.

STAFF MEMBER	TITLE

FIRST AID RESPONDERS

Each district site must have designated First Aid responders who are first to provide assistance when needed. Annually, identify those staff members who have current training in CPR and First Aid. In an emergency situation, any staff member may provide assistance. Insure there are an adequate number of people trained in first aid in addition to the crisis response team.

CPR	First Aid	Name	Title	Room / Phone #
[X]	[X]			
X	X			
X	X			
X	X			
X	X			
X	X			
X	X			
X	X			
X	X			
X	X			
X	X			

Emergency Care for injuries, choking and sudden illness (flipchart) is the guide for providing first aid.

The flipchart and first aid supplies are located in every classroom, next to the door.. Additional supplies are located .

Any time an employee is involved in a possible blood exposure incident, it shall be reported as a worker's compensation incident.

CPR Precautions

To minimize the risk of infectious disease transmission during emergency mouth-to-mouth resuscitation, mouthpieces, shields, pocket masks, or other ventilation devices shall be used. Such equipment shall be stored with the first aid equipment in the health office.

Unless the scope of the crisis/first aid response is prohibitive, the appropriate student and/or the emergency employee accident reports are to be completed as per usual District policy.

STUDENT RELEASE TEAM

This team is the ONLY team, which should release students to parent(s) or guardian(s). Team responsibilities may include:

- Updating student census lists on a regular basis.
- Maintaining a “go box” with pens, forms, clipboards, etc., needed to establish a student release area.
- Securing census lists and emergency cards when a crisis occurs.
- Maintaining location at the front of the emergency meeting area which is located: In the Gym.
- Assigning team(s) dedicated to the release of students and another team(s) dedicated to locating information for staff and students.
- When authorized by the Principal or Designee, the Release Team begins the process of reuniting students with parents or guardians.
- Team ensures students are released to authorized parent or guardian and documents release by using a sign out form.

STAFF MEMBER	TITLE	EMERGENCY TASK
	Attendance Clerk	Accounting for Students using CATAPULT EMS
	Attendance Clerk	Accounting for Students using CATAPULT EMS
	Office Staff	Release Team
	Office Staff	Release Team
	Counselor	Release Team
	Counselor	Release Team
	Librarian	Release Team
	Custodian	Release Team
	Security	Release Team
	Security	Release Team
	Cafeteria	Release Team
	Librarian	Release Team
	Afternoon Custodian	Release Team
	Psychologist	Release Team
	Student Support Specialist	Release Team

Marysville Joint Unified School District

STUDENT RELEASE FORM

[illegible]

SCHOOL SITE PERSONNEL DUTIES AND RESPONSIBILITIES

In the event of a major disaster, there is no guarantee that emergency medical or fire personnel will be able to immediately respond to school sites. Therefore, the school staff must be prepared to ensure the care and safety of students during the first several hours after a major disaster without outside assistance. It is critical to determine *who* does *what*, *where*, and *how*—before such a disaster occurs.

Principal / Safe School Leadership Team

1. Acts as the liaison between the school site and central office and maintains communication with appropriate central office staff and/or local law enforcement agencies, fire department, and medical assistance agencies as appropriate by using Catapult EMS.
2. Posts and regularly updates Safe School Leadership Team information and the emergency phone numbers, emergency first aid responders, and chemical inventory lists.
3. Ensures Safe School Leadership Team members are knowledgeable of the location of shut-off valves and how to turn them off. **Do not attempt to turn utilities back on yourself.**
4. Ensures that teachers are trained to carry out responsibilities during disaster and drill procedures; encourages teachers to work in teams through a buddy system.
5. Establishes a communications system consisting of the following elements:
 - a. System of specific disaster warning signals that are well known to staff and students, and includes, both bell and voice signals.
 - b. Alternate system for written communication with staff in the event voice-to-voice communication is not available.
 - c. Designate and enforce exclusive use of a telephone line and number to be used only by the Principal (or authorized person) and the Superintendent (or information in an orderly fashion).
 - d. A communication Center in a location accessible to parents, interested community members, and media to handle inquiries, rumor control and information in an orderly fashion.
6. Establishes a student release system that will facilitate an organized method to release individual students to authorized adults only.
7. Assigns the following duties to school staff:
 - a. Patrol entrances to direct emergency personnel, parents, district staff and media to appropriate areas, and prohibit unauthorized persons from entering campus.
 - b. Monitor/supervise halls and corridors to maintain a safe and secure environment.
 - c. Conduct search-and-rescue operations to systematically search every room in order to locate trapped/injured persons and recover critical supplies and equipment.
 - d. Establish and/or coordinate Communication Center
 - e. Administer first aid
 - f. Work with emergency medical triage teams to identify injured students and staff and to record ambulance destinations.
 - g. Supervise Student Release Procedures
 - h. Check building utility systems and appliances for damage.
8. Schedules regular emergency drills and reviews the emergency plan with staff, students and parents to schedule regular site inspections for safety hazards.
9. Plans alternate classroom evacuation routes, if standard routes are obstructed.
10. Ensures that other personnel who provide services to students and staff are aware of emergency procedures.
11. Reviews and updates the site-level plan annually, with particular attention to the unique characteristics of the site.

EVACUATION PLANS

Each site must have an evacuation plan that consists of two stages:

Stage ONE Evacuation: All students and staff are evacuated from buildings and stationed at a safe location on campus. Location: Triplett Park across from Kynoch School on Rideout Way

Stage TWO Relocation: At the direction of the Principal or Designee, all students and staff are relocated to a determined location off campus at time of event. Coordinate with transportation department and Police and Fire Department. (Examples: Gas leak, fallen aircraft, flood, etc.)

Plans shall be based on the current "School Maps" obtained from the Facilities Department.

Evacuation Plan Checklist:

- ☐ Detailed evacuation routes
- ☐ Designated areas for each teacher and class
- ☐ Areas of supervision
- ☐ Transportation points (for busses and autos)
- ☐ Student Release Area
- ☐ Press Area

TEAMS:

- ☐ Crisis Response Team
- ☐ Student Release Team

OTHER:

- ☐ Emergency cards and census list (Always ready to be taken to student release area)
- ☐ Parent/ Guardian sign out log or forms
- ☐ Impaired mobility list (Location of these students throughout the school day)
- ☐ Classroom evacuation materials
- ☐ Communication Plan (How teachers will communicate to the Safe School Leadership Team)

2017-2018 FIRE DRILL & LOCKDOWN DRILL SCHEDULES

The principal shall also hold fire drills at least once a month at the elementary level, four times every school year at the intermediate level, and not less than twice every school year at the secondary level. (Education Code 32001 & AR 3516.1).

FIRE DRILL SCHEDULE

MONTH	DATE	TIME
August		
September		
November		
December		
February		
May		

LOCKDOWN DRILL SCHEDULE

SEMESTER	DATE	TIME
FALL		
SPRING		

DUCK, COVER and HOLD DRILL

SEMESTER	DATE	TIME
FALL		
SPRING		

Checklist for LOCKDOWN DRILL

- The district safety coordinator will send out a message to parents that a drill will happen the following week.
- School administrators will provide map and keys for law enforcement and/or district employees to check classrooms.
- School administrators will provide safety team with observer form to complete and be turned in at the end.
- Divide campus up so all classrooms can be checked
- Announce lockdown drill over PA (Follow safety procedures which included cards in windows)
- Initiate Catapult EMS CODE RED in DRILL MODE (do NOT include first responders and district safety team)
- After drill, resolve CODE RED using Catapult. Take it off DRILL MODE
- After drill, debrief with team. (Share with staff at next staff meeting or before).
- Send out message to parents on School Messenger:
 - a. Hello, this is [NAME OF PRINCIPAL] from [NAME OF SCHOOL]. I am calling to inform you that our school participated in a lockdown drill today to enhance student safety. We have been working closely with Yuba County Sheriff's Department and Marysville Police to improve procedures and guarantee all students and staff is prepared in the event of an actual emergency. Have a great day!
- We will debrief at the next Safety Meeting scheduled in the board room.



MJUSD LOCKDOWN OBSERVER FORM

Observer Name: _____ School: _____ Date: _____

ROOM #	Doors/Windows Locked?	Lights Out?	Students and staff are hidden and out of view.	Colored card placed in window	Additional Comments
Please check Y or N for each column					
	Y/ N	Y/ N	Y/ N	Y/ N	
	Y/ N	Y/ N	Y/ N	Y/ N	
	Y/ N	Y/ N	Y/ N	Y/ N	
	Y/ N	Y/ N	Y/ N	Y/ N	
	Y/ N	Y/ N	Y/ N	Y/ N	
	Y/ N	Y/ N	Y/ N	Y/ N	
	Y/ N	Y/ N	Y/ N	Y/ N	
	Y/ N	Y/ N	Y/ N	Y/ N	
	Y/ N	Y/ N	Y/ N	Y/ N	
	Y/ N	Y/ N	Y/ N	Y/ N	
	Y/ N	Y/ N	Y/ N	Y/ N	

FOR STAFF USE ONLY

TIME INCIDENT ENTERED INTO SYSTEM:	% of STUDENTS ACCOUNTED FOR:	% OF STAFF ACCOUNTED FOR:	TIME INCIDENT CLOSED IN SYSTEM:

HARD LOCKDOWN (CODE RED) PROCEDURE

A lockdown may be used as an emergency response when a school is faced with extremely violent behavior, armed intruders, active shooters, an on-campus hostage situation, or when there is police activity in the general area that could threaten the safety of students and staff. When Lockdown is initiated, it means there is an immediate and possibly life-threatening situation on campus and it must be taken seriously. **Students and staff may evacuate the area if lockdown could be compromised.**

PROCEDURES HAVE BEEN WITHHELD FROM PUBLIC FOR SAFETY REASONS

SOFT LOCKDOWN (CODE YELLOW) PROCEDURE

A soft lockdown is when there is a suspicious person(s) in the area who could pose a threat to our students, or police activity in the general area that could threaten the safety of students and staff. When a soft lockdown is initiated, teachers will lock their doors and instruction will continue. Students will not be allowed to use the restroom without permission from administration.

PROCEDURES HAVE BEEN WITHELD FROM PUBLIC FOR SAFETY REASONS

SHELTER IN PLACE (CODE RED) PROCEDURES:

The Shelter in Place System is generally activated when staff and students' safety (outdoors) is compromised. Such conditions include, severe wind, chemical / toxic emissions, stinging insects, power outage or air pollution.

Upon notification, the Principal or Designee will:

1. Notify teachers and staff of Shelter In Place
2. Activate Site Incident Command Post which will:
 - a. Contact emergency personnel, as needed.
 - b. Contact District Office
 - c. Implement portions of the Incident Command Team to address current situation (such as turning off heating and air systems, check for safe evacuation routes, etc.)
3. Consider evacuating students to the nearest safe location.
4. Control all site activities until further help arrives.

Teachers will do some or all of the following depending on event:

1. If outside, move students to classrooms or nearest safe area.
2. If inside, instruct students:
 - a. To sit at their desks and not to move about the room.
 - b. Instruct students to turn off cell phones, do not to use the telephone, intercom system or email (Teachers are allowed to use any of the necessary technology.
3. Close down air handling systems and circulating fans
4. Close windows and doors
5. Tape cracks in windows, doors and vents to block unwanted air or interference.
6. Secure location and account for students using CATAPULT EMS.
7. Place the appropriate color card in the window.
8. Do not release students for any reason unless authorized by on-site emergency personnel or school administrators.
9. Do not evacuate if a fire alarm is heard.

Each classroom will contain a set of color coded cards for emergency situations. These cards will signify to emergency responders the current status of students in the classrooms. Cards will be placed on the exterior of the classroom door or on the interior door window if appropriate. The color of each card is universal with the Disaster Management System and will have the following meanings:

PROCEDURES HAVE BEEN WITHHELD FROM PUBLIC FOR SAFETY REASONS

After Emergency:

1. At the direction of the District Office, Principal or Designee will deactivate Lockdown event by announcing "ALL CLEAR." Teachers will not release students until "ALL CLEAR" is heard.
2. Students may return to regular schedule.
3. If student release is necessary, follow release plan.
4. District Office may provide psychological services to assist in the counseling of staff and students.

BIOLOGICAL / CHEMICAL THREAT EMERGENCY (CODE RED)

If anyone received a suspicious letter or package with one or more of the following characteristics;

1. Has no return address or one that cannot be verified as legitimate;
2. Is of unusual weight given the size of the letter/ package;
3. Is oddly shaped;
4. Has been marked with "Personal" or "Confidential" notations;
5. Has a strange odor, stain, leaks or fine powder on the outside of the letter or package;
6. Has a visible protruding wire or aluminum foil;
7. Shows a city or state in the postmark that doesn't match the return address;
8. Is marked with threatening language;
9. Has excessive postage or packing material, such as masking tape and string;
10. Has misspellings of common words;
11. Is not addressed to a specific person.

Follow these directions:

1. Notify main office
2. Do not open the letter / package
3. If letter/ package is open or torn, do not touch, smell or taste the substance
4. If you have handled the letter/ package with your hands, arms, and any exposed parts of your body with soap and warm water.
5. Turn off HVAC (air) system and any circulating fans.
6. Evacuate the room or office.

Principal or Designee will:

- a. Call 9-1-1 (Fire / Hazardous Materials)
 - b. Initiate CODE RED by alerting teachers using PA and using CATAPULT EMS
1. Keep area isolated until emergency unit arrives
 2. With advice of Law Enforcement or District Safety Team, consider Shelter in Place or need for evacuation.
 3. Stay in control of all school activities until emergency personnel arrive.

Teachers will:

1. Be prepared to carry out Shelter in Place procedures or evacuate students and follow Principal's or designee's direction.
2. Account for students using CATAPULT EMS.
3. Do not release students for any reason unless authorized by one-site emergency personnel or school administrators.

Note: Biological agents that include Anthrax spores infect only if inhaled, ingested, or are introduced into an open wound, or eye. Even if exposure does occur, the victim is not contagious and the condition is treatable with antibiotics, if identified early. Bacteria cannot survive exposure to ultraviolet or direct moisture.

After Emergency:

1. At the direction of the District Office, Principal or Designee will deactivate Shelter in Place by announcing "ALL CLEAR." Teachers will not release students until "ALL CLEAR" is heard.
2. Resolve CODE RED in CATAPULT EMS
3. Make sure message has been sent out to parents using School Messenger.
4. If student release is necessary, follow release plan.

DROP, COVER & HOLD AND PROCEDURES (EARTHQUAKE)(CODE RED)

This exercise is most widely practiced in the event of a natural disaster such as an earthquake. However, when any sudden disturbance or disruption occurs (such as a fire or expulsion) threatening the safety of students, this exercise is most effective.

Teachers are encouraged to practice this drill often using an easy one-word command; such as “drop” for the students to hear and respond to quickly.

If you are in a classroom:

1. At the first indication of ground movement, teachers and students are to DROP to the ground. This movement should be activated by a simple command or signal (such as “drop”) that has been practiced drills.
2. Seek protective COVER under or near desks, tables, or chairs in a kneeling or sitting position.
3. HOLD onto the table or chair legs. Furniture provides protections from falling objects.
4. Always position back to the window. Never face the window. Protect head and eyes from flying glass and debris by using arms and closing eyes tightly.
5. Remain in the DROP position until the ground movement has ended.
6. Be prepared to repeat the DROP, COVER, and HOLD during aftershocks.
7. Do not get up and run; falling debris is hazardous!
8. Note: Evacuation is not automatic. Check for the safest route; if doubtful, STAY PUT!
9. Account for students using CATAPULT EMS.

