



Highlands High School

# School Site Council Agenda/Minutes

*Agenda / Actas del Consejo Escolar*

## Date & Time (*Fecha & Hora*)

11/19/2025                    1:45 PM

## Location (*Ubicación*)

Zoom

## Zoom Link (*Enlace de Zoom*)

<https://zoom.us/j/3050048701?pwd=UnQweUtrcU5jSVZDWXo4N29ydW1Edz09>

## 2025 - 2026, Elected SSC Members *Miembros Electos de SSC*

Non-staff: Parents/Community Member/Students <i>No Personal: Padres/Miembros de la Comunidad/Estudiantes</i>		Present / Absent <i>Presente/ Ausente</i>
Community Member	Rosa Vega	Absent
Parent	Tanisha Bynum	Absent
Student	Diana Romanskyy	Present
Student	Marshia Dabney	Absent
Student	Alfredo Matinez	Present
<b>Alternates (Alternativos):</b>		

*\*Parents/Community Members that are employees of the school may not serve as a parent member of the site council.  
(Student reps are for secondary sites only)*

*\*Los Padres/Miembros de la Comunidad que son empleados de la escuela no pueden servir como padres miembros del consejo escolar. (Los representantes de alumnos son sólo para escuelas secundarias).*

Staff: Principal or Designee/Teachers/Other Staff <i>Personal: Director(a) o Designado(a)/ Maestros/ Otro Personal</i>	Present / Absent <i>Presente/ Ausente</i>
Principal/Designee: <i>Directora(a)/ Designado(a):</i> Darryl Hawthrone / Tisha Quinlan	Present
Teacher: <i>Maestro(a):</i> Dennis Weaver	Absent
Teacher: <i>Maestro(a):</i> Greg Drumheller	Present
Teacher: <i>Maestro(a):</i> Steve Eakes	Present
Other Staff: <i>Otro Personal:</i> Kathlena Bish	Present
<b>Alternates: Alternativos:</b>	
<i>*Teachers must be the majority</i> *Los maestros deben ser mayoría	

## AGENDA

<b>ITEM ARTÍCULO</b>	<b>Facilitator</b> <i>Facilitador(a)</i>	<b>Minutes</b> <i>Minutas</i>
<b>Call to Order / Sign in sheet</b> <i>Orden del Día/ Hoja de Firmas</i>	<b>Chairperson</b> <i>Presidente</i>	This meeting is called to order at: <i>Se abre la sesión a las</i> 1:48 PM
<b>Quorum</b> <i>Quórum (50% +1)</i>		Total Members in Attendance: 6 <i>Total de Miembros Presentes:</i>  Quorum: Yes (Sí) <i>Quórum:</i>
<b>Public Comment (2 minutes per speaker)</b> <i>Comentarios del Público (2 minutos cada participante)</i>	<b>Chairperson</b> <i>Presidente</i>	<b>Summary of Comments</b> ( <i>Resumen de Comentarios</i> ) No public comments
<b>Review Agenda</b> <i>Repasar Agenda</i>	<b>Chairperson</b> <i>Presidente</i>	<b>Summary of Comments</b> ( <i>Resumen de Comentarios</i> ) Minutes were sent out via email and projected at today's meeting. Reviewed as a team. No comments at this time
<b>Review / approve minutes from last meeting</b> <i>Revisar/aprobar el acta de la última reunión</i>	<b>Chairperson</b> <i>Presidente</i>	I move to approve the <i>Propongo aprobar a la</i> Minutes/Actas Person <i>Persona</i> : G. Drumheller Second <i>Se secundó</i> : D. Romanskyy In favor <i>A favor</i> : 6 Oppose <i>En contra</i> : 0 Abstain <i>En abstención</i> : 0 Motion: Pass or Fail: Pass <i>Moción: Aprobada o Rechazada</i>
2  Previous Minutes		

## Council Business *Asuntos del Consejo*

N/A	<b>Chairperson</b> <i>Presidente</i>	<b>Summary of Action Taken</b> <i>Resumen de Medidas Adoptadas</i> None at this time
N/A	<b>Chairperson</b> <i>Presidente</i>	<b>Summary of Action Taken</b> <i>Resumen de Medidas Adoptadas</i> None at this time
N/A	<b>Chairperson</b> <i>Presidente</i>	<b>Summary of Action Taken</b> <i>Resumen de Medidas Adoptadas</i> None at this time

## Required Document Review & Approve: Revisión y Aprobación de Documentos Requeridos:

<p>Site Safety Plan (Plan de Seguridad del Centro)</p> <p>1  Attachment</p>	<p><b>Chairperson</b> <b>Presidente</b></p>	<p>I move to approve the <i>Propongo aprobar a la</i> Site Safety Plan</p> <p>Person <i>Persona</i>: K. Bish Second <i>Se secundó</i>: G. Drumheller In favor <i>A favor</i> : 6 Oppose <i>En contra</i>: 0 Abstain <i>En abstención</i>: 0 Motion: Pass or Fail: Pass <i>Moción: Aprobada o Rechazada</i></p> <p>Plan shared via email to team prior to meeting. <u>Projected and reviewed as a</u></p>
<p>N/A</p>	<p><b>Chairperson</b> <b>Presidente</b></p>	<p>I move to approve the <i>Propongo aprobar a la</i> n/a</p> <p>Person <i>Persona</i>: n/a Second <i>Se secundó</i>: n/a In favor <i>A favor</i> : 0 Oppose <i>En contra</i>: 0 Abstain <i>En abstención</i>: 0 Motion: Pass or Fail: 0 <i>Moción: Aprobada o Rechazada</i></p> <p>n/a</p>
<p>N/A</p>	<p><b>Chairperson</b> <b>Presidente</b></p>	<p>I move to approve the <i>Propongo aprobar a la</i> n/a</p> <p>Person <i>Persona</i>: n/a Second <i>Se secundó</i>: n/a In favor <i>A favor</i> : 0 Oppose <i>En contra</i>: 0 Abstain <i>En abstención</i>: 0 Motion: Pass or Fail: <i>Moción: Aprobada o Rechazada</i></p>
<p>N/A</p>	<p><b>Chairperson</b> <b>Presidente</b></p>	<p>I move to approve the <i>Propongo aprobar a la</i> n/a</p> <p>Person <i>Persona</i>: Second <i>Se secundó</i>: In favor <i>A favor</i> : 0 Oppose <i>En contra</i>: 0 Abstain <i>En abstención</i>: 0 Motion: Pass or Fail: <i>Moción: Aprobada o Rechazada</i></p>

## Document Review: *Revisión y de Documentos*

<p>Title I Evaluation (Evaluación de Título I)</p> <p>1  Attachment</p>	<p><b>Chairperson</b> <i>Presidente</i></p>	<p><b>Summary of Action Taken</b> <i>Resumen de Medidas Adoptadas</i></p> <p>Projected the SPSA for Title 1 Fund Allocation for the site.</p> <p>Reviewed that the funds are spent on:</p> <p>AISS position to support: SARTs, Chronic Attendance issues. Attendance data, SART data will be reviewed to measure impact</p> <p>AVID Sections &amp; Staff: January the site will review data related to AVID (enrollment, sections)</p>
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<p>Other</p>	<p><b>Chairperson</b> <i>Presidente</i></p>	<p><b>Summary of Action Taken</b> <i>Resumen de Medidas Adoptadas</i></p> <p>n/a</p>
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## School Plan For Student Achievement (SPSA) *Plan Escolar para el Rendimiento Académico de los Estudiantes (SPSA)*

<p>SPSA Addendum</p> <p>SPSA #2</p> <p>1  Attach Document</p>	<p><b>Chairperson</b> <i>Presidente</i></p>	<p>I move to approve the <i>Propongo aprobar a la</i> SPSA Addendum</p> <p>Person <i>Persona</i>: K. Bish</p> <p>Second <i>Se secundó</i>: D. Romanskyy</p> <p>In favor <i>A favor</i> : 6</p> <p>Oppose <i>En contra</i>: 0</p> <p>Abstain <i>En abstención</i>: 0</p> <p>Motion: Pass or Fail: <i>Pass</i></p> <p><i>Moción: Aprobada o Rechazada</i></p> <p>Reduction in enrollment so Title 1 funds were reduced by \$2017 and \$55.</p> <p>Removed from AISS salary- low impact.</p> <p>Also will consider if Rosetta Stone is a program that will be continued.</p>
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**Other Business: Otros Asuntos:**