If you are in a hallway or corridor and no cover is available:

1. At the first indication of ground movement, DROP to the ground.
2. Place yourself against or crouch against an inside wall and COVER your head; stay away from outside walls, door jams, windows or other expanses of glass or potential falling objects.
3. Never face the window; always position back to a window; close eyes tightly.
4. If able HOLD onto any piece of furniture for shelter from falling debris.
5. Note: Evacuation is not automatic! Check for safest route; if doubtful, stay put!
6. Remain in the DROP position until the ground movement has ended. Be prepared to repeat the DROP, COVER, and HOLD during aftershocks.
7. Do not run through a building or run outside. Falling debris is hazardous!

In all instances: Evacuation is not automatic! Use good judgment, by first checking the condition of the building, outside area (fallen trees, power lines, etc). If doubtful, stay put!

If you are outside:

1. Move away from overhead hazards such as power lines, trees, and buildings. DROP to the ground and cover head with arms and hands. Lie flat, face down; close eyes tightly.
2. Wait for shocks to subside before standing.
3. Do not re-enter buildings until it is determined safe.
4. Move to nearest safe assembly area.
5. When able, report injuries and account for students using CATAPULT EMS.
6. Some teachers may be assigned additional duties on the various response teams; teams will be assigned and staff will be given notice through CATAPULT EMS.

After Emergency:

1. At the direction of the District Office, Principal or Designee will deactivate Shelter in Place or Evacuation by announcing “ALL CLEAR.” Teachers will not release students until “ALL CLEAR” is heard.
2. Resolve CODE RED in CATAPULT EMS
3. Make sure message has been sent out to parents using School Messenger.
4. If student release is necessary, follow release plan.

BOMB THREAT (CODE RED)

If a threat is received by telephone:

1. **Pay close attention to:**
Exact wording
Speech characteristics
Background noises
2. **Ask these questions:**
Where is the bomb?
What kind of bomb?
When will it go off?
How big is it?
Why are you doing this?
3. Do not hang up on the caller and do not unnecessarily touch or move any of your surroundings.
4. Listen intently together as much information as possible.
5. Immediately notify main office.
6. Following instructions given by principal or designee.

If a written threat is received:

1. Notify main office.
2. Copy the contents of the threat on another sheet of paper.
3. Do not handle original message. Preserve identifying marks or fingerprints.
4. Follow instructions given by principal or designee.

The Principal or Designee will:

- a. Contact the fire and police departments.
- b. Send out CODE RED alert to staff using PA system and CATAPULT EMS.
2. Stay in control of all site activities until the arrival of the emergency personnel.
3. Instruct staff to turn off cell phones, two-way radios or cordless phones. Do not use these devices during this threat.
4. Caution staff against picking up or touching any strange objects or packages.
5. Determine (with the district administrator) to:
 - a. Conduct a search, using police and fire departments, bomb squad and other support unities
 - b. Evacuate students during search.
 - c. Instruct students to leave belongings in classroom.
6. If evacuation is necessary, caution teachers to avoid routes that go through parking lots, large containers and areas where secondary devices may be hidden; such as trashcans, drain spouts, lockers, eaves of buildings, etc.

After Emergency:

1. At the direction of the District Office, Principal or Designee will deactivate Shelter in Place or Evacuation by announcing "ALL CLEAR." Teachers will not release students until "ALL CLEAR" is heard.
2. Resolve CODE RED in CATAPULT EMS
3. Make sure message has been sent out to parents using School Messenger.
4. If student release is necessary, follow release plan.

AIRCRAFT ACCIDENT (CODE RED)

If you were witness to an airplane accident:

1. If able, call 9-1-1
2. Notify main office
3. Move students to nearest safe area

When accident occurs, Principal or Designee will immediately:

- a. Call 9-1-1
- b. Contact District Office
- c. Assemble portions of Incident Command team that may be able to assist with small fires or injuries.
2. Check evacuation routes for safety.
3. Consider evacuation of staff and students using safest evacuation route.
4. Stay in control of all site activities until the arrival of emergency personnel.

Teachers will:

1. If outside, "drop, cover, and hold."
2. Following accident, move students to nearest safe location.
3. If inside and classroom is unsafe evaluate students using safest route to assembly area
4. USE color cards to determine classroom status.
5. SECURE location and account for students using CATAPULT.

After Emergency:

1. At the direction of the District Office, principal or designee will announce, "All Clear" and resolve incident in CATAPULT EMS.
2. Students may return to regular schedule.
3. If student release is necessary, follow release plan.
4. District Office may provide psychological services to assist in the counseling of staff and students.

Teacher will:

1. Instruct students to turn off cell phones. Do not use these devices during this threat.
2. Leave the lights as they are, either on or off, but do not move or change anything.
3. Secure location and account for students using CATAPULT EMS.
4. Listen for unusual sounds.
5. Caution students against picking up or touching any strange objects or packages.
6. At signal for evacuation, teacher will evacuate students to the assembly area
Note: Avoid parking lots, large containers and objects or areas where secondary devices may be hidden (trash cans, drain spouts, lockers, eaves of buildings).
7. Before evacuating a classroom, look around for anything that appears suspicious or unusual.
Note: Unusual or suspicious objects may be:
 - a. An antenna sticking out of a back pack;
 - b. A particular student that normally carries a nice quality back pack is carrying a different appearing one, either color or quality;
 - c. A back pack that is ticking;
 - d. A troubled student has left a backpack in the room and hasn't been seen for a while.
8. Use color coded cards to display in the windows to report missing or injured students.

After Emergency:

1. Building(s) must inspection for fire and police personnel before re-occupancy
2. If necessary, supplemental class space will be located by District Office.
3. If student release is necessary, follow release plan.

Note: Because an explosive device can be controlled electronically, all electronic devices, cell phones, and pagers should be turned off and use discontinued. Radio waves can detonate the device. Radio usage can resume 300 feet away from the building, allowing for communication from the evacuation staging area.

FLOOD (CODE RED)

When notification of imminent flooding occurs, Principal or Designee will immediately:

1. Initiate CODE YELLOW in CATAPULT EMS to warn staff and district administrators that evacuation may be necessary as determined by the District Safety Team.
2. Take necessary precautions (stay alert, cancel all scheduled outside events, and communicate via Catapult and email).
3. Determine need and ability to evacuate staff and students while maintaining communication with District Safety Team.
4. If evacuation is necessary, the Principal or Designee will elevate CODE YELLOW to CODE RED for EVACUATION
5. Depending on the urgency of the specific flood emergency, students will be moved to the nearest and safest highest ground, including rooftops, hillsides or second story buildings at school sites.
6. Evacuation Routes will be determined based on the nearest safe routes to higher ground, in order to transport students to higher and safer locations within the District.

Teachers will:

1. If evacuation is ordered, follow plan. Follow instructions of site administration.
2. Take necessary precautions (stay alert, cancel all scheduled outside events, and communicate via Catapult and email).
3. Account for students using CATAPULT EMS and report any missing students.
4. Be open and willing to assist with additional duties as assigned.

District Safety Team:

1. Initiate and/or Receive a CODE Yellow in CATAPULT EMS of warning of potential evacuation.
2. Begin and stay in communication with local law enforcement and Office of Emergency Services (OES) to determine specifics of event occurring.
3. Depending on the urgency of the specific flood emergency, order students to be moved to the nearest and safest highest ground, including rooftops, hillsides or second story buildings at school sites.
4. District safety team will notify parents through School Messenger and District Website of evacuation and location of students.
5. Determine the safest evacuation routes based on the nearest routes to higher ground in order to transport students to safer locations.

FIRE / EXPLOSION (CODE RED)

If a fire or explosion occurs:

1. Drop, Dover, and Hold.
2. If able, call 9-1-1
3. Initiate CODE RED by using PA system and CATAPULT EMS
4. If able, evacuate students to nearest safe location.

The Principal or Designee will:

1. Contact the fire department / 9-1-1- for assistance
2. Initiate CODE RED by using PA system and CATAPULT EMS
3. If evacuation is necessary, check for safest route.

Caution should be taken to maintain a safe upwind position away from the fire.

If the alarm is used, verify situation with the fire department.

(Explosion) Check immediate area for physical hazards and dangers to rescue and first aid personnel.

Teachers will:

1. Upon signal for evacuation, check first for safest evacuation route to assembly area.
2. Place appropriate color card on door. (See below)
3. Secure their location and account for students using CATAPULT EMS.

Each classroom will contain a set of color coded cards for emergency situations. These cards will signify to emergency responders the current status of students in the classrooms. Cards will be placed on the exterior of the classroom door or on the interior door window if appropriate. The color of each card is universal with the Disaster Management System and will have the following meanings:

PROCEDURES HAVE BEEN WITHHELD FROM PUBLIC FOR SAFETY REASONS

After Emergency:

1. At the directions of the District Office, principal or designee will deactivate even by announcing, "All Clear" and resolve incident in CATAPULT EMS.
2. Students may return to regular schedule.
3. Confirm with District Office Safety Team that parents have been notified via School Messenger.
4. If student release is necessary, follow release plan.

AIR POLLUTION (CODE YELLOW)

The Air Quality Index (AQI) was issued in 1999 by the U.S. EPA for daily air quality report to the public. The following levels of pollution have been established by the Air Pollution Control District. Each school will be informed by the Regional or County Superintendent to abide by each standard:

AQI Index Values	Health Categories	Cautionary Statements For 8-Hour Ozone
0 to 50	Good	None
51 to 100	Moderate	Unusually sensitive people should consider limiting prolonged outdoor exertion.
101 to 150	Unhealthy for Sensitive Groups	Active children and adults, people with respiratory disease, such as asthma, should limit prolonged outdoor exertion.
151 to 200	Unhealthy	Active children and adults, and people with respiratory disease, such as asthma, should avoid prolonged outdoor exertion; everyone else especially children, should limit outdoor exertion.
201-300	Very Unhealthy	Active children and adults, and people with respiratory disease, such as asthma, should avoid all outdoor exertion; everyone else especially children, should limit outdoor exertion.
301-500	Hazardous	Everyone should avoid all outdoor exertion.

Prior to unhealthy air quality, the Principal or Designee will:

1. Develop and maintain a file of students and staff who have or are susceptible to respiratory problems. The file will contain data on the location of such persons at different times of the school day. This data may be kept with the school nurse.
2. Meet with physical education teachers and other teachers directing strenuous activity programs and determine alternate programs available during an air pollution episode.

When notified of an air pollution episode, Principal or Designee will:

1. Inform staff and notify those individuals in file to stay indoors and minimize physical activity following pre-established communication plan.
2. Cancel all athletic competitions and practices and any other activities which require strenuous physical activity such as marching band, pep squad, etc.
3. Instruct employees to minimize strenuous physical activity.
4. Cancel any events requiring the use of vehicles.
5. Urge staff and students to minimize the use of vehicles.

IN THE EVENT OF AN EMERGENCY SCHOOL AND DISTRICT SAFETY TEAM RESPONSIBILITIES

SCHOOL ADMIN/SUPPORT STAFF RESPONSIBILITIES

1. Assess life/safety issues immediately.
2. Provide immediate emergency medical care.
3. Call 9-1-1.
4. Announce incident over PA system and enter incident into Catapult EMS system if someone has not already.
5. All communication via radio should be limited to keep the airwave open. For example, if an area is "secure" the staff responsible for securing that area will report via radio, "Cafeteria clear."

Areas of Responsibility for Support Staff/Admin *{The below areas are assigned to each staff member to secure and report to office on the radio when clear.}*

Responsibility	Staff Member(s)	Responsibility	Staff Member(s)
Catapult EMS/ Email		Girls Locker Room	
Radio Contact/Clear Areas		Boys Locker Room	
Front Office			
Counseling Office			
Attendance Office			
Cafeteria			
Gym			

District Office Safety Team Responsibilities:

RESPONSIBILITY	DISTRICT OFFICE STAFF	OFFICE NUMBER	CELL NUMBER
Catapult EMS	Jolie Carreon	749-6901	
	Giselle Ferreira	7406499	
	Liz Diaz	749-6172	
School Messenger	Jolie Carreon	749-6901	
	Giselle Ferreira	740-6499	
	Liz Diaz	749-6172	
	Bryan Williams	749-6135	
School Website	Ruda Nelson	749-6104	
	Bryan Williams	749-6135	
	School Principal / Secretary		

The **DISTRICT SAFETY TEAM** will meet immediately in Jolie Carreon's office to help with the following:

1. Alert all surrounding schools of incident.
2. Compose and/or approve ALL messages to media, board members, staff and all students affected.
3. Change transportation routes if needed and/or provided transportation for evacuation if needed. All parents will be alerted of any change in transportation through School Messenger.
4. Superintendent will assign any other tasks to the District Safety Team.
6. Convene School Crisis Management Team to implement procedures awaiting 9-1-1 response.
7. Inform arriving Police/EMS/Fire Department of situation and status
8. District Safety Team members (Liz and Giselle) will help school site with release of students (if needed) when it is safe to do so.

**State of California Government Code
Chapter 8, Division IV, Title I**

The State of California Government Code states that all public employees become emergency service workers in the event of a declared emergency. This means that all school district employees will be required to work in this capacity in case a disaster occurs and as state of emergency is declared.

PHONE TREE

Once it is verified that a crisis exists, the building administrator or designee sets the phone tree in motion. When a crisis occurs during weekends, vacation periods, or when a large number of staff is away from the school, it will be necessary to transmit information via a phone tree. At other times, when crises occur when school is in session, only the people outside the school need to be contacted via telephone. When feasible, School Messenger will be used in lieu of the phone tree.

Contact Bryan Williams at 530-682-0539 for a message to all students, parents, school staff and possibly district office staff.

Use CATAPULT district messaging to send out email and text messages to staff. Please document below the staff that are not connected to Catapult or live in an area where they don't have internet connection and need a phone call home.

[INSERT PHONE TREE HERE]

DISTRICT EMERGENCY PHONE NUMBERS

NAME	HOME PHONE	CELL PHONE	WORK PHONE
Gay Todd, Superintendent			530-749-6102
Ramiro Carreón, Asst. Supt.			530-749-6144
Mike Hodson, Asst. Supt.			530-749-6115
Jolie Carreón, Director of Safety (Access to all student records)			530-749-6901
Bryan Williams, Director Technology (School Messenger Access)			530-749-6135
Scott Lane, Executive Director			530-749-6199
Toni Vernier, Executive Director of Pupil Services			530-749-6182
Jessica Guth, Director of Pupil Services (Psychologist & Nurse Services)			530-749-6171
Ed Lawther, Supervisor of Custodians (Access to keys to open buildings)			530-749-6910
Travis Barnett, Director of Maintenance			530-749-6184
Amber Watson, Director of Nutrition			408-759-2970
Kathy Cartwright, Director of Purchasing			530-645-8752
Jennifer Passaglia, Funding / Budget			530-749-6125
Giselle Ferriera / Catapult EMS			530-740-6499
Liz Diaz, Translator / Catapult EMS			530-749-6172

Key Phone Numbers

Police, Fire, CHP, Ambulance	911	Yuba County OES	749-7520
Marysville Police (MPD)	749-3908	PG & E	1-800-743-5000
Rideout Emergency Center	749-4511	American Red Cross	673-1460
Rideout Hospital	749-4300	Fremont Hospital	751-4000
Toxic Chemical Control	1-800-424-8802	Yuba County Sheriff's Dept.	749-7777
Victim Witness	741-6275		

THREAT ASSESSMENT & STUDENT WELLNESS PLAN

Education Code 48900.7~ Terroristic Threats

- (a) In addition to the reasons specified in Sections 48900, 48900.2, and 48900.3 and 48900.4, a pupil may be suspended from school or recommended for expulsion if the superintendent's designee or the principal of the school in which the pupil is enrolled determines that the pupil has made terrorist threats against school officials or school property, or both.
- (b) For the purposes of this section, "terroristic threat " shall include any statement, whether written or oral, by a person who willfully threatens to commit a crime which will result in death, great bodily injury to another person, or property damage in excess of one thousand dollars 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, which, on its face and under the circumstances in which it is made, is so unequivocal, unconditional, immediate, and specific as to convey to the person threatened, a gravity of purpose and an immediate prospect of execution of the threat, and thereby causes that person reasonably to be in sustained fear for his or her own safety or for his or her immediate family's safety, or for the protection of school district property, or the personal property of the person threatened or his or her immediate family.

California Welfare and Institutions Code 5150

When any person, as a result of mental disorder, is a danger to others, or to himself / herself, or gravely disabled, a peace officer, member of the attending staff, as defined by regulation, of an evaluation facility designated by the county, designated members of a mobile crisis team provided by Section 5651.7, or other professional person designated by the county may, upon probable cause, take, or cause to be taken the person into custody and place him or her in custody at Yuba-Sutter Mental Health as a facility for 72 hour treatment and evaluation.

Yuba-Sutter Mental Health shall require an application in writing stating the circumstances under which the person's condition was called to the attention of the officer, member of the attending staff, or professional person, and stating that the officer, member of the attending staff, or professional person has probable cause to believe that the person is, as a result of a mental disorder, a danger to others, or to himself or herself, or gravely disabled. If the probable cause is based on the statement of a person other than their officer, member of the attending staff, or professional person, such person shall be liable in a civil action for intentionally giving a statement, which he/she knows to be false.

SITE THREAT ASSESSMENT TEAM

The school Site Threat Assessment Team (STAT) is comprised of at least 3 individuals from the school site crisis team:

SITE THREAT ASSESSMENT TEAM:

- [NAME], Principal
- [NAME], Assistant Principal
- [NAME], School Psychologist
- [NAME], District Nurse
- [NAME], PASS Officer / Student Services Coordinator

DISTRICT THREAT ASSESSMENT TEAM AT MJUSD

- Gay Todd, Superintendent
- Ramiro Carreón, Assistant Superintendent of Personnel
- Mike Hodson, Assistant Superintendent of Business Services
- Jolie Carreón, Director of Student Discipline & Attendance
- Toni Vernier, Executive Director of Pupil Services
- Jessica Guth, Director of Pupil Services

THREAT ASSESSMENT PROCEDURE

1. The STAT will utilize a THREAT ASSESSEMENT GUIDELINES, PROTOCOL and WORKSHEET to help determine whether the threat is Low, Medium or High (See Threat Assessment Guidelines, page 5)
2. If the threat is deemed to be a credible HIGH LEVEL THREAT, the STAT will recommend:
 - A school discipline/ law enforcement response
 - Student Wellness Team Process (W & I 5150 Procedure Checklist)
3. When appropriate, the Site Administrator will notify the student's parents, victims and their parents, appropriate staff/ others and communicate with the Superintendent and Director of Student Discipline. The Site Administrator should obtain a parent signature on an "Interagency Authorization for Release of Information" form. The Site Administrator will designate a team member to maintain a case folder on the incident.
4. The DISTRICT THREAT ASSESSMENT TEAM (DTAT) will address as necessary:
 - Liability issues
 - School Safety Issues
 - Student Services disciplinary issues
 - Legal Issues
 - Special Education Issues
5. The site administrator will contact Gay Todd, *Superintendent* or Jolie Carreón, *Director of Student Discipline & Attendance*. They will convene the DTAT and communicate with the Site Administrator to develop a course of action.
6. When it is determined that the student will return to campus, a meeting will be held with parents and administrators to implement:
 - A Site Contract or Suspended Expulsion Contract
 - Mental Health Plan, if appropriate
 - Behavior Plan or updated IEP for programs and services

THREAT ASSESSMENT GUIDELINES

Note: The Threat Assessment Guidelines, Threat Assessment Protocol and Threat Assessment Worksheet are NOT intended to be used as a “profiling” tool. They should be used only after a threat to help evaluate the severity level of that threat in the total context of the student’s history, personality, family, school and social dynamics. Threat Assessment levels are meant to assist team members in developing a response that is appropriate to a specific incident.

Threat Assessment Levels

A threat is referred to the Site Administrator and, if necessary, the Site Threat Assessment Team (STAT) composed of administrators, Probation Officer, school psychologist, appropriate staff/others to determine the severity level. Following an incident report, the District TAT (DTAT) may be convened to address safety issues.

LOW LEVEL THREAT (1): A threat that poses a minimal risk to the victim and public safety

- Threat is vague and indirect
- Information contained within the threat is inconsistent, implausible or lacks detail
- Threat lacks realism
- Content of the threat suggest the person is unlikely to carry it out. It could be impulsive, a form of teasing, or show of bravado. “I could just kill him for saying that.” **“You better not mess with me, or I’ll beat you up.”**

MEDIUM LEVEL THREAT (2): A threat that could be carried out, although it may not appear entirely realistic.

- The threat is more direct and more concrete than a low level threat. Wording in the threat suggests that the person making the threats has given some thought to how the act will be carried out.
- There may be a general indication of a possible place and time, though these signs still fall well short of a detailed plan.
- There is no strong indication that the person making the threats has taken preparatory steps, although there may be some veiled reference or ambiguous or inconclusive evidence pointing to that possibility—allusion to a book or movie that shows the planning of a violent act, or a vague, general statement about the availability of weapons.
- There may be a specific statement seeking to convey that the threat is not empty: **“I’m going to beat that kid up.” “I’m serious!” or “I really mean this.” “Wait until you see what happens next Tuesday in the cafeteria.”**

HIGH LEVEL THREAT (3): A threat that appears to pose an imminent and serious danger to the safety of others.

- The threat is direct, specific and plausible.
- The threat suggests concrete steps have been taken toward carrying it out. For example, statements indicating the person making the threats has acquired or practiced with a weapon or has had the victim under surveillance.
- There may have been attempts to recruit accomplices, or evidence of physical evidence: written plans, lists of victims, drawings, weapons, bomb materials, of literature explaining how to carry out the acts of violence. **“I am going to shoot Mr. Smith with my shotgun.”**

THREAT ASSESSMENT PROTOCOL

Site administrators using this protocol will often be able to assess a level one threat and act upon the incident using a routine approach to investigating and documenting a school discipline issue.

When a school administrator, in the course of investigating a threat, identifies elements of higher-level threat, a team should be convened and the site Principal should be informed.

Statement: The central question of a threat assessment is whether a student **poses** a threat, not whether a student **made** a threat.

- Less than 20% of school shooters communicated a direct or conditional threat to their target before the attack.
- More than 80% did not make a direct threat, but they did communicate their intent and or plans to others before the attack.
- Judgments about a student's risk of violence should be based upon analysis of behaviorally relevant facts, not "traits" or "profiles."
- An investigative, skeptical, inquisitive mindset is critical to successful threat assessment.
- There should be thoughtful probing, healthy skepticism, and attention to key points about pre-attack behaviors, a striving to be both accurate and fair. There should be credible verification of all essential "facts" and corroborations about an attacker's interests, statements, and actions.
- There should be liberal use of "common sense" throughout.

STEP ONE: REFERRAL

- Referral to Administrator and STAT if needed.

STEP TWO: THREAT ASSESSMENT

- Is it specific? Was there pre-planning? Were diaries, journals, websites used to record thinking?
- Is it direct, detailed? Does it have a motive, intent, time, and/or place? Were there attempts to recruit accomplices?
- Are there means to carry it out? Were weapons sought out? Was there practice with weapons?

STEP THREE: 4-PRONGED ASSESSMENT

- (1) **Personal behavior:** Based on information from faculty members and family members who knew the person before the threat was made: Immaturity, leakage (revealing clues), low frustration tolerance, poor coping skills, "injustice collector," depressive/suicidal, paranoia, narcissism, alienation, dehumanizes others, lack of empathy, externalizes blame, hit lists, closed/peripheral social group, bullying victim, fascination with violence-filled entertainment, excessive reference to mass murder/shooting spree, stalking behavior, anger problems, radical changes in behavior, romantic break-up?
- (2) **Family Dynamics:** Turbulent parent-child relationship, "dominates" at home?
- (3) **School Dynamics:** "Detached" at school, bully or victim belongs to hate or fringe group, distrusts school?
- (4) **Social Dynamics:** Unrestricted access to themes and images of extreme violence isolated/ alienated?

STEP FOUR: OTHER INTERVIEWS

- Target of threat: Is interviewed. Is the threat likely to be acted upon? History of students involved?

STEP FIVE: EVALUATION AND RESPONSE

LEVEL 1: LOW

- The threat poses little threat to public safety and in most cases would not necessitate law enforcement investigation for a possible criminal offense. Extensive interviews are usually not necessary. **RESPONSE: School counseling/ mediation or disciplinary action.**

LEVEL 2: MEDIUM

- The response should in most cases include contacting law enforcement agencies, as well as other sources to obtain additional information (and possibly reclassify the threat into the high or low category). **RESPONSE: School disciplinary actions and/or referral for services to Law Enforcement or Mental Health.**

LEVEL 3: HIGH

- Almost always the school should immediately inform Law Enforcement for possible 5150 or arrest and notify Gay Todd, Superintendent and/or Jolie Carreón, Director of Student Discipline & Attendance. **RESPONSE: Suspension, Recommendation for Expulsion, Criminal Prosecution.**

TERMS AND FACTORS

DIRECT: It identifies a specific act against a specific target and is delivered in a straightforward, clear, and explicit manner: "I am going to place a bomb in the school's gym."

INDIRECT: It tends to be vague, unclear and ambiguous. The plan, the intended victim, the motivation and other aspects of the threat are masked or equivocal: "If I wanted to, I could kill everyone at this school!"—and suggests that a violent act COULD occur, not that it WILL occur.

VEILED: It is one that strongly implies but does not explicitly threaten violence. We would be better off without you around anymore," clearly hints at a possible violent act, but leaves it to the potential victim to interpret the message and give a definite meaning to the threat.

CONDITIONAL: IT is the type of threat often seen in extortion cases. It warns that a violent act will happen unless certain demands or terms are met. "If you don't pay me one million dollars, I will place a bomb in the school."

FACTORS IN THREAT ASSESSMENT

SPECIFIC DETAILS: These can indicate that substantial thought, planning, and preparatory steps have already been taken, suggesting a higher risk that the person making the threat will follow through on his threat: the means, weapon, method, date, time, and place, identity of victim and concrete information and plans.

LOGICAL, PLAUSIBLE DETAILS: These suggest a very real possibility of being carried out and a high level of risk. Details that are specific but not logical or plausible may indicate a less serious threat that is unlikely to be carried out.

EMOTIONAL CONTENT: This can be an important clue to the student's mental state. Though emotionally charged threats can tell the assessor something about the temperament of the student, they are not a measure of danger. They may sound frightening, but no correlation has been established between the emotional intensity in a threat and the risk that it will be carried out.

PRECIPITATING STRESSORS: These are incidents, circumstances, reactional, or situations, which can trigger a threat. The precipitating event may seem insignificant and have no direct relevance to the threat, but nonetheless, can become a catalyst. The impact of a precipitating event will obviously depend on "predisposing factors," including: underlying personality traits, characteristics, and temperament that predispose and adolescent to fantasize about violence or act violently. These must be considered together with broader information about these underlying factors.

THREAT ASSESSMENT WORKSHEET

Name:

School:

Date:

Step 1: REFERRAL

- ☐ Referred to administrator / STAT?

Step 2: TYPE OF THREAT

- ☐ Is the threat specific and direct?
- ☐ Does it have detail?
- ☐ Are the means to carry out the threat available?

Step 3: FOUR PRONGED ASSESSMENT

- ☐ Prong 1: PERSONALITY
- ☐ Prong 2: FAMILY
- ☐ Prong 3: SCHOOL
- ☐ Prong 4: SOCIAL

Student / Parent Interview

Access to weapons? _____ Yes _____ No

If yes, please explain:

Actual preparations? _____ Yes _____ No

If yes, please explain:

Does the student seriously intend to carry out the threat?

Target of Threat Interview

Is it likely to be acted on?

Step 4: EVALUATION

- ☐ Parent Conference / School Discipline and or Services (suspension, expulsion)
- ☐ Refer to Law Enforcement
- ☐ Refer to Mental Health for 5150 evaluation
- ☐ Refer for IEP or Behavior Plan

LAW ENFORCEMENT CALL LOG

[illegible]

REMOVAL OF STUDENT FROM SCHOOL

During School Hours

The student was removed from _____ during school hours by _____
(School) (Department / Title)

When making an arrest or taking a child into custody in accordance with the laws of this State and the rules and regulations of this district. (BP / AR 5145.11)

Student's Name

Birthday

Age

Parent/ Guardian

Address

Phone

Name of Peace Officer

Agency

Badge #

Basis for Action (Check One)

- ☐ Section 836—Penal Code (Arrest without warrant)
- ☐ Warrant for arrest
- ☐ Section 5150—Welfare and Institutions Code—Danger to self/other, gravely disturbed
- ☐ Section 305—Welfare and Institutions Code---Student taken into protective custody (CPS)
- ☐ Section 625—Welfare and Institutions Code---Without warrant (minor is suspected of a crime)
- ☐ With express permission of parent
- ☐ In case of emergency when parent can't be reached (Ambulance)

Parent notified by _____ of the removal and place where student is taken. ***Except in child abuse investigation.**

Date: _____ Time: _____

Signature of Principal/ Designee: _____

* E.C. 48906: When a principal or other school official releases a minor student of such school to a peace officer for the purpose of removing the minor from school premises, such school official shall take immediate steps to notify the parent/ guardian, or responsible relative of the minor regarding the release of the minor to such officer, and regarding the place to which the minor is reportedly being taken.

SUSPENSION

Suspension is the temporary removal of a pupil from regular classroom instruction or from school as initiated by a teacher or administrator. A teacher may suspend any pupil from his or her class for the remainder of that day and the following day. A teacher may also refer a pupil to the principal or designee for consideration of a suspension from the school. The principal of the school, the principal's designee or the superintendent of schools may suspend a pupil from the school for not more than five consecutive school days unless the suspension is extended pending expulsion.