<p><b>ELAC Reporting</b>  <i>Informes ELAC</i>          Show ELAC meeting minutes from meeting #1 on October 22, 2025</p>	<p><b>Chairperson</b>  <i>Presidente</i></p>	<p><b>Summary of Reporting (Resumen de Informes)</b>          Projected minutes from ELAC 10/22/2025. We struggle with getting parents at ELAC. Same issue at other High Schools.          1 Parent showed on Zoom.          Reviewed Seal of Biliteracy, Reclassification Process, ELD courses</p>
<p><b>Committee Reports or Guest Presenters (PTA, DELAC, Other outside presenters)</b>  <i>Informes de Comités o Presentadores Invitados (PTA, DELAC, otros presentadores externos)</i></p>	<p><b>Chairperson</b>  <i>Presidente</i></p>	<p><b>Summary of Presentation (Resumen de Presentación)</b>          Not at this time</p>
<p><b>Additional Information/New Business/Discussion</b>  <i>Información Adicional/Asuntos Nuevos/Conversación</i></p>	<p><b>Chairperson</b>  <i>Presidente</i></p>	<p><b>Summary of Action Taken</b>  <i>Resumen de Medidas Adoptadas</i>          Not at this time</p>
<p><b>Adjournment: Aplazamiento:</b></p>	<p><b>Chairperson</b>  <i>Presidente</i></p>	<p><b>Time: Hora:</b> 2:05 PM</p>

**Next meeting date:**

01/28/2026

1:45 PM

*Fecha de próxima reunión:*



Highlands High School

# School Site Council Agenda/Minutes

*Agenda / Actas del Consejo Escolar*

## Date & Time (*Fecha & Hora*)

10/08/2025 1:45 PM

## Location (*Ubicación*)

Zoom

## Zoom Link (*Enlace de Zoom*)

<https://zoom.us/j/3050048701?pwd=UnQweUtrcU5jSVZDWXo4N29ydW1Edz09>

## 2025 - 2026, Elected SSC Members *Miembros Electos de SSC*

Non-staff: Parents/Community Member/Students (Please note Year 1 or 2 of membership) <i>No Personal: Padres/Miembros de la Comunidad/Estudiantes (Por favor indique Año 1 o 2 de afiliación)</i>		Present / Absent <i>Presente/ Ausente</i>
Community Member	Rosa Vega	No
Parent	Tanisha Bynum	Yes (Si)
Student	Diana Romanskyy	Yes (Si)
Student	Marshia Dabney	No
Student	Alfredo Matinez	Yes (Si)
<b>Alternates (Alternativos):</b>		
<i>*Parents/Community Members that are employees of the school may not serve as a parent member of the site council. (Student reps are for secondary sites only)</i>		
<i>*Los Padres/Miembros de la Comunidad que son empleados de la escuela no pueden servir como padres miembros del consejo escolar. (Los representantes de alumnos son sólo para escuelas secundarias).</i>		
Staff: Principal or Designee/Teachers/Other Staff (Please note Year 1 or 2 of membership) <i>No Personal: Director(a) o Designado(a)/ Maestros/ Otro Personal (Por favor indique Año 1 o 2 de afiliación)</i>		Present / Absent <i>Presente/ Ausente</i>
<b>Principal/Designee: Directora(a)/ Designado(a):</b> Darryl Hawthrone / Tisha Quinlan		Yes (Si)
<b>Teacher: Maestro(a):</b> Dennis Weaver		No
<b>Teacher: Maestro(a):</b> Greg Drumheller		Yes (Si)
<b>Teacher: Maestro(a):</b> Steve Eakes		Yes (Si)
<b>Other Staff: Otro Personal:</b> Kathlena Bish		Yes (Si)
<b>Alternates: Alternativos:</b>		
<b>*Teachers must be the majority</b> *Los maestros deben ser mayoría		

## AGENDA

<b>ITEM ARTÍCULO</b>	<b>Facilitator</b> <i>Facilitador(a)</i>	<b>Minutes</b> <i>Minutas</i>
<b>Call to Order / Sign in sheet</b> <i>Orden del Día/ Hoja de Firmas</i>	<b>Chairperson</b> <i>Presidente</i>	This meeting is called to order at: <i>Se abre la sesión a las</i> 1:46 PM
<b>Quorum</b> <i>Quórum (50% +1)</i>		Total Members in Attendance: 7 <i>Total de Miembros Presentes:</i>  Quorum: Yes (Sí) <i>Quórum:</i>
<b>Public Comment (2 minutes per speaker)</b> <i>Comentarios del Público (2 minutos cada participante)</i>	<b>Chairperson</b> <i>Presidente</i>	<b>Summary of Comments</b> ( <i>Resumen de Comentarios</i> ) No Public Comment at this time.
<b>Review Agenda</b> <i>Repasar Agenda</i>	<b>Chairperson</b> <i>Presidente</i>	<b>Summary of Comments</b> ( <i>Resumen de Comentarios</i> ) Reviewed agenda with council (verbally and shared on screen) and it was sent out prior to meeting No comments, questions or additions to the agenda at this time
<b>Review / approve minutes from last meeting</b> <i>Revisar/aprobar el acta de la última reunión</i>	<b>Chairperson</b> <i>Presidente</i>	I move to approve the <i>Propongo aprobar a la</i> <b>Minutes/Actas</b> Person <i>Persona</i> : Greg Drumheller Second <i>Se secundó</i> : Diana Romanskyy In favor <i>A favor</i> : 7 Oppose <i>En contra</i> : 0 Abstain <i>En abstención</i> : 0 Motion: Pass or Fail: Pass <i>Moción: Aprobada o Rechazada</i>
1  Previous Minutes		

## Council Business *Asuntos del Consejo*

New Members (Nuevos Miembros)	Chairperson <i>Presidente</i>	<b>Summary of Action Taken</b> <i>Resumen de Medidas Adoptadas</i> Introduction of 2nd year members: Teachers: Mr. Drumheller, Mr. Eakes Other Staff: Ms. Bish Principal/Designee: Mr. Hawthrone/Ms. Quinlan Student: Diana Romanskyy  New SSC First Year Member Intros: Parent: Ms. Tanisha Bynum Students: Alfredo Martinez
Elect Officers (Elegir a Funcionarios)	Chairperson <i>Presidente</i>	<b>Summary of Action Taken</b> <i>Resumen de Medidas Adoptadas</i> Reviewed the bylaws for the three offices Chairperson Vice Chairperson Secretary  Chairperson: Mr. Eakes nominated by Mr. Hawthrone. Seconded by Mr. Drumheller. Mr. Eakes Accepted Nomination. Vote 7-0 in favor. Accepted Office of the Chairperson.  Vice Chairperson: Mr. Drumheller nominated by Mr. Hawthrone. Seconded by Mr. Eakes. Mr. Drumheller accepted nomination. Vote 7-0. Mr. Drumheller accepted the Office of Vice Chair Person
N/A	Chairperson <i>Presidente</i>	<b>Summary of Action Taken</b> <i>Resumen de Medidas Adoptadas</i> Continued: Secretary: Mr. Weaver nominated by Mr. Hawthrone. Diana seconded. Vote 7-0 passes.

## Required Document Review & Approve: Revisión y Aprobación de Documentos Requeridos:

Bylaws (Reglamentos)	<b>Chairperson Presidente</b>	<p>I move to approve the <i>Propongo aprobar a la</i> Bylaws</p> <p>Person <i>Persona</i>: Mr. Drumheller Second <i>Se secundó</i>: Tanisha Bynum In favor <i>A favor</i> : 7 Oppose <i>En contra</i>: 0 Abstain <i>En abstención</i>: 0</p> <p>Motion: Pass or Fail: Pass <i>Moción: Aprobada o Rechazada</i></p> <p>Sent out prior to meeting. Reviewed as an SSC. No questions or changes.</p>
Parent Involvement (Participación de Padres)	<b>Chairperson Presidente</b>	<p>I move to approve the <i>Propongo aprobar a la</i> Parent Involvement</p> <p>Person <i>Persona</i>: Mr. Drumheller Second <i>Se secundó</i>: Diana Romanskyy In favor <i>A favor</i> : 7 Oppose <i>En contra</i>: 0 Abstain <i>En abstención</i>: 0</p> <p>Motion: Pass or Fail: Pass <i>Moción: Aprobada o Rechazada</i></p> <p>Parents/Community had opportunities for input at Title 1 meeting. (QR code as well)</p>
N/A	<b>Chairperson Presidente</b>	<p>I move to approve the <i>Propongo aprobar a la</i> n/a</p> <p>Person <i>Persona</i>: Second <i>Se secundó</i>: In favor <i>A favor</i> : Oppose <i>En contra</i>: Abstain <i>En abstención</i>: Motion: Pass or Fail: <i>Moción: Aprobada o Rechazada</i></p>
N/A	<b>Chairperson Presidente</b>	<p>I move to approve the <i>Propongo aprobar a la</i> n/a</p> <p>Person <i>Persona</i>: Second <i>Se secundó</i>: In favor <i>A favor</i> : Oppose <i>En contra</i>: Abstain <i>En abstención</i>: Motion: Pass or Fail: <i>Moción: Aprobada o Rechazada</i></p>

## Document Review: *Revisión y de Documentos*

N/A	<b>Chairperson</b> <i>Presidente</i>	<b>Summary of Action Taken</b> <i>Resumen de Medidas Adoptadas</i> n/a
N/A	<b>Chairperson</b> <i>Presidente</i>	<b>Summary of Action Taken</b> <i>Resumen de Medidas Adoptadas</i> n/a
<b>School Plan For Student Achievement (SPSA)</b> <i>Plan Escolar para el Rendimiento Académico de los Estudiantes (SPSA)</i>		
SPSA Addendum	<b>Chairperson</b> <i>Presidente</i>	I move to approve the <i>Propongo aprobar a la</i> SPSA Addendum  Person <i>Persona</i> : Diana Romanskyy Second <i>Se secundó</i> : Tanisha Bynum In favor <i>A favor</i> : 7 Oppose <i>En contra</i> : 0 Abstain <i>En abstención</i> : 0 Motion: Pass or Fail: <i>Pass</i> <i>Moción: Aprobada o Rechazada</i>  Discussion on use of Title 1 Funds for AISS salary instead of AVID. AVID was reduced by 1 section. Additional salary dollars were reallocated to AISS staffing (attendance intervention specialist)

**Other Business: Otros Asuntos:**

<p><b>ELAC Reporting</b> <i>Informes ELAC</i></p>	<p><b>Chairperson</b> <i>Presidente</i></p>	<p><b>Summary of Reporting (Resumen de Informes)</b> No ELAC meeting yet. ELAC training for committee members is coming up.</p>
<p><b>Committee Reports or Guest Presenters (PTA, DELAC, Other outside presenters)</b> <i>Informes de Comités o Presentadores Invitados (PTA, DELAC, otros presentadores externos)</i></p>	<p><b>Chairperson</b> <i>Presidente</i></p>	<p><b>Summary of Presentation (Resumen de Presentación)</b> None at this time</p>
<p><b>Additional Information/New Business/Discussion</b> <i>Información Adicional/Asuntos Nuevos/Conversación</i></p>	<p><b>Chairperson</b> <i>Presidente</i></p>	<p><b>Summary of Action Taken</b> <i>Resumen de Medidas Adoptadas</i> Tara Jacobs wanted to clarify the number of voting members present. There are 7 voting members present (Quorum achieved). There were 10 people in attendance at the meeting.  Motion to Adjournmeeting at 2:05pm by Mr. Drumheller. Second: Diana Romanskyy. vote 7-0 in favor. Motion Passes</p>
<p><b>Adjournment: Aplazamiento:</b></p>	<p><b>Chairperson</b> <i>Presidente</i></p>	<p><b>Time: Hora:</b> 2:05 PM</p>

**Next meeting date:**

*Fecha de próxima reunión:*

11/19/2025

1:45 PM



Highlands High School

## English Learner Advisory Committee Agenda/Minutes

*Agenda/Actas del Comité Asesor para Estudiantes de Inglés*

**Date & Time (Fecha & Hora)** 10/22/2025 6:00 PM

**Location (Ubicación)** Zoom

**Zoom Link (Enlace de Zoom)** <https://zoom.us/j/97297101751?pwd=qsOGmNCm5duKYiNvWGbS4Zzy4YE>  
x20.1

### ELAC Attendance *Asistencia al ELAC*

<b>Officers / Funcionarios</b>	<b>Present / Absent</b> <i>Presente/ Ausente</i>
ELAC Member: <i>Miembro ELAC:</i>	Yes (Si)
ELAC Member: <i>Miembro ELAC:</i>	

**\*Parents that are employees of the school may not serve as a parent member of the ELAC.**

**\* Los padres que sean empleados de la escuela no pueden ser miembros del ELAC.**

<b>Staff: Principal or Designee/Teachers/Other Staff Personal: Director(a) o Designado(a)/ Maestros/ Otro Personal</b>	<b>Present / Absent</b> <i>Presente/ Ausente</i>
Principal: <i>Directora(a):</i> Darryl Hawthrone / Jennifer Mack	Yes (Si)
Vice Principal: <i>Sub Directora(a):</i> Jennifer mack	Yes (Si)
Academic Intervention Specialist, Bilingual: Margarita Gonzalez Rodarte <i>Especialista en Intervención Académica, Bilingüe:</i>	No
Family Community Liaison: Josephin Guadarrama-Mendez <i>Enlace Comunitario Familiar:</i>	No
Bilingual Para: <i>Asistente Bilingüe:</i> None	No
Other Staff: <i>Otro Personal:</i> Denise Urrutia	Yes (Si)
Other Staff: <i>Otro Personal:</i>	
Other Staff: <i>Otro Personal:</i>	
Other Staff: <i>Otro Personal:</i>	

**Parents, Guardians, Community Members**  
**Padres, Tutores, Miembros de la Comunidad**

Veronica Hernandez


## AGENDA

<b>ITEM ARTÍCULO</b>	<b>Facilitator</b> <i>Facilitador(a)</i>	<b>Minutes</b> <i>Minutas</i>
<b>Call to Order / Sign in sheet</b> <i>Orden del Dia/ Hoja de Firmas</i>	<b>Chairperson</b> <i>Presidente</i>	This meeting is called to order at: <i>Se abre la sesión a las</i> 6:00 PM
<b>Quorum</b> <i>Quórum (50% +1)</i>		Total Members in Attendance: 3 <i>Total de Miembros Presentes:</i>
		Quorum: Yes (Si) <i>Quórum:</i>
<b>Review Agenda</b> <i>Repasar Agenda</i>	<b>Chairperson</b> <i>Presidente</i>	<b>Summary of Comments</b> ( <i>Resumen de Comentarios</i> ) Introductions -Parent requests meeting be conducted in Spanish
<b>Review / approve minutes from last meeting</b> <i>Revisar/aprobar el acta de la última reunión</i>	<b>Chairperson</b> <i>Presidente</i>	I move to approve the <i>Propongo aprobar a la</i> Minutes/Actas Person <i>Persona:</i> Mack Second <i>Se secundó:</i> Urrutia In favor <i>A favor:</i> 2 Oppose <i>En contra:</i> 0 Abstain <i>En abstención:</i> 0 Motion: Pass or Fail: Pass <i>Moción: Aprobada o Rechazada</i>
1  Previous Minutes		

<p><b>ELAC Mandated Topics:</b> (Choose from ELAC Timeline &amp; Meeting Resources)</p> <p><b>Tema Obligatorio del ELAC:</b> (elegir entre los recursos de ELAC Timeline &amp; Reuniones)</p> <p>ELD for my child</p>	<p><b>President/ Chairperson &amp; Principal</b></p> <p><i>Presidente y Directora(a)</i></p>	<p><b>Summary of Action Taken</b></p> <p><i>Resumen de Medidas Adoptadas</i></p> <p>ELD for my Child</p> <ul style="list-style-type: none"> <li>-Ms. U provides overview of ELD program at Highlands</li> <li>-Ms. U explains ELPAC: Initial and summative assessments</li> <li>-Ms. U explains secondary placement: ELD A/B, ELD 1, ELD 2, ELD 3, Academic ELD</li> <li>-Ms. U shares information on support programs</li> </ul>
<p><b>ELAC Mandated Topics:</b> (Choose from ELAC Timeline &amp; Meeting Resources)</p> <p><b>Tema Obligatorio del ELAC:</b> (elegir entre los recursos de ELAC Timeline &amp; Reuniones)</p> <p>Reclassification &amp; RFEP monitoring</p>	<p><b>President/ Chairperson &amp; Principal</b></p> <p><i>Presidente y Directora(a)</i></p>	<p><b>Summary of Action Taken</b></p> <p><i>Resumen de Medidas Adoptadas</i></p> <p>Reclassification</p> <ul style="list-style-type: none"> <li>-Ms. U goes over the reclassification rainbow</li> <li>-Ms. U shares information on reclassification info (and correlation with ELPAC)</li> <li>-Ms. U describes parent involvement in reclassification process</li> <li>-Ms. U describes monitoring of reclassified students</li> </ul>
<p><b>ELAC Mandated Topics:</b> (Choose from ELAC Timeline &amp; Meeting Resources)</p> <p><b>Tema Obligatorio del ELAC:</b> (elegir entre los recursos de ELAC Timeline &amp; Reuniones)</p> <p>Seal of Biliteracy &amp; Biliteracy Pathway Awards</p>	<p><b>President/ Chairperson &amp; Principal</b></p> <p><i>Presidente y Directora(a)</i></p>	<p><b>Summary of Action Taken</b></p> <p><i>Resumen de Medidas Adoptadas</i></p> <p>Seal of Biliteracy</p> <ul style="list-style-type: none"> <li>-Ms. U shares about the Language exam to earn the state seal of biliteracy</li> <li>-Ms. U goes over criteria to earn seal of biliteracy through pathways, shares benefits and awards with seal of biliteracy</li> <li>-Parent asks when student can take exam: VP responds with spring</li> <li>-Parent asks if student is required to take exam: VP said students sign up</li> </ul>