Teacher's Notice of Pupil Suspension

School Name: _____ Date: _____

To: Principal and Parent

Pursuant to Section 48900 of the Education Code, _____, has been suspended from _____ on _____ because:

**** Other means of correction have failed:

Pupil suspension is only from the class stated above and not from the school. Attendance by the pupil is required at all other classes during the period of suspension.

The period of suspension is for:

_____ 1. The remainder of the day or period on which the suspension occurred

_____ 2. The remainder of the day or period on which the suspension occurred
_____ and the school day following.

You are hereby requested to attend a parent-teacher conference regarding the

suspension of your child at _____ on _____ at _____

NOTE: Parent –Teacher conference must be requested on all suspensions by teachers. **(Education Code Section 48910)** If another time is more convenient, please telephone the undersigned teacher to arrange a meeting as soon as possible.

Signature of Teacher

Date

Parent Request for Attendance by Administrator at Suspension Conference

Pursuant to Section 48910 of the Education Code, the parent can request that a school administrator attend the Parent-Teacher Conference. If you are requesting an administrator at the above conference, please notify your child's teacher.

EXPULSION

Expulsion is the removal of a pupil from enrollment in a school or the district as ordered by the Board of Education. Pupils can be expelled only for those reasons for which they can also be suspended.

LEVEL FOUR DISCIPLINE - Mandatory Expulsion

The principal or superintendent of schools shall immediately suspend and **shall recommend expulsion** of a pupil if he/she determines that the student committed any of the following acts at school or at a school activity.

Firearm: **48915 (c)(1)** Possessing, selling, or otherwise furnishing a firearm

Knife: **48915 (c)(2)** Brandishing a knife at another person

Controlled Substance: **48915 (c)(3)** Unlawfully selling a controlled substance

Sexual Assault/Battery: **48915 (c)(4)** Committing or attempting to commit sexual assault

Explosive: **48915 (c)(5)** Possession of an explosive

LEVEL THREE DISCIPLINE - Quasi-Mandatory Expulsion

The principal or the superintendent of schools **shall recommend the expulsion/suspended expulsion contract** of a pupil for any of the following acts committed at school or school activity, unless the principal or superintendent finds that the expulsion/suspended expulsion contract is inappropriate, due to the particular circumstance. This must be documented in writing.

Serious Physical Injury: **48915 (a)(1)(A)** Causing serious physical injury to another person, except in self-defense.

Knife, Explosive or Dangerous Object: **48915(a)(1)(B) & 48900(b)** Possession of any knife or other dangerous object of no reasonable use to the pupil

Controlled Substance: **48915(a)(1)(C) & 48900(c)** Unlawful possession of any controlled substance listed in Chapter 2, except for the first offense for the possession of not more than one avoirdupois ounce of marijuana, other than concentrated cannabis

Robbery or Extortion: **48915 (a)(1)(D)** Robbery or extortion

Assault or Battery: **48915(a)(1)(E)** Assault or battery upon any school employee

LEVEL TWO DISCIPLINE – Mandatory Suspension

Under these circumstances, because they are considered particularly destructive and disruptive to the educational environment, District policy requires a minimum three day suspension.

The principal **shall** recommend suspension of a pupil for any of the following acts committed at school or a school activity.

If the principal recommends expulsion or a suspended expulsion contract, he/she must find that 1) other means of correction have failed or not feasible, or 2) due to the nature of the violation, the presence of the pupil causes a continuing danger to the physical safety of other students:

Physical Injury to Another: **48900 (a)(1)** Caused, attempted to cause, or threatened to cause physical injury to another person

Force or Violence Upon Another: **48900 (a)(2)** Willfully used force or violence upon the person of another, except in self-defense

Dangerous Object: **48900 (b)** Possessed, sold, or otherwise furnished any firearm, knife explosive, or other dangerous object

Controlled Substance: **48900 (c)** Unlawfully possessed, used, sold, or otherwise furnished or been under the influence of any controlled substance, alcohol beverage, or an intoxicant of any kind

Drugs/Alcohol: **48900(d)** Unlawfully offered, arranged, or negotiated to sell any controlled substance, an alcoholic beverage, or an intoxicant of any kind, and either sold, delivered, or otherwise furnished to any person another liquid, substance or material and **represented the liquid, substance or material as a controlled substance, alcoholic beverage, or intoxicant**

Robbery or Extortion: **48900(e)** Committed or attempted to commit robbery or extortion

Drug Paraphernalia: **48900 (j)** Unlawfully possessed or unlawfully offered, arranged or negotiated to sell any drug paraphernalia

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

Sexual Assault: **48900 (n)** Committed or attempted to commit a sexual assault

School Discipline Witness: 48900 (o) Harassed, threatened or intimidated a pupil who is complaining witness or a witness in a school disciplinary proceeding for the purpose of either preventing that pupil from being a witness or retaliating against that pupil for being a witness or both

Soma (prescription drug): 48900 (p) Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug, Soma

Aids or Abets Physical Violence: 48900(t) A pupil who aids or abets, the infliction or attempted infliction of physical injury to another person, **(but, per Education Code, expulsion may not be imposed unless the student is adjudged guilty in juvenile court)**

Sexual Harassment: 48900.2 Harassment must be considered by a reasonable person of the same gender as the victim to be sufficiently severe or pervasive to have a negative impact upon the individual's academic performance or to create an intimidating, hostile, or offensive educational environment

Hate Violence: 48900.3 Pupil has caused, attempted to cause, threatened to cause, or participated in an act of hate violence as described in Section 233

Harassment: 48900.4 Intentionally engaged in harassment, threats, or intimidation, directed against school district personnel or pupils

Community Service on School Grounds: 48900.6 The principal or designee may require a pupil to perform community service on school grounds

Terrorist Threats: 48900.7 Any statement, whether written or oral, by a person who willfully threatens to commit a crime which will result in death, great bodily injury to another person, or property damage in excess of one thousand dollars, 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

LEVEL ONE DISCIPLINE – Permissive Suspension

Pursuant to California Education Code Section 48900.5, suspension, including supervised suspension as described in Section 48911.1 shall be imposed only when other means of correction fail to bring about proper conduct. The alternative means to suspension provided must be age appropriate and designed to address and correct the student's specific misbehavior.

Damage to School/Property: 48900 (f) Caused or attempted to cause damage to school or private property

Stole School/Private Property: 48900 (g) Stolen or attempted to steal school property or private property

Tobacco or Nicotine Products: 48900 (h) Possessed or used tobacco, or any products containing tobacco or nicotine products, including cigarettes, cigars, smokeless tobacco, snuff, chew packets

Obscene Act of Habitual Profanity: 48900 (i) Committed an obscene act or engaged in habitual profanity or vulgarity

Disruption of School Activities or Defiance of School Personnel: 48900 (k) Disrupted school activities or otherwise willfully defied the valid authority of supervisors, teachers administrators, school officials, or other school personnel engaged in the performance of their duties.

Received Stolen School/ Private Property: 48900 (l) Knowingly received stolen school property or private property

Hazing: 48900(q) Engaged in, or attempted to engage in, hazing as defined in Section 32050

Bullying: 48900(r) Engaged in an act of bullying, including, but not limited to bullying committed by means of an electronic act directly specifically toward a pupil or school personnel

Community Service on School Grounds: 48900.6 The principal or designee may require a pupil to perform community service on school grounds

STUDENT DISCIPLINE AND PROCEDURES (AR 5144.1):

A. Introduction

The provisions of this Administrative Regulation have been developed in order to specifically describe and implement the pupil discipline policies of the Marysville Joint Unified School District. As such, these regulations are intended to fully conform with all California laws and regulations pertaining to the discipline of pupils in the public schools.

B. Definitions

1. Suspension

a. Suspension is defined as removal of a student from ongoing instruction for adjustment purposes. (Education Code 48925(d))

b. Suspension does not mean:

(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 Board of Education for students of the same grade level; (Education Code 48925(d)(1))

(2) Referral to a certificated employee designated by the Principal to advise students; (Education Code 48925(d) (2))

(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 the Principal's designee. Removal from a particular class shall not occur more than once every five school days. (Education Code 48925(d) (3))

(4) In-school suspension as contained in Education Code 48911.1.

2. Expulsion

Expulsion is defined as removal of a student from (1) the immediate supervision and control, or (2) the general supervision, of school personnel, as those terms are used in Education Code 46300. (Education Code 48925(b)) Expulsion is an administrative remedy designed to promote pupil safety. (Fremont Union High School District v. Santa Clara County Board of Education (1991) 235 Cal.App.3d 1182)

3. Administrative Transfer

Administrative Transfer means the reassignment of a student to another school site within the District. Administrative Transfer will only occur upon approval of both the transferring site administrator and the receiving site administrator.

4. School Day

A school day is defined as a day on which the schools of the District are in session or weekdays during the summer recess. (Education Code 48925(c))

5. School Year

The school year begins the first day of July and ends the last day of June. (Education Code 37200)

6. Day

A day is a calendar day. (Education Code 48925(a))

7. Student Conduct Code

The Student Conduct Code is a document which is issued by the District. It is intended to inform students and parents about school rules and the consequences for certain behaviors.

8. Designee

a. Throughout this Regulation, unless prohibited by law, the employee authorized to act on behalf of the District shall include his/her designee (e.g., the "designee" of the Principal or the "designee" of the Superintendent).

b. A "Principal's designee" is any one or more administrators at that school site specifically designated by the Principal, in writing, to assist with the discipline of students. If there is no other administrator at that school site, one and only one other certificated person at the school site may be specifically designated by the Principal, in writing to the Superintendent, as a designee to assist with student discipline.

c. When both the Principal and the designee are absent from the school site, an additional person may be designated by the Principal.

d. The names of all persons designated as "Principal's designee" shall be on file in the Superintendent's office.

9. **Parent**

This term includes a pupil's guardian or legal counsel. This term also includes pupils over the age of 18.

10. **Board**

This term means the Board of the Marysville Joint Unified School District.

11. **County Office**

This term means the Yuba County Office of Education.

12. **Director of Student Discipline**

This term refers to the District's administrator responsible for processing student suspensions and expulsions.

13. **Individual with Exceptional Needs**

Individual with Exceptional Needs means an individual who satisfies all of the following:

a. Has been identified by an IEP team as a child with a disability as that phrase is described in the Individuals with Disabilities in Education Act (Education Code 56026) who by reason thereof, needs special education and related services.

b. The individual's impairment requires instruction, services, or both which cannot be provided without modification of the regular school program. (Education Code 56026(c))

c. The individual falls within one of the following age categories:

(1) Younger than three years of age and identified by the district, special education local plan area, or the county office as requiring intensive special education and services, as defined by the State Board of Education.

(2) Between the ages of three and five, and identified by the district, the special education local plan area, or the County Office pursuant to 56441.11;

(3) Between the ages of five and eighteen, inclusive;

(4) Between the ages of 19 and 21 who is enrolled in, or eligible for, a special education program prior to his/her 19th birthday and who hasn't completed his/her prescribed course of study or who has not met proficiency standards.

14. **Individual with a Handicap**

This term (often used interchangeably with the term "individual with a disability") refers to a person who suffers from a physical or mental impairment, has a record of such impairment, or is regarded as having such an impairment, which affects one or more major life activities. Students meeting this definition, even though they may not qualify for special education services or supports under the Individuals with Disabilities in Education Act (IDEA), nonetheless may require modifications, accommodations, or special services or supports to obtain equal access to a free appropriate public education. (504 of the Rehabilitation Act of 1973)

C. General Provisions

1. **Grounds for Suspension/Expulsion**

a. A student, including an individual with exceptional needs, shall be subject to suspension/expulsion for the causes set forth in the Education Code. This specifically includes, but is not limited to, 48900, 48915, 48900.2, 48900.3, 48900.4, 48900.7, 48901 and 48901.5.

b. The District has developed a Student Conduct Code which more specifically lists the grounds for discipline and the range of consequences that may be imposed. This Student Conduct Code is regularly reviewed by District staff and is provided to all students at the beginning of each school year.

2. **Related to School Activity or School Attendance**

a. No student shall be suspended/expelled unless the act is related to school activity or school attendance.

b. Related to school activity or attendance includes by way of illustration and not limitation actions that occur:

- (1) While on school grounds; or
- (2) While going to or coming from school; or
- (3) During lunch period, whether on or off the campus; or
- (4) During, or while going to or coming from, a school-sponsored activity. (Education Code 48900(s))

Pursuant to the above definition, the District will impose discipline for prohibited conduct which occurs on any school or district grounds or facilities *regardless of when the conduct occurs*. The District will impose discipline for such conduct even where it occurs outside of school hours and/or outside of school-sponsored activities.

3. **Notification of Law Enforcement**

a. The Principal shall, prior to the suspension/expulsion of any student, notify the local law enforcement agency of any student conduct that may have violated:

- (1) Penal Code 245 (assault with a deadly weapon or force likely to cause great bodily harm). (Education Code 48902(a)); or
- (2) Penal Code 629.9 or 626.10 (Education Code 48902(c))

b. The Principal shall notify the local law enforcement agency within one school day after suspension/expulsion for any act the student committed that may have violated the drug and alcohol prohibitions in Education Code 48900.

c. Whenever an employee is attacked, assaulted, or physically threatened by a student, it shall be the duty of that employee, and the duty of any person supervising the employee who has knowledge of such incident, to promptly report the occurrence to the appropriate law enforcement agency. Failure to do so is a misdemeanor. (Education Code 44014)

d. The principal may report "hazing" to law enforcement. Hazing is a misdemeanor, punishable by a fine and/or imprisonment. It is as defined as engaging or participating in any method of initiation or pre-initiation into a student organization or pastime or amusement engaged in with respect to such an organization which causes, or is likely to cause, bodily danger, physical harm, or personal degradation or disgrace resulting in physical or mental harm to another student. (Education Code 32050, 32051)

II. SUSPENSION

A. General Provisions

Suspension is typically imposed only when other means of correction have failed to bring about proper conduct. (Education Code 48900.5) When feasible, alternatives to suspension should be imposed against students who are tardy, truant, or otherwise absent from school activities. (Education Code 48900(w)) Additional requirements may apply for students identified with exceptional needs.

1. **Authority to Suspend**

Only certain individuals may suspend a student from class or school. These are the:

- a. Student's Teacher (Education Code 48910);
- b. Superintendent (Education Code 48911);
- c. Principal (Education Code 48911);
- d. School District Board (Education Code 48912).

2. **Duration**

a. The total number of days for which a student may be suspended from school shall not exceed 20 school days in any school year. (Education Code 48903)

b. Exceptions to the 20 school day limit:

(1) When for purposes of adjustment, a student enrolls in, or is transferred to, another regular school, an opportunity school or class, or a continuation education school or class. In these instances, the student may not be suspended for more than 30 school days in any school year. (Education Code 48903)

(2) When suspension for a period not longer than the balance of the semester from a continuation school is being processed by the District (Education Code 48912.5)

3. **Homework and Tests**

Any student who is suspended shall be required to complete any assignments and tests missed during the days of suspension (Education Code 48913).

B. Suspension by Teacher

1. **Duration**

A teacher may suspend a student from his/her class as follows:

- a. Secondary teachers may suspend a student from class for the remainder of the period, and for that period the following day.
- b. Secondary teachers may suspend students they have enrolled in multiple periods for the remainder of those periods that day and for those periods the following school day.
- c. Elementary teachers may suspend students from self-contained classrooms for the remainder of the day and for the following day.
- d. Elementary teachers teaching in non-self-contained classes may suspend a student for the remainder of the period and that period the following day. (Education Code 48910(a))
- e. Teacher suspension from a particular class shall not occur more than once every five school (instructional) days. (Education Code 48925(d) (3))

2. **Procedure**

a. Report

The teacher shall immediately report the suspension to the Principal and send the student to the Principal for appropriate action. (Education Code 48910(a))

b. Conference

As soon as possible, the teacher shall ask the parent of the student to attend a parent-teacher conference regarding the suspension. Whenever practical, a school counselor or school psychologist shall attend the conference. A school administrator shall attend the conference at the request of the teacher or parent. (Education Code 48910(a))

c. Return to Class

(1) During the period of suspension, the student shall not be returned to the class from which he/she was suspended without the concurrence of the teacher of the class and the Principal. (Education Code 48910(a))

(2) During the period of suspension, a student suspended for a class shall not be placed in another regular class. However, if the student is assigned to more than one class per day, this shall apply only to other regular classes scheduled at the same time as the class from which the student was suspended. (Education Code 48910(b))

d. Suspension from School

The teacher may also refer a student to the Principal for consideration of suspension from school for causes set forth in the Education Code. (Education Code 48910(c))

3. **Parental Attendance in Student's Class**

a. The parent of a student suspended by a teacher for commission of an act set forth in Education Code 48900(i) and/or (k) may be required to attend a portion of a school day in the classroom from which his/her child/ward was suspended. The attendance which may be required of parents pursuant to this section shall be limited to the class from which the student was suspended. (Education Code 48900.1)

b. The Principal shall send written notice to the parent that his/her attendance is required. The notice shall also:

(1) Tell the parent when his/her presence is expected and by what means he/she may arrange any reasonably necessary change;

(2) Describe the protections afforded to the parent as an employee under Labor Code 230.7. The notice should advise:

No employer shall discharge or in any way discriminate against an employee, who takes time off work to attend class when requested by a school pursuant to Education Code 48900.1, provided the employee gives the employer reasonable advance notice that he/she is requested to appear in school. Any employee who is discharged or in any way discriminated against is entitled to reinstatement and reimbursement for lost wages and work benefits.

c. The teacher shall remind the parent to meet with the Principal after completing the classroom visit and before leaving the school premises.

C. Suspension by Principal, Principal's Designee or Superintendent

1. **Duration**

The principal of the school, principal's designee, or the superintendent of schools may suspend a pupil from the school for any of the reasons from school for no more than five consecutive school days. (Education Code 48911(a))

2. **Procedure**

a. Student Conference before Suspension

Suspension by the Principal, Principal's Designee or the Superintendent shall be preceded by an informal conference with the student before suspension. Whenever practical, this conference should include the teacher, supervisor or school employee who referred the student to the Principal. (Education Code 48911(b))

b. Conference Requirements

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

3. **Procedure in Emergency Situations**

The Principal, Principal's Designee, or the Superintendent may suspend a student without affording the student an opportunity for a conference only if they determine that an emergency situation exists. The term "emergency situation," as used in this section, means a situation determined to constitute a clear and present danger to the lives, safety or health of students or school personnel. (Education Code 48911(c))

a. Notice

If a student is suspended without a conference prior to the suspension, the parent and student shall be notified of the student's right to a conference, and the student's right to return to school for the purpose of a conference. (Education Code 48911(c))

b. Conference

The conference shall be held within two school days unless the student waives this right or is physically unable to attend for any reason. The conference shall then be held as soon as the student is physically able to return to school for the conference. (Education Code 48911(c))

4. Suspension Notice Requirements

a. Contact Parent

At the time of suspension, a school employee shall make a reasonable effort to contact the student's parent in person or by telephone. (Education Code 48911(d))

b. Written Notice to Parent

Whenever a student is suspended from school, the parent shall be notified in writing of the suspension. The notice shall, insofar as is practicable, be in the primary language of the student's parent or guardian. (Education Code 48911(d))

c. Conference with Parent

The Principal, Principal's Designee or the Superintendent may request the parent of the suspended student to attend a meeting to discuss the causes, the duration, the school policy involved, and other pertinent matters.

(1) No penalties may be imposed on a student for failure of the student's parent to attend a conference with school officials.

(2) Reinstatement of the suspended student shall not be contingent upon attendance by the student's parent or guardian at such conference. (Education Code 48911(f))

d. Notice to Director of Student Discipline and Superintendent

A Principal shall report the suspension of each student, including the cause, to the Director of Student Discipline, who shall report the same to the Superintendent. (Education Code 48911(e))

D. Suspension by the Board

1. Duration

The Board may suspend a pupil from school for any of the acts enumerated in Education Code 48900 for not more than 20 days. (Education Code 48912(a))

2. Students in Continuation School

The Board has the authority to suspend a student enrolled in a continuation school or class for a period not longer than the remainder of the semester for violation of any of the acts enumerated in Education Code 48900. The suspension shall meet the requirements of Education Code 48915. (Education Code 48912.5)

3. Procedure

a. Closed Session

When the Board is considering the suspension of a student (as with all disciplinary actions against a student), the Board will hold a closed session hearing unless a hearing open to the public is requested by the parent. (Education Code 48912)

b. Written Notice

Prior written notice of the closed session hearing must be provided to the parent. (Education Code 48912(c))

E. Individuals with Exceptional Needs

1. Definitions

a. Student

As used in this section, "student" means an Individual with Exceptional Needs.

B. Hearing Officer

As used in this section, "Hearing Officer" means an officer appointed by the California Special Education Hearing Office.

2. Authority of School Personnel

a. Ten Consecutive Days

In general school personnel may suspend a student for up to 10 consecutive school days to the extent such suspension would be applied to a student without disabilities. (34 CFR 300.530)

(1) Exception

Where a student has experienced a series of separate suspensions in a school year that cumulatively add up to more than ten days, the "pattern" of such suspensions may establish a disciplinary change of placement warranting procedural protections for the student. Such a pattern may be evidenced by the length of each removal, the total amount of time the student is removed, and the proximity of the removals to each other. (34CFR 300.536)

B. Up to 45 Days

School personnel may place a student in an interim setting for up to 45 days, to the extent such suspension would be applied to a student without a disability, if:

- (1) The student carries a weapon to or possesses a weapon at school, on school premises, or to a school function; or
- (2) The student knowingly possesses/uses illegal drugs or sells/solicits the sale of a controlled substance while at school or at a school function. (34 CFR 300.530); or
- (3) Has inflicted serious bodily injury upon another person on school premises, or at a school function.

3. IEP Team Meeting

Either before discipline is imposed or not later than 10 days after school personnel have imposed discipline, the IEP Team shall meet to determine whether the behavior was or was not a manifestation of the child's disability. (34 CFR 300.530)

4. Interim setting

Where a child is to be placed in an interim setting, the interim setting is determined by the IEP Team and shall:

- a. Enable the student to continue to participate in the general curriculum;
- b. Continue to provide those services and modifications, including those described in the student's current IEP, that will enable the student to meet the goals set out in that IEP;
- c. Include services and modifications designed to address the behavior that resulted in the discipline so that it does not recur. (34 CFR 300.530, 531)

5. Parent Appeal of Interim Setting

a. If a parent requests a hearing before a Hearing Officer to challenge the student's placement in an interim setting pursuant to II.E.2.b. Above, the District shall arrange an expedited hearing. (34 CFR 300.532)

b. In reviewing a decision of school personnel to place the student in an interim setting for up to 45 days (II.E.2.b.), the Hearing Officer shall:

- (1) Determine whether the District has demonstrated by substantial evidence that maintaining the current placement of such student is substantially likely to result in injury to the student or to others;
- (2) Consider the appropriateness of the student's current placement;
- (3) consider whether the District has made reasonable efforts to minimize the risk of harm in the student's current placement, including the use of supplementary aids and services;

(4) Determine whether the interim setting meets the requirements of paragraph II.E.4. (34 CFR 300.530, 532)

6. **Manifestation Determination**

a. When Required:

A manifestation determination is required if a disciplinary action is contemplated which:

- (1) Involves placement in an interim setting (See II.E.2, and 4 above); or
- (2) Involves a change of placement, either because a removal for more than 10 days is proposed, or there is a pattern of removals (as described above) for a student who has engaged in behavior that violated any rule or code of conduct of the District which is applicable to all students;

B. Notice to Parents

Not later than the date on which the decision to take disciplinary action is made, the parents shall be notified of that decision and of Federal procedural safeguards. (34 CFR 300.504)

- (1) The procedural safeguard notice shall be written in the native language of the parents, unless it is clearly not feasible to do so, and written in an easily understandable manner.
- (2) The following shall be addressed in the notice
 - (a) Independent education evaluation;
 - (b) Prior written notice;
 - (c) Parental consent;
 - (d) Access to educational records;
 - (e) Opportunity to present complaints;
 - (f) The child's placement during pendency of due process proceedings;
 - (g) Procedures for students who are subject to placement in an interim alternative educational setting;
 - (h) Requirements for unilateral placement by parents of children in private schools at public expense;
 - (i) Mediation;
 - (j) Due process hearings, including requirements for disclosure of evaluation results and recommendations;
 - (k) State-level appeals;
 - (l) Civil actions;
 - (m) Attorneys' fees.
 - (n) California State complaint procedures including a description of how to file a complaint and the timelines under those procedures. (34 CFR 300.504; 34 CFR 300.660-300.622)
- (3) The notice shall specify that the IEP Team meeting may be held without the parent's participation unless the parent requests a postponement. (34 CFR 300.322)
- (4) The District shall notify the parents, in writing, if they intend to conduct an assessment of the student. (34 CFR 300.504)

c. Time for Review

Immediately, if possible, but within 10 school days of the decision to take disciplinary action, a review shall be conducted of the relationship between the student's disability and the behavior subject to the disciplinary action. (34 CFR 300.530)

d. Scope of Review

Only if the IEP Team considers the items set forth below may it determine that the behavior of the student was not a manifestation of the student's disability:

(1) First, in relationship to the behavior subject to the disciplinary action, the IEP Team must consider all relevant information, including:

- (a) Evaluation and diagnostic results, including such results or other relevant information supplied by the parents of the student; and
- (b) Observations of the student; and
- (c) The student's IEP placement; and
- (d) The student's health and discipline records.

(2) Second, in relationship to the behavior subject to disciplinary action, the IEP Team must determine:

(a) If the conduct in question was caused by, or had a direct and substantial relationship to, the child's disability; or

(c) If the conduct in question was the direct result of the LEA's failure to implement the IEP. (34 CFR 300.530)

7. **Determination That the Behavior Was a Manifestation of the Disability**

If the IEP team finds that the behavior of the student was a manifestation of the student's disability, the student may not be disciplined or recommended for expulsion.

8. **Determination That the Behavior Was Not a Manifestation of the Disability**

If the IEP Team finds that the behavior of the student was not a manifestation of the student's disability, the student may be disciplined to the extent that a student without disabilities would be disciplined, including expulsion. (34 CFR 300.524) See section III.D. regarding Expulsion of Individuals with Exceptional Needs.

9. **Parent Appeal of Manifestation Determination**

a. Hearing before the Special Education Hearing Officer

(1) If a parent requests a hearing before a Hearing Officer to challenge the determination that the student's behavior was not a manifestation of the student's disability, the District shall arrange for an expedited hearing (34 CFR 300.532)

(2) The Hearing Officer shall determine whether the District has demonstrated that the student's behavior was not a manifestation of the student's disability in accordance with II.E.6.d. above.

10. **Placement of Student during Parent Appeals**

Unless the parent and the District agree otherwise, the student shall remain in the interim setting pending:

- (1) The decision of the Hearing Officer; or
- (2) Until the expiration of the time period provided for in II.E.2.b., whichever occurs first. (34 CFR 300.533)

11. **Students Not Yet Determined Eligible for Special Education and Related Services**

a. Limited Rights

A student not previously determined eligible for special education and related services, and who has engaged in behavior that violated a rule of the District, may assert the protections provided for individuals with exceptional needs set forth in this Administrative Rule only if the District had prior knowledge that the student was a student with a disability before the occurrence of the behavior that precipitated the disciplinary action. (34 CFR 300.534)

b. Basis for District Prior Knowledge

The District shall be deemed to have prior knowledge that a student is a student with a disability if:

(1) The parent of the student had previously expressed concern in writing to personnel of the District that the student is in need of special education and related services (unless the parent is illiterate or has a disability that prevents writing); or

(2) Prior behavior or performance of the student demonstrates the need for such services; or

(3) The parent of the student has previously requested an evaluation of the student pursuant to section 34 CFR 300.300 through 300.311; or

(4) The teacher of the student, or other personnel of the District, has previously expressed concern about the behavior or performance of the student to the Director of Special Education Services or to other personnel of the District. (34 CFR 300.534)

c. Result if No Prior Knowledge

(1) If the District does not have prior knowledge that a student is a student with a disability before taking disciplinary measures against the student, the student may be subjected to the same discipline as are students without disabilities who engaged in comparable behaviors.

(2) If parents request an evaluation of the student when the student is suspended/expelled:

(a) An expedited evaluation shall be conducted.

(b) Pending the results of the evaluation, the student shall remain in the educational placement determined by school authorities.

(c) If the student is determined by the District to be a student with a disability, the District shall provide special education and related services in accordance with State and Federal law. (34 CFR 300.534)

F. Individuals with a Handicap

1. **Protections Related to Discipline**

A handicapped or disabled student who qualifies for services under Section 504 of the Rehabilitation Act of 1973 is entitled to certain procedural protections when the District proposes to discipline the student by removing him or her from school for more than ten consecutive days, or where there have been a series of removals totaling more than ten days in a school year that constitute a "pattern" of disciplinary change of placement.

2. **Evaluation Required**

Such a student must be evaluated by the team that determined the student's Section 504 eligibility to ensure that the student's plan is appropriate and that all accommodations, modifications, services and supports are being properly implemented. (34 CFR 104.35)

3. **Manifestation Determination**

The team must also determine whether the student's misconduct was a manifestation of the disability. If the District determines that the handicap or disability caused the misconduct, the District may:

a. With regard to students who commit weapons or drug offenses, place the student in an alternative interim education placement for up to 45 days, or

b. Change the student's placement if necessary to insure that the student receives a free appropriate public education, but, absent special circumstances, not for solely disciplinary reasons.

4. **Basis of Knowledge**

As with students entitled to protections under IDEA, a student who has not previously been determined eligible under Section 504 may be entitled to assert the procedural protections of the Act if the District had a prior "basis of knowledge" that the student was eligible under Section 504, but failed to act.

5. **Misconduct Related to the Use of Alcohol**

Students who are disciplined for misconduct related to use of alcohol may be disciplined the same as other students regardless of whether such alcohol use and related misconduct is a manifestation of handicap or disability.

G. Administrative Transfer

1. Duration

A student who is administratively transferred shall remain at the alternative site for, at least the remainder of the school year in which he/she was suspended, except in the case of temporary placement pending expulsion panel hearing.