<p><b>ELAC Mandated Topics:</b> (Choose from ELAC Timeline &amp; Meeting Resources)</p> <p><b>Tema Obligatorio del ELAC:</b> (elegir entre los recursos de ELAC Timeline &amp; Reuniones)</p> <p>Election: President Secretary DELAC representative</p>	<p><b>President/ Chairperson &amp; Principal</b></p> <p><i>Presidente y Directora(a)</i></p>	<p><b>Summary of Action Taken</b> <i>Resumen de Medidas Adoptadas</i></p> <p>VP asks Veronica if she is able to hold a listed office position - parent declines</p>
<p><b>ELAC Mandated Topics:</b> (Choose from ELAC Timeline &amp; Meeting Resources)</p> <p><b>Tema Obligatorio del ELAC:</b> (elegir entre los recursos de ELAC Timeline &amp; Reuniones)</p>	<p><b>President/ Chairperson &amp; Principal</b></p> <p><i>Presidente y Directora(a)</i></p>	<p><b>Summary of Action Taken</b> <i>Resumen de Medidas Adoptadas</i></p>
<p><b>ELAC Mandated Topics:</b> (Choose from ELAC Timeline &amp; Meeting Resources)</p> <p><b>Tema Obligatorio del ELAC:</b> (elegir entre los recursos de ELAC Timeline &amp; Reuniones)</p>	<p><b>President/ Chairperson &amp; Principal</b></p> <p><i>Presidente y Directora(a)</i></p>	<p><b>Summary of Action Taken</b> <i>Resumen de Medidas Adoptadas</i></p>

<p><b>DELAC Reporting</b>  <i>Informes DLAC</i></p>	<p><b>DLAC Representative</b>  <i>Representante DELAC</i></p>	<p><b>Summary of Reporting (Resumen de Informes)</b>  N/A</p>
<p><b>Other Presentation:</b>  (Topics requested by ELAC members)  <b>Otra Presentación:</b>  (<i>temas solicitados por miembros del ELAC</i>)</p>	<p><b>Principal Director/a</b></p>	<p><b>Summary of Presentation (Resumen de Presentación)</b>  N/A</p>
<p><b>Other Committee Reports (if needed):</b>  <b>SSC, PTA, LCAP, Etc.</b>  <i>Otros Informes del Comite (si es necesario): SSC, PTA, LCAP, Etc.</i></p>	<p><b>SSC, PTA or Other Representatives</b>  <i>SSC, PTA u Otros Representantes</i></p>	<p><b>Summary of Reporting (Resumen de Informes)</b>  N/A</p>

<p><b>Public Comment (2 minutes per speaker)</b>  <i>Comentarios del Público (2 minutos cada participante)</i></p>	<p><b>Secretary</b>  <i>Secretario/a</i></p>	<p><b>Summary of Comments (Resumen de Comentarios)</b>  <i>Resumen de Comentarios</i>  N/A</p>
<p><b>Announcements:</b>  <i>Anuncios:</i></p>	<p><b>Principal</b>  <i>Director/a</i></p>	<p><b>Summary of Action Taken</b>  <i>Resumen de Medidas Adoptadas</i>  N/A</p>
<p><b>Adjournment:</b> <i>Aplazamiento:</i></p>	<p><b>Chairperson</b>  <i>Presidente</i></p>	<p><b>Time:</b> <i>Hora:</i> 6:36 PM</p>

**Next meeting date:**

*Fecha de próxima reunión:*

12/10/2025

6:00 PM



# Comprehensive School Safety Plan

## HIGHLANDS HIGH SCHOOL



# Comprehensive School Safety Plan

## Table of Contents

- Introduction
- Certification
- A. Safe and Orderly Environment Conducive to Learning
- B. Child Abuse Reporting Procedures
  - Attachment 1 - Penal Code 11174.3
  - Attachment 2 - SS Form 8572
- C. Policies for Suspension and Expulsion
- D. Procedures to Notify Teachers of Dangerous Students
- E. Discrimination and Harassment Policy
- F. Dress Code
- G. Procedures for Safe Ingress/Egress
- H. Rules and Procedures for School Discipline
  - Attachment – Behavior Chart
- I. Hate Crime Reporting Procedures
- J. Bullying Prevention Procedures
- K. Emergency Operations Procedures:

(Intranet/misc/emergency-procedures/)



## A. Comprehensive School Safety Plan

### (A) Safe and Orderly Environment

#### **MISSION STATEMENT:**

The HHS school safety team is committed to creating a physically and emotionally safe, respectful, and inclusive learning environment. Students, staff, parents, and the community will work together to promote high expectations for student conduct and responsible behavior.

#### **Goal 1:**

Ensure students and staff have a safe, respectful, accepting, and nurturing environment.

#### **Action Plan 1:**

Engagement of students in development of trusting and supportive relationships and building a sense of community using on-campus clubs, the BEST program, student leadership, counseling group programs, Positive Coaching Alliance (PCA), athletics, and Student Success Teams(SSTs).

#### **Goal 2:**

Assure a safe physical environment for students and staff.

#### **Action Plan 2:**

Throughout the school year, teachers and staff will guide students in following the school and classroom rules in order to ensure the physical safety of all students. Site safety team and staff will focus on improving communication during emergency situations, practice drills, and monitoring entry locations.



## B. Comprehensive School Safety Plan

### (B) Child Abuse Reporting Procedures

A mandated reporter who knows or reasonably suspects that a minor is the victim of child abuse must report immediately by telephone and in writing by follow-up report within 36 hours to a law enforcement agency. The law penalizes the failure to report by imposing a jail sentence on the defaulting mandated reporter. On the other hand, the law rewards the reporter who meets the reporting obligation by granting absolute immunity from civil or criminal prosecution (Penal Code Section 11166).

#### Definitions:

**Mandated Reporter:** a “child care custodian”; includes teachers, administrators, supervisors of child welfare and attendance, certificated pupil personnel staff. If specifically trained in child abuse detection, also includes instructional aides, teacher’s aides, and teacher assistants. District employed child case workers and health practitioners (doctors, nurses, and psychologists) are also mandated reporters.

**Knowledge of or Reasonably Suspects Abuse:** When a mandated reporter observes a child with “injuries which appear to have been inflicted....by other than accidental means by any other person...”. Whether or not there are visible physical injuries, all suspected sexual abuse must be reported.

#### Reporting:

An oral report to designated law enforcement agencies must be made immediately. The observing employee must contact:

- a. The Child Protective Services (CPS) Unit of the local Welfare or Human Services Department; or

- b. The Jurisdictional Law Enforcement Agency - County Sheriffs' Department, Police Department (non-emergency); Emergency Number – 911

Some District law enforcement may not meet the notification requirements prescribed by law to receive reports of child abuse. However, all law enforcement officers are mandated reporters.

A follow-up written report must be submitted within 36 hours. Forms are available in Attachment 2 of this Tab.

Interviewing:

School Interview Law: Penal Code 11174.3 imposes both a time sequence and series of duties on school personnel and the law enforcement investigator. This law is limited to child abuse victims only, and the law speaks only to abuse which takes place in the home. If law enforcement comes to school to take a child into custody, rather than question the child, the interview procedures do not apply. The child is effectively under arrest.

Law enforcement (Sheriff, Police, or CPS) may interview suspected victims of child abuse on school premises during school hours concerning child abuse in the home. The child may choose to be interviewed in private or may select an adult staff member to be present "to lend support".

The Interview: The investigator comes to school. All investigations begin in the school office. The staff member "in-charge" should ask for identification and the purpose of the proposed interview. When it is made clear that the interview will focus on allegation of abuse in the home, the staff member in-charge should be present with the child before the interview begins.

The investigator must advise the child of the right to choose a staff member to be present during the interview. If the child chooses not to have a staff member present, the staff member should leave the room. However, the child has the right to change their mind during the interview process. The law gives continuous option to ask for an adult to be present, or to send the staff member away. If the child asks for the mother or father to be present, this is the responsibility of the investigator. The school employee cannot grant or deny such requests.

If the child asks for an adult staff member to be present:

- The staff member, by law, may decline to sit in the interview

- The school administrator should inform the selected staff member of their duties during the interview. A copy of Penal Code 11174.3 (see Attachment 1 to this Tab) should be supplied to the selected staff member who has agreed to be present.
- The staff member's role is that of comforter during the interview. There is no questioning by the staff member and no discussion of the child abuse incident with the child. There must be no prompting by the staff member. Investigators should not attempt to ask or direct the staff member to coerce, suggest, or elicit a response from the child.
- The law forbids disclosure of what the staff member hears or learns during the interview. This confidentiality disappears when a court orders testimony. No written report is required by the staff member.

**California Penal Code 11174.3**  
"School Interview Law"

11174.3. (a) Whenever a representative of a government agency investigating suspected **child abuse** or neglect or the State Department of Social Services deems it necessary, a suspected victim of **child abuse** or neglect may be interviewed during **school** hours, on **school** premises, concerning a report of suspected **child abuse** or neglect that occurred within the **child**'s home or out-of-home care facility. The **child** shall be afforded the option of being interviewed in private or selecting any adult who is a member of the staff of the **school**, including any certificated or classified employee or volunteer aide, to be present at the **interview**. A representative of the agency investigating suspected **child abuse** or neglect or the State Department of Social Services shall inform the **child** of that right prior to the **interview**.

The purpose of the staff person's presence at the **interview** is to lend support to the **child** and enable him or her to be as comfortable as possible. However, the member of the staff so elected shall not participate in the **interview**. The member of the staff so present shall not discuss the facts or circumstances of the case with the **child**. The member of the staff so present, including, but not limited to, a volunteer aide, is subject to the confidentiality requirements of this article, a violation of which is punishable as specified in Section 11167.5. A representative of the **school** shall inform a member of the staff so selected by a **child** of the requirements of this section prior to the **interview**. A staff member selected by a **child** may decline the request to be present at the **interview**. If the staff person selected agrees to be present, the **interview** shall be held at a time during **school** hours when it does not involve an expense to the **school**. Failure to comply with the requirements of this section does not affect the admissibility of evidence in a criminal or civil proceeding.

## SUSPECTED CHILD ABUSE REPORT

To Be Completed by **Mandated Child Abuse Reporters**

Pursuant to Penal Code Section 11166

**PLEASE PRINT OR TYPE**

CASE NAME: \_\_\_\_\_

CASE NUMBER: \_\_\_\_\_

<b>A. REPORTING PARTY</b>		NAME OF MANDATED REPORTER <input type="text"/> TITLE <input type="text"/> MANDATED REPORTER CATEGORY <input type="text"/>			
<b>B. REPORT NOTIFICATION</b>		REPORTER'S BUSINESS/AGENCY NAME AND ADDRESS <input type="text"/> Street <input type="text"/> City <input type="text"/> Zip <input type="checkbox"/> DID MANDATED REPORTER WITNESS THE INCIDENT? <input type="checkbox"/> YES <input type="checkbox"/> NO REPORTER'S TELEPHONE (DAYTIME) <input type="text"/> SIGNATURE <input type="text"/> TODAY'S DATE <input type="text"/>			
		LAW ENFORCEMENT <input type="checkbox"/> COUNTY PROBATION <input type="checkbox"/> AGENCY <input type="checkbox"/> COUNTY WELFARE / CPS (Child Protective Services) <input type="checkbox"/> ADDRESS <input type="text"/> Street <input type="text"/> City <input type="text"/> Zip <input type="text"/> DATE/TIME OF PHONE CALL			
<b>C. VICTIM</b> <small>One separate victim</small>		OFFICIAL CONTACTED - TITLE <input type="text"/> TELEPHONE <input type="text"/>			
		NAME (LAST, FIRST, MIDDLE) <input type="text"/> BIRTHDATE OR APPROX. AGE <input type="text"/> SEX <input type="text"/> ETHNICITY <input type="text"/> ADDRESS <input type="text"/> Street <input type="text"/> City <input type="text"/> Zip <input type="text"/> TELEPHONE <input type="text"/>			
<b>D. INVOLVED PARTIES</b>		PRESENT LOCATION OF VICTIM <input type="text"/> SCHOOL <input type="text"/> CLASS <input type="text"/> GRADE <input type="text"/>			
		PHYSICALLY DISABLED? <input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> DEVELOPMENTALLY DISABLED? <input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> OTHER DISABILITY (SPECIFY) <input type="text"/> <small>IF VICTIM WAS IN OUT-OF-HOME CARE AT TIME OF INCIDENT, CHECK TYPE OF CARE:</small> <input type="checkbox"/> YES <input type="checkbox"/> DAY CARE <input type="checkbox"/> CHILD CARE CENTER <input type="checkbox"/> FOSTER FAMILY HOME <input type="checkbox"/> FAMILY FRIEND <input type="checkbox"/> GROUP HOME OR INSTITUTION <input type="checkbox"/> RELATIVE'S HOME <input type="checkbox"/> PRIMARY LANGUAGE SPOKEN IN HOME <input type="checkbox"/> <input type="checkbox"/> NO <input type="checkbox"/> OTHER (SPECIFY) <input type="text"/> <small>RELATIONSHIP TO SUSPECT</small> <input type="text"/> PHOTOS TAKEN? <input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> DID THE INCIDENT RESULT IN THIS VICTIM'S DEATH? <input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> UNK			
<b>E. INCIDENT INFORMATION</b>		VICTIM(S) SURNAME <input type="text"/> NAME <input type="text"/> BIRTHDATE <input type="text"/> SEX <input type="text"/> ETHNICITY <input type="text"/> 1. <input type="text"/> 2. <input type="text"/> 3. <input type="text"/>			
		NAME (LAST, FIRST, MIDDLE) <input type="text"/> BIRTHDATE OR APPROX. AGE <input type="text"/> SEX <input type="text"/> ETHNICITY <input type="text"/> ADDRESS <input type="text"/> Street <input type="text"/> City <input type="text"/> Zip <input type="text"/> HOME PHONE <input type="text"/> BUSINESS PHONE <input type="text"/>			
<b>E. INCIDENT INFORMATION</b>		NAME (LAST, FIRST, MIDDLE) <input type="text"/> BIRTHDATE OR APPROX. AGE <input type="text"/> SEX <input type="text"/> ETHNICITY <input type="text"/> ADDRESS <input type="text"/> Street <input type="text"/> City <input type="text"/> Zip <input type="text"/> HOME PHONE <input type="text"/> BUSINESS PHONE <input type="text"/>			
		SUSPECT'S NAME (LAST, FIRST, MIDDLE) <input type="text"/> BIRTHDATE OR APPROX. AGE <input type="text"/> SEX <input type="text"/> ETHNICITY <input type="text"/> ADDRESS <input type="text"/> Street <input type="text"/> City <input type="text"/> Zip <input type="text"/> TELEPHONE <input type="text"/> <small>OTHER RELEVANT INFORMATION</small> <input type="text"/>			
<small>IF NECESSARY, ATTACH EXTRA SHEET(S) OR OTHER FORM(S) AND CHECK THIS BOX <input type="checkbox"/> IF MULTIPLE VICTIMS, INDICATE NUMBER <input type="text"/></small>					
DATE / TIME OF INCIDENT <input type="text"/>		PLACE OF INCIDENT <input type="text"/>			
<small>NARRATIVE DESCRIPTION (What victim(s) said/what the mandated reporter observed/what person accompanying the victim(s) said/other past incidents involving the victim(s) or suspect)</small> <input type="text"/>					

### DEFINITIONS AND INSTRUCTIONS ON REVERSE

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

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

## DEFINITIONS AND GENERAL INSTRUCTIONS FOR COMPLETION OF FORM SS 8572

All Penal Code (PC) references are located in Article 2.5 of the PC. This article is known as the Child Abuse and Neglect Reporting Act, also known as CANRA. The Internet site is: <http://www.leginfo.ca.gov/canlaw.html> (specify Penal Code and search for Sections 11164-11174.3). A mandated reporter must complete and submit the form SS 8572 even if some information is not known. (PC Section 11167(a).)