2. Rehabilitation Plan

The student shall be assigned to an appropriate rehabilitation program as determined by the Director for Student Discipline. The student shall be permitted to transfer back to his/her original site only when he/she has successfully completed the rehabilitation program

3. Transportation

No transportation is provided to the alternative site.

4. Appeal

a. When a transfer has been imposed by the District at the request of the Principal, the parent shall have the right to request a meeting with the Director for Student Discipline.

b. The meeting shall be held within five school days of the time such request is received.

c. The review by the Director for Student Discipline shall be limited to the following questions:

(1) Whether the offense was one for which the student could be transferred.

(2) Whether procedural requirements were complied with by the District.

H. Appeal of Suspension

1. Meeting with Principal

a. When a suspension is ordered by a teacher, the student's parent shall have the right to meet with the Principal to discuss:

(1) The cause and duration of the suspension;

(2) Relevant school policy, Board Policy and Education Code sections;

(3) Other matters pertinent to the suspension.

b. The meeting shall be held within three school days of the time such request is received. (Education Code 48914)

2. Meeting with Director for Student Discipline

a. Procedure

(1) When a suspension has been ordered by a Principal, or after a parent has met with the Principal following a teacher suspension, the parent shall have the right to request a meeting with the Director for Student Discipline.

(2) The meeting shall be held within five school days of the time such request is received.

(3) The review by the appropriate Director for Student Discipline shall be limited to the following questions:

(a) Whether the offense committed was one for which the student could be suspended.

(b) Whether procedural requirements were complied with by school personnel.

b. Findings of the Director for Student Discipline

(1) If the Director for Student Discipline determines that no offense was committed for which the student could be suspended, all records and documentation regarding the disciplinary proceedings and suspension shall immediately be destroyed, and no information regarding the meeting shall be placed in the student's permanent record on file or communicated to any person not directly involved in the disciplinary proceedings.

(2) If procedural requirements are found not to have been met, the Director for Student Discipline must reverse the suspension and remand the matter to the Principal for correction of the procedural error.

- (3) If the Director for Student Discipline finds that all procedural requirements were met, and that an offense for which the student may be suspended was committed, the suspension cannot be reversed or altered.
- (4) The Director for Student Discipline shall render his/her decision within two school days.
- (5) The decision of the Director for Student Discipline regarding any appealed suspension shall be final and binding.

III. EXPULSION

A. Procedure for Expulsion

The act of expulsion is a very serious matter. The final decision to expel a student rests with the Board. In order that students and their parents are treated fairly and in accordance with their rights under the law, each of the following steps shall take place in cases where expulsion is being recommended.

With regard to students with previously identified exceptional needs, see section III.D. for additional prerequisites.

1. **Report Sent to the Director for Student Discipline**

A recommendation for expulsion shall be delivered, with supporting data, to the Director for Student Discipline. The recommendation shall include:

- a. Identifying information regarding the student and his/her parents;
- b. Recommendation for expulsion which includes an investigation report.
- c. A chronological log of the violations and, if appropriate, actions previously taken by the school in an attempt to remedy the problem;
- d. Records of previous suspensions, parent conferences etc.
- e. General school records; and
- f. Special education data, if applicable.

2. **Extension of Suspension**

- a. **Expulsion Recommended**

Where expulsion from any school, or suspension for the balance of the semester from a continuation school, is being processed by the District, the suspension may be extended until such time as the Board has rendered a decision regarding the action. Any such extension shall be in writing. (Education Code 48911(g))

- b. **Meeting**

Prior to extending the suspension, the Superintendent or his/her designee must have a meeting in which the student and the student's parent are invited to participate. (Education Code 48911(g))

- c. **Findings**

After considering the issues presented by the student and the student's parent, the Superintendent or his/her designee can extend the suspension if it is determined that the student's presence at the school, or in an alternative school placement, would cause:

- (1) A danger to persons or property; or
- (2) A threat of disrupting the instructional process. (Education Code 48911(g))

- d. **Parents Request Meeting**

If the student or the student's parent has requested a meeting to challenge the original suspension, the purpose of the meeting shall be to decide upon the extension of the suspension order under this section and may be held in conjunction with the initial meeting on the merits of the suspension. (Education Code 48911(g))

3. **Written Notice of Hearing**

- a. The Director for Student Discipline shall send an expulsion hearing notice to the student and his/her parent at least ten (10) calendar days prior to the date of the hearing. (Education Code 48918(b))

b. The written expulsion hearing notice shall include (Education Code 48918(b)):

- (1) The date and place of the hearing (set by the Director for Student Discipline;
- (2) A statement of the specific facts and charges against the student;
- (3) A copy of the District's disciplinary rules which relate to the alleged violation;
- (4) Notice that the parent and student must, upon enrolling in a new school district, inform the new school district of the student's status with the Marysville Joint Unified School District.
- (5) A statement of the student's/parent's rights. These include the right to:
 - (a) Appear in person or to employ and be represented by legal counsel (though such representation is not required);
 - (b) Inspect and obtain copies of all the documents to be used at the hearing;
 - (c) Confront and question all witnesses who testify at the hearing;
 - (d) Question all evidence presented;
 - (e) Present oral and documentary evidence on the student's behalf, including witnesses;
 - (f) Request a public hearing in writing at least five calendar days before the date of the hearing;
 - (g) Request at least one postponement of the hearing for a maximum of 30 calendar days.

4. **Time of Hearing**

Unless a parent requests an extension of time, the hearing shall be held within 30 days after the date that the principal or Superintendent determines that the pupil has committed an expellable offense. (Education Code 48918(a))

5. **Representation by Legal Counsel**

Notice of a parent's intent to be represented by legal counsel shall be provided to the District at least five school days prior to the expulsion hearing.

6. **Postponement of the Expulsion Hearing**

The time period for holding the expulsion hearing may, for good cause, be extended for an additional five school days. Reasons for this postponement shall be included as a part of the record at the time the expulsion hearing is conducted. (Education Code 48918(a))

B. Marysville Joint Unified School District Discipline Review Panel (MDRP)

1. **MDRP's Purpose**

The MDRP shall conduct the expulsion hearing and make a recommendation to the Board regarding expulsion. The MRDP's recommendation will be presented to the Board by the Coordinator for Student Discipline. Final action to expel a student shall be taken only by the Board in a public session.

2. **Panel Members**

The MDRP shall consist of at least three impartial certificated employees of the District. No MDRP member shall be a member of the Board or employed on the staff of the school in which the student is enrolled. Panel members shall be selected by the District's Director for Student Discipline. (Education Code 48918(a))

3. **Hearing Conducted in Closed Session**

a. The MDRP hearing shall be closed to the public unless the student or the student's parent requests in writing at least five calendar days prior to the date of the hearing that the hearing be conducted at a public meeting. (Education Code 48918(b))

b. Regardless of whether the expulsion hearing is conducted at a closed or public session, the MDRP shall meet in closed session for the purpose of deliberating and determining whether the student should be recommended for expulsion to the Board. (Education Code 48918(c))

- a. If the MDRP admits any non-member to a closed deliberation session, other than an impartial legal counsel, representatives for the student (the parent, the student, and legal counsel for the student) and representatives for the District shall also be allowed to be in attendance. (Education Code 48918(c))

4. Hearing Record

The expulsion hearing shall be recorded by the District. The record may be maintained by any means, including an electronic record, so long as a reasonably accurate and complete written transcription of the proceedings can be prepared. (Education Code 48918(g))

5. Rules of Evidence

a. Technical rules of evidence shall not apply to the expulsion hearing. However, only relevant evidence on which reasonable persons are accustomed to rely in the conduct of serious affairs will be admitted and given probative effect. (Education Code 48918(h))

b. With very limited exceptions, the evidence to expel a student cannot be based solely upon hearsay. (Education Code 48918(f))

c. The MDRP may, upon a finding that good cause exists, determine that the disclosure of the identity of a witness and the testimony of that witness at the hearing would subject the witness to an unreasonable risk of harm. Upon this determination, the testimony of the witness may be presented at the hearing in the form of sworn declarations which shall be examined only by the MDRP and the Board. Copies of these sworn declarations, which are edited in such a manner as to delete the name and identity of the witness, shall be made available to the student. (Education Code 48918(i) (3))

6. Decision

a. The MDRP's recommendation shall be based solely upon evidence presented at the hearing. (Education Code 48918(f))

b. The MDRP hearing shall be completed within five school days of commencement or, if this is not practicable, without unnecessary delay.

c. Within three school days following the close of the hearing, the MDRP shall determine whether to recommend expulsion to the Board. (Education Code 48918(e))

d. Within two school days of the decision of the MDRP, the Director for Student Discipline shall provide written notice to the student and his/her parent of the MDRP's recommendation.

e. Recommendation Not to Expel

(1) If the recommended decision is not to expel, the proceedings are terminated, and the student shall be immediately reinstated to a classroom, rehabilitation program, or a combination of programs. (Education Code 48918(e))

(2) Placement in one or more of these programs shall be made by the Superintendent after consultation with school district personnel, including the student's teachers, and the student's parent or guardian. (Education Code 48918(e))

(3) The decision of the MDRP not to recommend expulsion to the Board shall be final. (Education Code 48918(e))

f. Recommendation to Expel

To recommend expulsion to the Board, the MDRP must find that the student engaged in conduct:

(1) Described in Education Code 48915(c) which requires expulsion; or

(2) Described in Education Code 48900, 48900.2, 48900.3 and 48900.4 and either:

(a) Other means of correction are not feasible or have repeatedly failed to bring about proper conduct; or

(b) 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.

g. Findings of Fact (Education Code 48918(f))

- (1) The MDRP shall prepare findings of fact in support of their recommendation and submit these findings to the Director for Student Discipline who will present them to the Board.
- (2) The MDRP's decision shall be supported by substantial evidence showing the student committed the expellable act.

h. Suspension of Expulsion Order

- (1) The MDRP may also recommend to the Board that, after ordering expulsion, suspension of the enforcement of that expulsion order may be appropriate (See III.E.).
- (2) However, the final decision to suspend enforcement of any expulsion order, and the attendant conditions, shall be within the sole discretion of the Board. The Board shall not be bound by any MDRP recommendation to suspend an expulsion order.

C. Board Action

The Director for Student Discipline shall submit to the Board the MDRP's findings of fact in support of a recommendation to expel.

1. Deliberations

- a. The Board will meet in closed session to consider the MDRP's recommendation to expel and to deliberate whether to accept the recommendation.
- b. Except to argue for the right to present supplementary evidence, the parent of the student, the student, and legal counsel for the student may not be present during the deliberations of the Board.

2. Supplementary Evidence

a. A supplementary hearing will be held before the MDRP only if the Board finds that:

- (1) The evidence suggested by the parents could not reasonably have been discovered prior to the MDRP hearing; and
 - (2) A supplementary hearing should be held before MDRP to admit such evidence.
- b. The parent must provide the Director for Student Discipline with notice of their desire/need to appear before the Board for such limited purpose, at least three school days before the date of the Board meeting. Absent a timely written request, a parent shall have no right to appear at the closed Board meeting in which it deliberates regarding whether to expel the student.
 - c. The final action by the Board regarding whether to expel the student shall take place in open session. (Education Code 48918 (j))
 - d. The parent must notify the Director for Student Discipline if they will be represented by legal counsel at least three school days prior to the meeting scheduled for the Board's deliberations. In such case, the Board may have District legal counsel present.
 - e. Appearance of legal counsel representing the parent or student, without prior written notice to the Coordinator for Student Discipline, will result in a refusal to allow the legal counsel to address the Board.
 - f. Any supplementary hearing shall be held according to the same rules and procedures as the original MDRP hearing. Absent a written request by the student's parent for a postponement of the Board's decision, the hearing shall not affect the time period required for the Board to render an expulsion decision pursuant to Education Code 48918(a)
 - g. The Board may determine that holding a supplementary hearing is good cause to extend the original 30 day period in which an expulsion hearing is to be held, and extend the time period by five school days. (Education Code 48918)

3. Decision of the Board

- a. The Board's decision to expel, or not to expel, shall be made within 40 school days from the student's removal from school attendance. (Education Code 48918)

An exception to the 40 day limit shall be made if the student requests, in writing that the decision be postponed. Requests for postponement shall be for a period of not more than 30 calendar days. Additional postponement requests may be granted at the discretion of the Board.

b. Board adoption of a recommendation to expel shall be based upon a review of the findings of fact and recommendation submitted by the MDRP and upon the results of any supplementary hearing which has been ordered.

4. **Written Notice of Expulsion**

Written notice of the decision to expel, or a decision to expel combined with a suspension of the expulsion order, shall be sent to the student or the student's parent by the Superintendent. The decision shall include notice of:

a. The right to appeal the expulsion order to the County Board of Education within 30 days of the Board's vote to expel (Education Code 48918(j));

b. The parent/student's obligation to disclose the pupil's expulsion upon enrollment in a new school district (Education Code 48918(j));

c. The program of study to which the pupil is referred during the period of expulsion (Education Code 48918(j));

d. A description of the program recommended for the pupil. (Education Code 48918(j))

5. **Maintenance of Records**

A. Record Retention is required

The Board shall maintain a record of each expulsion, including the cause therefore. Such records shall be non-privileged, public records. (Education Code 48918(k))

b. Records must be forwarded

The expulsion order and causes therefore shall be recorded in the student's mandatory interim record and shall be forwarded to any school in which the student subsequently enrolls upon receipt of a request from the admitting school for the student's school records. (Education Code 48918(k))

D. Individuals with Exceptional Needs and Individuals with a Handicap

All procedures set forth under Suspension of Individuals with Exceptional Needs and Individuals with a Handicap (See II.E. and II.F.) must be completed prior to advancing to the procedures for expulsion set forth in this section.

1. **Determination That Behavior Was Not a Manifestation of Disability**

a. If the manifestation determination review described in section II.E.6. has resulted in a finding that the behavior of the student was not a manifestation of the student's disability, the student may be recommended for expulsion.

(1) In such a case, relevant disciplinary procedures applicable to students without disabilities may be applied to the student in the same manner in which they would be applied to student without disabilities.

(2) However, a Free Appropriate Public Education (FAPE) is required for all such suspended or expelled students.

b. If the District initiates procedures to expel, the District shall ensure that the special education and disciplinary records of the student with a disability or handicap are also transmitted for consideration by the MDRP. (34 CFR 300.524)

2. **Parent Appeal of Manifestation Determination See II.E.9.**

3. **Placement of Student During Parent Appeal of the Manifestation Determination See II.E.10.**

4. **Referral to, and Action by, Law Enforcement and Judicial Authorities**

When reporting a crime committed by a student with a disability, the District shall ensure that copies of the special education and disciplinary records of the student are transmitted for consideration by the appropriate authorities to whom the District reports the crime. (34 CFR 300.529)

E. Suspended Expulsion Orders

1. Duration

The Board, upon voting to expel a student, may suspend the enforcement of the expulsion order for a period of not more than one calendar year. (Education Code 48917(a))

2. Conditional Suspension of Expulsion Orders

As a condition of suspending the expulsion order, the student can be assigned to a school, class, or program which is deemed appropriate for his/her rehabilitation. (Education Code 48917(a))

3. Probationary Status

a. While the expulsion order is suspended, the pupil is considered to be on probation. The suspension may be revoked if the student (Education Code 48917(d)):

(1) Commits any of the expellable acts set forth in the Education Code; or

(2) Violates any school rules; or

(3) Violates any behavioral contract signed by the student.

b. The determination as to whether the student has committed such an act or violation shall be made by the Director for Student Discipline.

c. The determination shall be made after an informal conference by the Principal, at which the student and his/her parent are invited to attend and present the student's side of the story and to present evidence as to the student's commission or non-commission of the alleged act/violation.

d. The determination of Director for Student Discipline shall be reported to the Board in writing, which shall make the final decision of whether to revoke the suspension of the original expulsion order.

e. Upon revocation of the suspension of an expulsion order by the Board, a student is expelled under the terms of the original order (Education Code 48917(d)).

4. Successful Completion of Rehabilitation

Upon satisfactory completion of the rehabilitation assignment and each of the terms and conditions of the suspended expulsion order of a student, the District shall reinstate the pupil in a school of the district. The Board may also order the expungement of any or all records of the expulsion proceedings. (Education Code 48917(e))

5. No Effect on County Appeal

A decision to expel, and then to suspend imposition of the expulsion order, does not affect the time period and requirements for filing an appeal with the County Board of Education. (Education Code 48917(f))

F. Readmission of Expelled Students

1. Length of Expulsion

An expulsion order shall remain in effect until such time as the Board may order the readmission of a student. (Education Code 48916(a))

a. At the time an expulsion of a student is ordered, the Board shall set a date (not later than the last day of the semester following the semester in which the expulsion occurred) when the student may apply for readmission to a school maintained by the District. (Education Code 48916(a))

b. At the time an expulsion of a student is ordered pursuant to Education Code 48915(c), the Board shall set a date of one year from the date the expulsion occurred when the student may apply for readmission to a school maintained by the District. The Board may set an earlier date for readmission on a case-by-case basis. (Education Code 48916(a))

c. If an expulsion is ordered during summer session or the intercession period of a year-round program, the governing board shall set a date, not later than the last day to the semester following the summer session or intercession period in which the expulsion occurred, when the pupil shall be reviewed for readmission to a school maintained by the district or to the school the pupil last attended. (Education Code 48916(a))

2. **Rehabilitation**

The Board shall recommend a plan of rehabilitation for the pupil at the time of the expulsion order which may include, but not be limited to, periodic review as well as assessment at the time of review for readmission. The plan may also include recommendations for improved academic performance, tutoring, special education assessments, job training, counseling, employment, community service, or other rehabilitative service. (Education Code 48916(b))

3. **Procedure for Readmission**

a. A description of this readmission procedure shall be made available to the student and his/her parent at the time the expulsion order is entered. (Education Code 48916(c))

b. Requests for readmission may be submitted by the student or the student's parent to the Director for Student Discipline at the time stated in the Board's expulsion order. (Education Code 48916(c))

c. An informal hearing shall be scheduled before the Director for Student Discipline. At this hearing, the student and the student's parent must appear and present relevant evidence to document that the student has fully complied with the terms and conditions of the expulsion order and rehabilitation plan. The Director for Student Discipline will consider the evidence presented by the student or the student's parent, as well as any evidence presented by the Principal. As appropriate, other relevant evidence may be considered. (Education Code 48916(c))

d. Within 30 days of the informal readmission hearing, the Director for Student Discipline will make his/her recommendation to the Board. (Education Code 48916(c))

e. The Board will make the final decision regarding the student's readmission. The Board shall readmit the pupil, unless the Board makes a finding that (Education Code 48916(c)):

(1) The pupil has not met the conditions of the rehabilitation plan; or

(2) Continues to pose a danger to campus safety or to other pupils or employees of the school district.

f. Notice of the Board's decision will be provided to the student and his/her parent within 10 days of the Board's decision.

4. **Denial of Readmission**

a. If the Board denies readmission, the notice of decision shall describe the reasons for such denial. (Education Code 48916(e))

b. The Board shall make a determination either:

(1) To continue the placement of the pupil in the alternative educational program initially selected for the pupil during the period of the expulsion order; or

(2) To place the student in another program that may include, but need not be limited to, serving expelled students, including placement in a county community school. (Education Code 48916(d))

SUSPENSION AND EXPULSION/DUE PROCESS (Students with Disabilities) AR 5144.2

A student identified as an individual with disabilities pursuant to the Individuals with Disabilities Education Act (IDEA) is subject to the same grounds for suspension and expulsion which apply to students without disabilities.

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

Procedures for Students Not Yet Eligible for Special Education Services

A student who has not been officially identified as a student with disabilities pursuant to IDEA and who has engaged in behavior that violated the district's code of student conduct may assert any of the protections under IDEA only if the district had knowledge that the student is disabled before the behavior that precipitated the disciplinary action occurred. (20 USC 1415(k) (5); 34 CFR 300.534)

The district shall be deemed to have knowledge that the student has a disability if one of the following conditions exists: (20 USC 1415(k) (5); 34 CFR 300.534)

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

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

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

The district would be deemed to not have knowledge that a student is disabled if the parent/guardian has not allowed the student to be evaluated for special education services or has refused services. In addition, the district would be deemed to not have knowledge if the district conducted an evaluation pursuant to 34 CFR 300.300-300.311 and determined that the student was not an individual with a disability. When the district is deemed to not have knowledge of the disability, the student shall be disciplined in accordance with procedures established for students without disabilities who engage in comparable behavior. (20 USC 1415(k) (5); 34 CFR 300.534)

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

Suspension

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

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

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

If the removal has been determined to be a change of placement as specified in items #1-2 above, the student's IEP team shall determine the appropriate educational services. (34 CFR 300.530)

Services during Suspension

Any student suspended for more than 10 school days in the same school year shall continue to receive services during the term of the suspension. School personnel, in consultation with at least one of the student's teachers, shall determine the extent to which services are needed as provided in 34 CFR 300.101(a), so as to enable the student to continue to participate in the general education curriculum in another setting and to progress toward meeting the goals as set out in his/her IEP. (20 USC 1412(a) (1) (A); 34 CFR 300.530)

If a student with disabilities is excluded from school bus transportation, the student shall be provided with an alternative form of transportation at no cost to the student or his/her parent/guardian, provided that transportation is specified in his/her IEP. (Education Code 48915.5)

(cf. 3541.2 - Transportation for Students with Disabilities)

Interim Alternative Educational Placement Due to Dangerous Behavior

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

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

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

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

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

Manifestation Determination

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

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

(cf. 5145.6 - Parental Notifications)

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

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

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

- a. Caused by or had a direct and substantial relationship to the student's disability
- b. A direct result of the district's failure to implement the student's IEP, in which case the district shall take immediate steps to remedy those deficiencies

If the manifestation review team determines that a condition in either #a or #b above was met, the conduct shall then be determined to be a manifestation of the student's disability. (20 USC 1415(k) (1) (E); 34 CFR 300.530)

3. Determination that Behavior is a Manifestation of the Student's Disability: When the conduct has been determined to be a manifestation of the student's disability, the IEP team shall conduct a functional behavioral assessment, unless a functional behavioral assessment had been

conducted before the occurrence of the behavior that resulted in the change of placement, and shall implement a behavioral intervention plan for the student. If a behavior intervention plan has already been developed, the IEP team shall review the behavioral intervention plan and modify it as necessary to address the behavior. (20 USC 1415(k) (1) (F); 34 CFR 300.530)

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

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

4. **Determination that Behavior is Not a Manifestation of the Student's Disability:** If the manifestation determination review team determines that the student's behavior was not a manifestation of his/her disability, the student may be disciplined in accordance with the procedures for students without disabilities. (20 USC 1415(k) (1) (D); 34 CFR 300.530)

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

(cf. 6158 - Independent Study)

(cf. 6185 - Community Day School)

Due Process Appeals

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

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

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

Readmission

Readmission procedures for students with disabilities shall be the same as those used for all students. Upon readmission, an IEP team meeting shall be convened.

Notification to Law Enforcement Authorities

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

The principal or designee also shall notify appropriate city or county law enforcement authorities of acts by any student with a disability which may involve the possession or sale of narcotics or of a controlled substance or possession of weapons or firearms in violation of Penal Code 626.9 and 626.10. (Education Code 48902)

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

(cf. 5131.7 - Weapons and Dangerous Instruments)

Report to County Superintendent of Schools

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

SEARCH AND SEIZURE (Board Policy 5145.12)

As necessary to protect the health, safety and welfare of students and staff, school officials may search students, their property and/or district property under their control, and may seize illegal, unsafe and prohibited items. The Board of Education requires that discretion, good judgment and common sense be exercised in all cases of search and seizure.

Individual Searches

School officials may search individual students, their property and district property under their control, when there is a reasonable suspicion that the search will uncover evidence that the student is violating the law, Board policy, administrative regulation, or other rules of the district or the school.

Employees shall not conduct strip searches or body cavity searches of any student. (Education Code 49050)

Searches of individual students shall be conducted in the presence of at least two district employees.

The principal or designee shall notify the parent/guardian of a student subjected to an individualized search as soon as possible after the search. (cf. 5145.11 - Questioning and Apprehension)

Student Lockers/Desks

The principal or designee may conduct a general inspection of school properties that are within the control of students, such as lockers and desks, on a regular, announced basis, with students standing by their assigned lockers or desks. Any items contained in a locker or desk shall be considered to be the property of the student to whom the locker or desk was assigned.

Because lockers and desks are under the joint control of the student and the district, school officials shall have the right and ability to open and inspect any school locker or desk without student permission or prior notice when they have reasonable suspicion that the search will uncover evidence of illegal possessions or activities or when odors, smoke, fire and/or other threats to health, welfare or safety emanate from the locker or desk.

Use of Metal Detectors

The Board believes that the presence of weapons in the schools threatens the district's ability to provide the safe and orderly learning environment to which district students and staff are entitled. The Board also believes that metal detector searches offer a reasonable means to keep weapons out of the schools and mitigate the fears of students and staff.

The Superintendent or designee shall establish procedures that ensure that metal detector searches are conducted in a consistent manner that minimizes or eliminates arbitrary and capricious enforcement by school officials.

Use of Drug-Detection Dogs

In an effort to keep the schools free of drugs, the district may use specially trained nonaggressive dogs to sniff out and alert staff to the presence of substances prohibited by law or Board policy. The dogs may sniff the air around lockers, desks, or vehicles on district property or at district-sponsored events as long as they are not allowed to sniff within the close proximity of any students.

BULLYING

BP 5131.2

The Board of Education recognizes the harmful effects of bullying on student learning and school attendance and desires to provide safe school environments that protect students from physical and emotional harm. District employees shall establish student safety as a high priority and shall not tolerate bullying of any student.

No student or group of students shall, through physical, written, verbal, or other means, harass, sexually harass, threaten, intimidate cyberbully, cause bodily injury to, or commit hate violence against any other student or school personnel.

(cf. 5131 - Conduct)

(cf. 5136 - Gangs)

(cf. 5145.3 - Nondiscrimination/Harassment)

(cf. 5145.7 - Sexual Harassment)

(cf. 5145.9 - Hate-Motivated Behavior)

Cyberbullying includes the transmission of harassing communications, direct threats, or other harmful texts, sounds, or images on the Internet, social media, or other technologies using a telephone, computer, or any wireless communication device. Cyberbullying also includes breaking into another person's electronic account and assuming that person's identity in order to damage that person's reputation.

(cf. 5145.2 - Freedom of Speech/Expression)

Strategies for bullying prevention and intervention shall be developed with involvement of key stakeholders in accordance with law, Board policy, and administrative regulation governing the development of comprehensive safety plans and shall be incorporated into such plans.

(cf. 0420 - School Plans/Site Councils)

(cf. 0450 - Comprehensive Safety Plan)

(cf. 1220 - Citizen Advisory Committees)

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

(cf. 6020 - Parent Involvement)

Bullying Prevention

To the extent possible, district and school strategies shall focus on prevention of bullying by establishing clear rules for student conduct and strategies to establish a positive, collaborative school climate. Students shall be informed, through student handbooks and other appropriate means, of district and school rules related to bullying, mechanisms available for reporting incidents or threats, and the consequences for perpetrators of bullying.

(cf. 5137 - Positive School Climate)

(cf. 6164.2 - Guidance/Counseling Services)

The district may provide students with instruction, in the classroom or other educational settings, that promotes effective communication and conflict resolution skills, social skills, character/values education, respect for cultural and individual differences, self-esteem development, assertiveness skills, and appropriate online behavior.

(cf. 6163.4 - Student Use of Technology)

(cf. 6142.8 - Comprehensive Health Education)

(cf. 6142.94 - History-Social Science Instruction)

School staff shall receive related professional development, including information about early warning signs of harassing/intimidating behaviors and effective prevention and intervention strategies.

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

Based on an assessment of bullying incidents at school, the Superintendent or designee may increase supervision and security in areas where bullying most often occurs, such as classrooms, playgrounds, hallways, restrooms, cafeterias.

Intervention

Students are encouraged to notify school staff when they are being bullied or suspect that another student is being victimized. In addition, the Superintendent or designee shall develop means for students to report threats or incidents confidentially and anonymously.

School staff who witness bullying shall immediately intervene to stop the incident when it is safe to do so. (Education Code 234.1)

As appropriate, the Superintendent or designee shall notify the parents/guardians of victims and perpetrators. He/she also may involve school counselors, mental health counselors, and/or law enforcement.

Complaints and Investigation

Students may submit to a teacher or administrator a verbal or written complaint of conduct they consider to be bullying. Complaints of bullying shall be investigated and resolved in accordance with site-level grievance procedures specified in AR 5145.7 - Sexual Harassment.

When a student is reported to be engaging in bullying off campus, the Superintendent or designee shall investigate and document the activity and shall identify specific facts or circumstances that explain the impact or potential impact on school activity, school attendance, or the targeted student's educational performance.

When the circumstances involve cyberbullying, individuals with information about the activity shall be encouraged to save and print any electronic or digital messages sent to them that they feel constitute cyberbullying and to notify a teacher, the principal, or other employee so that the matter may be investigated.

If the student is using a social networking site or service that has terms of use that prohibit posting of harmful material, the Superintendent or designee also may file a complaint with the Internet site or service to have the material removed.

Discipline

Any student who engages in bullying on school premises, or off campus in a manner that causes or is likely to cause a substantial disruption of a school activity or school attendance, shall be subject to discipline, which may include suspension or expulsion, in accordance with district policies and regulations.

(cf. 5138 - Conflict Resolution/Peer Mediation)

(cf. 5144 - Discipline)

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

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

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

DRESS AND GROOMING

AR 5132

In cooperation with teachers, students and parents/guardians, the principal or designee shall establish school rules governing student dress and grooming which are consistent with law, Board of Education policy and administrative regulations. These school dress codes shall be regularly reviewed and revised when appropriate. 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. Student and parents/guardians will be notified of any changes through written means such as school bulletins and/or newsletters.

The district prohibits any manner of apparel, shoes, accessories or appearance likely to cause a substantial disruption of, or a material interference with, the educational process, student health regulations and site-specific dress and grooming standards enacted by each individual school site. Students cannot opt out of these mandatory dress standards. A student who violates these standards shall be subject to appropriate disciplinary actions.