### I. MANDATED CHILD ABUSE REPORTERS

- Mandated child abuse reporters include all those individuals and entities as defined in PC Section 11165.7.

### II. TO WHOM REPORTS ARE TO BE MADE (DESIGNATED AGENCIES)

- Reports of suspected child abuse or neglect shall be made by mandated reporters to any police department or sheriff's department (not including a school district police or security department), county probation department (if designated by the county to receive mandated reports) or the county welfare department. (PC Section 11165.9.)

### III. REPORTING RESPONSIBILITIES

- Any mandated reporter who has knowledge of or observes a child, in his or her professional capacity or within the scope of his or her employment, whom he or she knows or reasonably suspects has been the victim of child abuse or neglect shall report such suspected instance of abuse or neglect to a designated agency immediately or as soon as practically possible by telephone and shall prepare and send a written report thereof *within 36 hours* of receiving the information concerning the incident. (PC Section 11166(a).)
- No mandated reporter who reports a suspected instance of child abuse or neglect shall be held civilly or criminally liable for any report required or authorized by the CANRA. Any other person reporting a known or suspected instance of child abuse or neglect shall not incur civil or criminal liability as a result of any report authorized by the CANRA unless it can be proven the report was false and the person knew it was false or make the report with reckless disregard of its truth or falsity. (PC Section 11172(a).)

### IV. INSTRUCTIONS

- SECTION A - REPORTING PARTY:** Enter the mandated reporter's name, title, category (from PC Section 11165.7), business (agency) name and address, telephone number, a signature and today's date. Also check yes/no whether you (the mandated reporter) witnessed the incident. The signature area is for either the mandated reporter or the person taking as telephoned report.

#### ETHNICITY CODES

1 Alaskan Native	6 Caribbean	11 Guamanian	16 Korean	21 Polynesian	27 White-Armenian
2 American Indian	7 Central American	12 Hawaiian	17 Laotian	22 Samoan	28 White-Central American
3 Asian Indian	8 Chinese	13 Hispanic	18 Mexican	24 South American	29 White-European
4 Black	9 Ethiopian	14 Hmong	19 Other Asian	25 Vietnamese	30 White-Middle Eastern
5 Cambodian	10 Filipino	15 Japanese	21 Other Pacific Island	26 White	31 White-Romani

### IV. INSTRUCTIONS (Continued)

- SECTION B - REPORT NOTIFICATION:** Complete the name and address of the designated agency notified, date of the written report, date/time of the phone call and the name, title and telephone number of the official contacted.
- SECTION C - VICTIM** (One Report per Family, siblings must have same parents/guardians): Enter the victim's name, address, telephone number, birth date or approximate age, sex, ethnicity, present location, and where applicable enter the school, class (indicate the teacher's name or room number), and grade. List the primary language spoken in the victim's home. Check the appropriate yes-no box for: developmentally disabled?, physically disabled? and specify the victim's other disability. To determine if the victim has a disability, ask the victim's parent or care giver. Also check the appropriate yes-no box for in foster care?, indicate type of care if the victim was in out-of-home care, indicate the type of abuse. List the victim's relationship to the suspect, check the appropriate yes-no box for photos taken?, indicate whether the incident resulted in this victim's death.
- SECTION D - INVOLVED PARTIES:** Enter the requested information for: Victim's Siblings, Victim's Parents/Guardians and the Suspect.
- SECTION E - INCIDENT INFORMATION:** If multiple victims, enter the number. Enter date/time and place of the incident. Provide a narrative of the incident. Attach extra sheets if needed.

### V. DISTRIBUTION

- Reporting Party:** After completing Form SS 8572, retain the yellow copy for your records and submit the top three copies to the designated agency.
- Designated Agency:** *Within 36 hours* of receipt of Form SS 8572, send white copy to police or sheriff, blue copy to county welfare or probation, and green copy to district attorney.



## C. Comprehensive School Safety Plan

### (C) Policies for Suspension and Expulsion

#### **Board Policy 5144 Student Discipline**

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

(cf. 5020 - Parent Rights and Responsibilities)

(cf. 5137 - Positive School Climate)

(cf. 5145.3 - Nondiscrimination/Harassment)

(cf. 5145.9 - Hate-Motivated Behavior)

(cf. 6020 - Parent Involvement)

Board policies and regulations shall delineate acceptable student conduct and provide the basis for sound disciplinary practices. Each school shall develop disciplinary rules to meet the school's individual needs.

(cf. 5131 - Conduct)

(cf. 5131.1 - Bus Conduct)

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

(cf. 0450 - Comprehensive Safety Plan)

(cf. 3515 - Campus Security)

(cf. 3515.3 - District Police/Security Department)

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

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

(cf. 5136 - Gangs)

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

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

(cf. 6164.5 - Student Success Teams)

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

(cf. 6184 - Continuation Education)

(cf. 6185 - Community Day School)

Staff shall enforce disciplinary rules fairly, consistently and without discrimination.

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

(cf. 5145.3 - Nondiscrimination/Harassment)

The Superintendent or designee shall provide professional development as necessary to assist staff in developing classroom management skills and implementing effective disciplinary techniques.

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

Legal Reference:

CIVIL CODE

1714.1 Parental liability for child's misconduct

## EDUCATION CODE

32280-32288 School safety plans

35146 Closed sessions

35291 Rules

35291.5-35291.7 School-adopted discipline rules

37223 Weekend classes

44807.5 Restriction from recess

48900-48926 Suspension and expulsion

48980-48985 Notification of parents or guardians

49000-49001 Prohibition of corporal punishment

49330-49335 Injurious objects

## CODE OF REGULATIONS, TITLE 5

307 Participation in school activities until departure of bus

353 Detention after school

Management Resources:

## CSBA PUBLICATIONS

Protecting Our Schools: Governing Board Strategies to Combat School Violence, 1999

## CDE PROGRAM ADVISORIES

1010.89 Physical Exercise as Corporal Punishment, CIL 89/9-3

1223.88 Corporal Punishment, CIL: 88/9-5

## WEB SITES

CDE: <http://www.cde.ca.gov>

USDOE: <http://www.ed.gov>

Policy TWIN RIVERS UNIFIED SCHOOL DISTRICT

adopted: July 25, 2008 McClellan, California

**Administrative Regulation 5144 Student Discipline**

Corporal Punishment

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

For purposes of this policy, corporal punishment does not include an employee's use of force that is reasonable and necessary to protect the employee, students, staff or other persons or to prevent damage to property or to obtain possession of weapons or other dangerous objects within the control of the student. (Education Code 49001)

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

(cf. 5131.7 - Weapons and Dangerous Instruments)

Recess Restriction

A teacher may restrict a student's recess time when he/she believes that this action is the most effective way to bring about improved behavior, subject to the following conditions:

1. The student shall be given adequate time to use the restroom and get a drink or eat lunch, as appropriate.
2. The student shall remain under a certificated employee's supervision during the period of restriction.
3. Teachers shall inform the principal of any recess restrictions they impose.

Detention After School

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

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

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

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

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

(cf. 6176 - Weekend/Saturday Classes)

#### Community Service

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

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

#### Notice to Parents/Guardians and Students

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

(cf. 5145.6 - Parental Notifications)

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

Regulation TWIN RIVERS UNIFIED SCHOOL DISTRICT

approved: July 25, 2008 McClellan, California

**Board Policy 5144.1 – Student Suspension and Expulsion/Due Process**

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

(cf. 5144 - Discipline)

Suspended or expelled students shall be denied the privilege of participation in all extracurricular activities during the period of suspension or expulsion.

(cf. 6145 - Extracurricular and Cocurricular Activities)

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

Expulsion is an action taken by the Board for severe or prolonged breaches of discipline by a student. Except for single acts of a grave nature, expulsion shall be used only when there is a history of misconduct, when other forms of discipline, including suspension, have failed to bring about proper conduct, or when the student's presence causes a continuing danger to self or others.

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

**Student Due Process**

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

(cf. 5119 - Students Expelled from Other Districts)

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

## Supervised Suspension Classroom

The Board recognizes that students who are suspended from school often have no supervision or guidance during the school hours when they are off campus and may fall behind in the coursework. The Board believes that, in many cases, it would be better to manage the student's behavior by keeping the student at school and providing him/her with supervision that is separated from the regular classroom.

The Superintendent or designee shall establish a supervised classroom suspension program which meets the requirements of law for students suspended for any of the reasons enumerated in Education Code 48900 and 48900.2, who pose no imminent danger or threat at school, and for whom an expulsion action has not been initiated.