Students and parents/guardians (cf. 0420 - School Plans/Site Councils)

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

In addition, the following guidelines shall apply to all regular school activities:

1. Student clothing, accessories, shoes and personal items (jackets, headgear, backpacks, handbags, fanny packs, gym bags, notebooks, water bottles, etc.) shall be free of writing, pictures or any other insignia which display crude, vulgar, obscene and/or sexual content, profanity, or drug-related, alcohol-related, or tobacco-related content, advertising or symbols, or which advocate racial or ethnic prejudice, death or violence, or which contain gang-related symbols or insignia.
2. Gang-related attire is strictly prohibited, as defined below and by the specific dress code established at each individual school site.
3. Shoes must be worn at all times.
4. Each school shall allow students to wear sun-protective clothing, including but not limited to hats and caps, for outdoor use during the school day, but must be removed when entering buildings. Bandanas, triangle scarves, beanies and hair nets are prohibited and shall not constitute "sun-protective" clothing.
5. Clothes shall be sufficient to conceal undergarments at all times. See-through or fish-net fabrics, halter tops, off-the-shoulder or low-cut tops, bare midriffs and skirts or shorts shorter than mid-thigh are prohibited.
6. If the width size of pants, shorts or skirts is too large so as to result in the exposure of undergarments, the student shall be required to wear a belt.
7. Belts must be threaded through all belt loops. No belt ends hanging down from the buckle. No chains belts or wallet chains. Coaches and teachers may impose more stringent dress requirements to accommodate the special needs of certain sports and/or classes.

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

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

The principal, staff, students and parent/guardians at each school may establish reasonable dress and grooming regulations for times when students are engaged in extracurricular or other special school activities.

Gang-Related Apparel

At individual schools that have a dress code prohibiting gang-related apparel at school or school activities, the principal, staff and parents/guardians

participating in the development of the school safety plan shall define "gang-related apparel" and shall limit this definition to apparel that reasonably could be determined to threaten the health and safety of the school environment if it were worn or displayed on a school campus. (Education Code 32282)

Gang-related apparel or insignia can include, but is not limited to the following:

1. Some professional team logos as determined by the individual school site
2. Specific gang-related colors as determined by individual school sites.
3. Clothing with lettering styles attributed to local gangs or gang activity as determined by Yuba County Gang Task Force.
4. Prison Insignia
5. Belt buckles with gang-affiliated numbers, symbols or insignia
6. Fingerless gloves

Because gang-related symbols are constantly changing, definitions of gang-related apparel shall be reviewed at least once each semester and updated whenever related information is received.

Enforcement of Dress Code Policy

Students are expected to comply with the district and local school dress codes on a daily basis. A student who violates the dress code may not remain at school or at a school function unless the violation is corrected. School administration shall have discretion to determine how a violation can be corrected, which can include, but is not limited to, requiring students to: (a) turn the clothing inside out, or (b) removing the accessory. Parents/Guardians may also be called to bring a change of clothing. Repeated violations will constitute defiance and will be subject to progressive discipline, including, but not limited to, detention and suspension.

Student free speech rights shall not include the wearing of clothing, buttons, armbands or other accouterment that signify or are related to gangs, gang membership or gang activity as provided by Education Code 35183, or are obscene, libelous or slanderous, or so incite students as to create a clear and present danger of the commission of unlawful acts on school premises, or which result in the substantial disruption of the orderly operation of the school.

VISITORS/OUTSIDERS (AR 1250)

Community Relations

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

Unless otherwise directed by the principal or designee, a staff member shall accompany visitors while they are on school grounds.

Outsider Registration

Any person other than the following is considered an outsider and required to register upon entering school premises during school hours: (Penal Code 627.1, 627.2; Evidence Code 1070)

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

Registration Procedure

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

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

Denial of Registration

The following provisions of law shall apply to outsiders. Outsiders do not include students, parents/guardians, district employees, elected public officials, or other persons listed in Penal Code 627.1.

1. The principal or designee may refuse to register any outsider if he/she reasonably concludes that the outsider's presence or acts would disrupt the school, students, or employees; would result in damage to property; or would result in the distribution or use of a controlled substance. The principal or designee or school security officer may revoke an outsider's registration if he/she has a reasonable basis for concluding that the outsider's presence on school grounds would interfere or is interfering with the peaceful conduct of school activities or would disrupt or is disrupting the school, students or staff. (Penal Code 627.4)
2. The principal or designee may request that an outsider who has failed to register, or whose registration privileges have been denied or revoked, promptly leave school grounds. When an outsider is directed to leave, the principal or designee shall inform the outsider that if he/she reenters the school within seven days he/she will be guilty of a misdemeanor subject to a fine and/or imprisonment. (Penal Code 627.7)

Appeal Procedure

Any person who is denied registration or whose registration is revoked may appeal to the Superintendent or principal by submitting, within five days after the person's departure from school, a written request for a hearing. This request must state why he/she believes the denial or revocation was improper and must provide an address to which the hearing notice may be sent. Upon receipt of the request for a hearing, the Superintendent or principal shall promptly mail a notice of the hearing to the person requesting it. A hearing before the Superintendent or principal shall be held within seven days after receipt of the request. (Penal Code 627.5)

PROCEDURES TO NOTIFY TEACHERS OF DANGEROUS STUDENTS (Education Code 49070)

All teachers have access to “read only” in Aeries for Student Discipline. This access will provide the teacher with student information as it pertains to progressive discipline and all student suspensions while enrolled in MJUSD schools. Students transferring from schools outside the district should have suspension information located in their cum file. Teachers will have access to student cum files for review.

CHILD ABUSE REPORTING PROCEDURES

Child abuse has severe consequences and the district has a responsibility to protect students by facilitating the prompt reporting of known and suspected incidents of child abuse. *Reasonable suspicion* means that 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 of neglect, physical, sexual or emotional abuse.

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

Employees who are mandated reporters are obligated to report all known or suspected incidents of child abuse and neglect. The reporting duties of mandated reporters are individual and cannot be delegated to another person. Mandated reports shall not investigate any suspected incidents but rather shall cooperate with agencies responsible for investigating and prosecuting cases of child abuse and neglect.

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 harming or injuring of a child or the endangering of the person or health of a child
5. Unlawful corporal punishment or injury

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.
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.

Initial Telephone Report

In cases of suspected child abuse or neglect, the principal or designee is notified immediately. As soon as practicably possible, a report is made by telephone to Child Protective Services and/or law enforcement. When the report is made, the reporter shall note the name of the official contacted, the date and time contacted, and any instructions or advice received. **The phone number for CPS is 530-749-6288**

Written Report

Within 24 hours of receiving the information concerning the incident, the mandated reporter shall prepare and send to CPS a written report that includes a completed Department of Justice form. Forms are located in every school office. **Send Form to: 5730 Packard Ave., Marysville 95901 or fax to 530-6826 and send copy to MJUSD Student Discipline Office.**

DISCRIMINATION AND HARASSMENT POLICIES

Discrimination Policy

District programs and activities shall be free from discrimination, including harassment, with respect to a student's actual or perceived sex, gender, ethnic group identification, race, national origin, religion, color, physical or mental disability, age or sexual orientation. The Board of Trustees shall ensure equal opportunities for all students in admission and access to the educational program, guidance and counseling programs, athletic programs, testing procedures, and other activities. School staff and volunteers shall carefully guard against segregation, bias and stereotyping in instruction, guidance and supervision.

The Board prohibits intimidation or harassment of any student by any employee, student or other person in the district. Staff shall be alert and immediately responsive to student conduct that may interfere with another student's ability to participate in or benefit from school services, activities or privileges. Students who harass other students shall be subject to appropriate discipline, up to and including counseling, suspension and/or expulsion. An employee who permits or engages in harassment may be subject to disciplinary action, up to and including dismissal.

The *Assistant Superintendent of Personnel* handles complaints regarding discrimination and inquiries regarding policies. Any student who feels that he/she is being harassed should immediately contact a school employee or the principal. Any student who observes an incident of harassment should report the harassment to a school employee or the principal, whether or not the victim files a complaint.

Student Sexual Harassment Policy

The Board prohibits sexual harassment of students by other students, employees or other persons, at school or at school-sponsored or school-related activities. The Board also prohibits retaliatory behavior or action against persons who complain, testify, assist or otherwise participate in the complaint process established pursuant to this policy and the administrative regulation. The Board expects students or staff to immediately report incidents of sexual harassment to the student's teacher, Principal, Vice-Principal or Designee or to another District Administrator. Any student who engages in the sexual harassment of anyone in or from the District may be subject to disciplinary action up to and including expulsion. Any employee who permits or engages in sexual harassment may be subject to disciplinary action up to and including dismissal.

DEFINITION

Committed sexual harassment as defined in Education Code 212.5. Pursuant to Education Code 48900.2, the conduct constitutes harassment if it would be considered by a reasonable person of the same gender as the victim to be sufficiently severe or pervasive to have a negative impact upon the victim's academic performance or to create an intimidating, hostile, or offensive educational environment.

INSTRUCTION / INFORMATION

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

1. Behaviors that constitute sexual harassment, including the fact that sexual harassment could occur between people of the same gender.
2. A clear message that students do not have to endure sexual harassment.
3. Encouragement to report observed instances of sexual harassment, even where the victim of the harassment has not complained.
4. Information about the person(s) to whom a report of sexual harassment should be made.

COMPLAINT PROCESS

Any student who feels that he/she is being or has been subjected to sexual harassment shall immediately contact his/her teacher or any other employee. A school employee to whom a complaint is made shall, within 24 hours of receiving the complaint, report it to the principal or designee. Any school employee who observes any incident of sexual harassment involving a student shall report this observation to the principal or designee, whether or not the victim files a complaint. In any case of sexual harassment involving the principal or any other district employee to whom the complaint would ordinarily be made, the employee who receives the student's report or who observes the incident shall report to the Director of Personnel or the Superintendent or designee.

The principal or designee to whom a complaint of sexual harassment is reported shall immediately investigate the complaint in accordance with administrative regulation. Where the principal or designee finds that sexual harassment occurred, he/she shall take prompt, appropriate action to end the harassment and address its effects on the victim. The principal or designee shall also advise the victim of any other remedies that may be available. The principal or designee shall file a report with the Superintendent or designee and refer the matter to law enforcement authorities, where required.

DISCIPLINARY MEASURES

Any student who engages in sexual harassment of anyone at school or at a school-sponsored or school-related activity is in violation of this policy and shall be subject to disciplinary action.

For students in grades 4 through 12, disciplinary action may include suspension/or expulsion, provided that in imposing such discipline the entire circumstances of the incident(s) shall be taken into account.

RECORD KEEPING

The Superintendent or designee shall maintain a record of all reported cases of sexual harassment to enable the district to monitor, address and prevent repetitive harassing behavior in its schools. All complaints and allegations of sexual harassment shall be kept confidential except as necessary to carry out the investigation or take other subsequent necessary action.

PROHIBITED SEXUAL HARASSMENT CONDUCT

Prohibited sexual harassment includes, but is not limited to, unwelcome sexual advances, unwanted requests for sexual favors or other unwanted verbal, visual or physical conduct of a sexual nature made against another person of the same or opposite 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 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
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. Purposely cornering or blocking normal movements
10. Displaying sexually suggestive objects
11. Continuing to express sexual interest after being informed that the interest is unwelcome
12. Making reprisals, threats of reprisal, or implied threats of reprisal following a negative response.

COMMUNITY RELATIONS (BP 1313 CIVILITY POLICY)

The Governing Board believes that Marysville Joint Unified School District staff will treat all community members with respect and will expect the same in return. The district is committed to maintaining orderly educational and administrative processes in keeping schools and administrative offices free from disruptions and preventing unauthorized persons from entering school/district grounds.

This policy promotes mutual respect, civility, and orderly conduct among district employees, parents, and the public. This policy is not intended to deprive any person of his/her right to freedom of expression, but only to maintain, to the extent possible and reasonable, a safe, harassment-free work place for our students and staff. In the interest of presenting district employees as positive role models to the children of this district as well as the community, MJUSD encourages positive communication, and discourages volatile, hostile, or aggressive actions. The district seeks public cooperation with this endeavor.

DISRUPTIONS

1. Any individual who disrupts or threatens to disrupt school/office operations; threatens the health and safety of students or staff, willfully causes property damage; uses loud and/or offensive, discourteous language, which would provide a violent reaction; or who has otherwise established a continued pattern of unauthorized entry on school district property, will be directed to leave school or school district property promptly by the Superintendent or designee.

2. If any member of the public uses obscenities or speaks in a demanding, loud, insulting, and/or demeaning manner, the administrator or employee to whom the remarks are directed will calmly and politely admonish the speaker to communicate civilly. If corrective action is not taken by the abusing party, the district employee will verbally notify the abusing party that the meeting, conference, or telephone conversation is terminated, and if the meeting or conference is on district premises, the offending person will be directed to leave promptly.

3. When an individual is directed to leave under Paragraph 1 or 2, the Superintendent or designee shall inform the person that he/she will be guilty of a misdemeanor in accordance with California Education Code 44811 and Penal Codes 415.5 and 626.7, if he/she reenters any district facility within 30 days after being directed to leave, or within seven days if the person is a parent/guardian of a student attending that school. If an individual refuses to leave upon request or returns before the applicable period of time, the Superintendent or designee may notify law enforcement officials. The Civility Policy Incident Report should be completed for the situations as set forth in paragraphs 1 and 2. (Exhibit 1313)
4. If an individual wishes to contest an action under paragraph three (3) of this part, he/she may present a Notice of Complaint to the Superintendent or designee who will investigate the situation, take into account the nature of the Complaint and all necessary factors, and respond appropriately within a reasonable time.

SAFETY AND SECURITY

1. When violence is directed against an employee, or theft against property, employees shall promptly report the occurrence to their principal or supervisor and complete an Incident Report. Employees and supervisors should complete an Incident Report and report to law enforcement any attack, assault, or threat made against them on school/district premises or at school/district-sponsored activities.
2. An employee whose person or property is injured or damaged by willful misconduct of a student may pursue legal action against the student or the student's parent/guardian.

DOCUMENTATION

When it is determined by staff that a member of the public is in the process of violating the provisions of this policy, an effort should be made by staff to provide a written copy of this policy, including applicable code provisions, at the time of occurrence. The employee will immediately notify his/her supervisor and provide a written report of the incident on the attached form.

RECOMMENDATIONS AND ASSURANCES

The School Site Council (SSC) recommends this Comprehensive Safety School Plan to the district governing board for approval, and assures the board of the following:

1. The School Site Council is correctly constituted, and was formed in accordance with district governing board policy and state law.
2. Under California Education Code 32281, the School Site council or its delegates formed a school safety planning committee with the minimum of the following members:
 - The Principal or Designee
 - One certificated employee
 - One parent whose child attends the school
 - One classified employee
 - Other members if desired
3. The School Site Council reviewed the content of the Comprehensive Safe School Plan and believes all requirements as outlined in the Marysville Joint Unified School District Comprehensive Safe School Plan template have been met.
4. This school plan was adopted by the school site council on: November 18, 2015

Attested:

[NAME], Principal

[NAME], SSC Chairperson