The Superintendent or designee shall examine alternatives to off-campus suspension and may establish a suspension program which involves progressive discipline during the school day on campus; use of conferences between staff, parents/guardians and students; detention; student study teams or other assessment-related teams; and/or referral to school support services staff. The use of such alternatives does not preclude off-campus suspensions.

## Required Parental Attendance

The Board believes that parental involvement plays an important role in the resolution of classroom behavior problems. The Board expects that teachers will communicate with parents/guardians when behavior problems arise.

Whenever a student is suspended from class by a teacher because he/she committed an obscene act, engaged in habitual profanity or vulgarity, disrupted school activities, or otherwise willfully defied valid staff authority, the teacher of the class from which the student was removed may provide that the student's parent/guardian attend a portion of a school day in the class from which the student was suspended. (Education Code 48900.1)

Before requiring parental attendance, the teacher shall make reasonable efforts to have the parent/guardian visit the class voluntarily. The teacher also may inform the parent/guardian about available resources and parent education opportunities. Teachers should reserve the option of required parental attendance for cases in which they have determined that it is the best strategy to promote positive interaction between the student and the parent/guardian and to improve classroom behavior.

The teacher shall apply this policy uniformly to all students within the classroom. This policy shall apply only to a parent/guardian who lives with the student. (Education Code 48900.1)

When a teacher requires parental attendance, the principal shall send a written notice to the parent/guardian stating that his/her attendance is pursuant to law. (Education Code 48900.1)

The notice shall specify that the attendance may be on either the date the student is scheduled to return to class or within one week thereafter.

A parent/guardian who has received a written notice shall attend class as specified in the notice. After completing the classroom visit and before leaving school premises, the parent/guardian also shall meet with the principal or designee. (Education Code 48900.1)

The principal or designee shall contact a parent/guardian who does not respond to the request to attend school. The Board recognizes that parent/guardian compliance with this policy may be delayed, modified, or prevented for reasons such as serious illness/injury/disability, absence from town, or inability to get release time from work.

District regulations and school-site rules for student discipline shall include procedures for implementing parental attendance requirements. Parents/guardians shall be notified of this policy prior to its implementation. (Education Code 48900.1)

#### Decision Not to Enforce Expulsion Order

On a case-by-case basis, the enforcement of an expulsion order may be suspended by the Board pursuant to the requirements of law.

#### Legal Reference:

##### EDUCATION CODE

212.5 Sexual harassment

1981 Enrollment of students in community school

17292.5 Program for expelled students

32261 Interagency School Safety Demonstration Act of 1985

35146 Closed sessions (re suspensions)

35291 Rules (for government and discipline of schools)

35291.5 Rules and procedures on school discipline

48660-48667 Community day schools

48900-48927 Suspension and expulsion

48950 Speech and other communication

49073-49079 Privacy of student records

##### CIVIL CODE

47 Privileged communication

48.8 Defamation liability

## CODE OF CIVIL PROCEDURE

1985-1997 Subpoenas; means of production

## GOVERNMENT CODE

11455.20 Contempt

54950-54963 Ralph M. Brown Act

## HEALTH AND SAFETY CODE

11014.5 Drug paraphernalia

11053-11058 Standards and schedules

## LABOR CODE

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

## PENAL CODE

31 Principal of a crime, defined

240 Assault defined

241.2 Assault fines

242 Battery defined

243.2 Battery on school property

243.4 Sexual battery

245 Assault with deadly weapon

245.6 Hazing

261 Rape defined

266c Unlawful sexual intercourse

286 Sodomy defined

288 Lewd or lascivious acts with child under age 14

288a Oral copulation

289 Penetration of genital or anal openings

626.2 Entry upon campus after written notice of suspension or dismissal without permission

626.9 Gun-Free School Zone Act of 1995

626.10 Dirks, daggers, knives, razors or stun guns

868.5 Supporting person; attendance during testimony of witness

## WELFARE AND INSTITUTIONS CODE

729.6 Counseling

## UNITED STATES CODE, TITLE 18

921 Definitions, firearm

## UNITED STATES CODE, TITLE 20

7151 Gun free schools

## COURT DECISIONS

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

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

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

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

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

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

## ATTORNEY GENERAL OPINIONS

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

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

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

Management Resources:

WEB SITES

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

California Attorney General's Office: <http://www.caag.state.ca.us>

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

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

Policy TWIN RIVERS UNIFIED SCHOOL DISTRICT

adopted: July 25, 2008 McClellan, California

## **Administrative Regulation 5144.1 Student Suspension and Expulsion/Due Process**

### **Definitions**

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

1. Reassignment to another education program or class at the same school where the student will receive continuing instruction for the length of day prescribed by the Board of Trustees for students of the same grade level
2. Referral to a certificated employee designated by the principal to advise students
3. Removal from the class, but without reassignment to another class or program, for the remainder of the class period without sending the student to the principal or designee as provided in Education Code 48910. Removal from a particular class shall not occur more than once every five school days.

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

Day means a calendar day unless otherwise specifically provided. (Education Code 48925)

School day means a day upon which the schools of the district are in session or weekdays during the summer recess. (Education Code 48925)

Student includes a student's parent/guardian or legal counsel. (Education Code 48925)

Principal's designee means one or more administrators or, if there is not a second administrator at one school site, a certificated person specifically designated by the principal, in writing, to assist with disciplinary procedures. Only one such person may be designated at any time as the principal's primary designee and only one such person may be designated as secondary designee for the school year. The names of such persons shall be on file in the principal's office. (Education Code 48911)

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

#### Notice of Regulations

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

(cf. 5144 - Discipline)

(cf. 5145.6 - Parental Notifications)

#### Grounds for Suspension and Expulsion

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

1. Caused, attempted to cause, or threatened to cause physical injury to another person or willfully used force or violence upon the person of another, except in self-defense. (Education Code 48900(a))

A student who aids or abets the infliction or attempted infliction of physical injury on another person, as defined in Penal Code 31, may be suspended, but not expelled. However, a student may be suspended or expelled pursuant to Education Code 48900(a) once he/she has been adjudged by a juvenile court to have committed, as an aider or abettor, a crime of physical violence in which the victim suffered great or serious bodily injury. (Education Code 48900(s))

2. Possessed, sold, or otherwise furnished any firearm, knife, explosive, or other dangerous object unless, in the case of possession of any object of this type, the student had obtained

written permission to possess the item from a certificated school employee, with the principal or designee's concurrence. (Education Code 48900(b))

(cf. 5131 - Conduct)

(cf. 5131.7 - Weapons and Dangerous Instruments)

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

(cf. 5131.6 - Alcohol and Other Drugs)

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

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

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

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

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

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

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

11. Disrupted school activities or otherwise willfully defied the valid authority of supervisors, teachers, administrators, other school officials, or other school personnel engaged in the performance of their duties. (Education Code 48900(k))

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

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

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

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

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

17. Engaged in, or attempted to engage in, hazing as defined in Education Code 48900(q). (Education Code 48900(q))

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

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

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

(cf. 5145.7 - Sexual Harassment)

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

(cf. 5145.9 - Hate-Motivated Behavior)

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

(cf. 5145.3 - Nondiscrimination/Harassment)

A student may be suspended or expelled for any of the acts listed above if the act is related to school activity or school attendance occurring at any district school under the jurisdiction of the Superintendent or principal or within any other school district, including but not limited to the following circumstances: (Education Code 48900)

1. While on school grounds

2. While going to or coming from school

3. During the lunch period, whether on or off the school campus
4. During, going to, or coming from a school-sponsored activity

The Superintendent or principal may use his/her discretion to provide alternatives to suspension or expulsion for a student subject to discipline under this administrative regulation, including, but not limited to, counseling and an anger management program. (Education Code 48900(r))

(cf. 5138 - Conflict Resolution/Peer Mediation)

Alternatives to suspension or expulsion shall be used with students who are truant, tardy, or otherwise absent from assigned school activities.

(cf. 5113 - Absences and Excuses)

(cf. 5113.1 - Truancy)

Removal from Class by a Teacher/Parental Attendance

A teacher may suspend any student from his/her class for the remainder of the day and the following day for any act listed in "Grounds for Suspension and Expulsion" above. (Education Code 48910)

A teacher also may refer a student to the principal or designee for consideration of suspension from school. (Education Code 48910)

When removing a student from his/her class, the teacher shall immediately report this action to the principal or designee and send the student to the principal or designee for appropriate action. The student shall be appropriately supervised during the class periods from which he/she has been removed. (Education Code 48910)

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

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

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

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

Pursuant to Board policy, a teacher may provide that the parent/guardian of a student whom the teacher has removed attend a portion of a school day in his/her child's classroom. When a teacher makes this request, the principal shall send the parent/guardian a written notice that the parent/guardian's attendance is requested pursuant to law. (Education Code 48900.1)

This notice shall also:

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

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

The Superintendent, principal or principal's designee may suspend a student from school for not more than five consecutive school days unless the suspension is extended pending expulsion. (Education Code 48911)

The Superintendent or designee shall immediately suspend any student found at school or at a school activity to be: (Education Code 48915)

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

Suspension also may be imposed upon a first offense if the Superintendent, principal or designee determines that the student violated items #1-5 listed in "Grounds for Suspension and Expulsion" above or if the student's presence causes a danger to persons or property or threatens to disrupt the instructional process. (Education Code 48900.5)

A student may be suspended from school for not more than 20 school days in any school year, unless for purposes of adjustment the student enrolls in or is transferred to another regular school, an opportunity school, or continuation school or class, in which case suspension shall not

exceed 30 days in any school year. However, this restriction on the number of days of suspension does not apply when the suspension is extended pending an expulsion. (Education Code 48903, 48911, 48912)

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

Suspensions shall be initiated according to the following procedures:

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

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

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

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

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

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

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

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

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

Any extension of the original period of suspension shall be preceded by notice of such extension with an offer to hold a conference concerning the extension, giving the student an opportunity to be heard. This conference may be held in conjunction with a meeting requested by the student or parent/guardian to challenge the original suspension. Extension of the suspension may be made only if the Superintendent or designee determines, following a meeting in which the student and the student's parent/guardian were invited to participate, that the student's presence at the school or at an alternative school would endanger persons or property or threaten to disrupt the instructional process. (Education Code 48911)

#### Suspension by the Board

The Board may suspend a student for any of the acts listed in "Grounds for Suspension and Expulsion" above and within the limits specified in "Suspension by Superintendent, Principal or Principal's Designee" above. (Education Code 48912)

The Board may suspend a student enrolled in a continuation school or class for a period not longer than the remainder of the semester if any of the acts listed in "Grounds for Suspension and Expulsion" occurred. The suspension shall meet the requirements of Education Code 48915. (Education Code 48912.5)

When the Board is considering a suspension, disciplinary action, or any other action (except expulsion) against any student, it shall hold closed sessions if a public hearing would lead to disclosure of information violating a student's right to privacy under Education Code 49073-49079. (Education Code 35146, 48912)

(cf. 9321 - Closed Session Purposes and Agendas)

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

#### Supervised Suspension Classroom

Students for whom an expulsion action has not been initiated and who pose no imminent danger or threat to the school may be assigned to a separate, supervised suspension classroom for the entire period of suspension. The following conditions shall apply: (Education Code 48911.1)

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

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

#### Authority to Expel

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

The Board may also order a student expelled for any of the acts listed above under "Grounds for Suspension and Expulsion" upon recommendation by the principal, Superintendent, hearing officer or administrative panel, based on either or both of the following finding(s): (Education Code 48915(b) and (e))

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

#### Mandatory Recommendation for Expulsion

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

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

2. Possession of any knife as defined in Education Code 48915(g), explosive, or other dangerous object of no reasonable use to the student
3. Unlawful possession of any controlled substance, as listed in Health and Safety Code 11053-11058, except for the first offense for the possession of not more than one ounce of marijuana, other than concentrated cannabis
4. Robbery or extortion
5. Assault or battery, as defined in Penal Code 240 and 242, upon any school employee

#### Mandatory Recommendation and Mandatory Expulsion

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

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

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

#### Student's Right to Expulsion Hearing

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

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

If the Board finds it impractical during the school year to comply with these time requirements for conducting an expulsion hearing, the Superintendent or designee may, for good cause, extend

the time period by an additional five school days. Reasons for the extension shall be included as a part of the record when the expulsion hearing is held. (Education Code 48918(a))

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

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

#### Rights of Complaining Witness

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

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

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

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

#### Written Notice of the Expulsion Hearing

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

1. The date and place of the hearing.
2. A statement of the specific facts, charges, and offense upon which the proposed expulsion is based.

3. A copy of district disciplinary rules which relate to the alleged violation.
4. Notification of the student's or parent/guardian's obligation, pursuant to Education Code 48915.1, to provide information about the student's status in the district to any other district in which the student seeks enrollment. This obligation applies when a student is expelled for acts other than those described in Education Code 48915(a) or (c).

(cf. 5119 - Students Expelled from Other Districts)

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

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

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

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

### Conduct of Expulsion Hearing

1. Closed Session: Notwithstanding the provisions of Government Code 54953 and Education Code 35145, the Board shall conduct a hearing to consider the expulsion of the student in a session closed to the public unless the student requests in writing at least five days prior to the hearing that the hearing be a public meeting. If such request is made, the meeting shall be public unless another student's privacy rights would be violated. (Education Code 48918(c))

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

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

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

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

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

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

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

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

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

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

a. Any complaining witness shall be given five days' notice before being called to testify.

- b. Any complaining witness shall be entitled to have up to two adult support persons, including but not limited to a parent/guardian or legal counsel, present during his/her testimony.
- c. Before a complaining witness testifies, support persons shall be admonished that the hearing is confidential.
- d. The person presiding over the hearing may remove a support person whom he/she finds is disrupting the hearing.
- e. If one or both support persons are also witnesses, the hearing shall be conducted according to Penal Code 868.5.
- f. Evidence of specific instances of prior sexual conduct of a complaining witness shall be presumed inadmissible and shall not be heard unless the person conducting the hearing determines that extraordinary circumstances require the evidence to be heard. Before such a determination is made, the complaining witness shall be given notice and an opportunity to oppose the introduction of this evidence. In the hearing on the admissibility of this evidence, the complaining witness shall be entitled to be represented by a parent/guardian, legal counsel or other support person. Reputation or opinion evidence regarding the sexual behavior of a complaining witness shall not be admissible for any purpose.
- g. In order to facilitate a free and accurate statement of the experiences of the complaining witness and to prevent discouragement of complaints, the district shall provide a nonthreatening environment.
  - (1) The district shall provide a room separate from the hearing room for the use of the complaining witness before and during breaks in testimony.
  - (2) At the discretion of the person conducting the hearing, the complaining witness shall be allowed reasonable periods of relief from examination and cross-examination during which he/she may leave the hearing room.
  - (3) The person conducting the hearing may:
    - (a) Arrange the seating within the hearing room so as to facilitate a less intimidating environment for the complaining witness
    - (b) Limit the time for taking the testimony of a complaining witness to the hours he/she is normally in school, if there is no good cause to take the testimony during other hours
    - (c) Permit one of the support persons to accompany the complaining witness to the witness stand
- 6. Decision Within 10 School Days: The Board's decision on whether to expel a student shall be made within 10 school days after the conclusion of the hearing, unless the student requests in writing that the decision be postponed. (Education Code 48918(a))

7. Decision Within 40 School Days: If the Board does not meet on a weekly basis, its decision on whether to expel a student shall be made within 40 school days after the student is removed from his/her school of attendance, unless the student requests in writing that the decision be postponed. (Education Code 48918(a))

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

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

A hearing conducted by the hearing officer or administrative panel shall conform to the same procedures as apply to a hearing conducted by the Board as specified above in "Conduct of Expulsion Hearing." (Education Code 48918(d))

The hearing officer or administrative panel shall, within three school days after the hearing, determine whether to recommend expulsion of the student to the Board. If expulsion is not recommended, the student shall be immediately reinstated. The Superintendent or designee shall place the student in a classroom instructional program, any other instructional program, a rehabilitation program, or any combination of these programs after consulting with district staff, including the student's teachers and with the student's parent/guardian. (Education Code 48918(e))

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

In accordance with Board policy, the hearing officer or administrative panel may recommend that the Board suspend the enforcement of the expulsion for a period of one year. (Education Code 48917)

The Board shall make its decision about the student's expulsion within 40 school days after the date of the student's removal from school unless the student requests in writing that the decision be postponed. (Education Code 48918(a))

#### Final Action by the Board

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

(cf. 9321.1 - Closed Session Actions and Reports)

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

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

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

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

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

#### Written Notice to Expel

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

1. The specific offense committed by the student for any of the causes for suspension or expulsion listed in Education Code 48900, 48900.2, 48900.3, 48900.4, 48900.7, or 48915 (Education Code 48900.8)
2. The fact that a description of readmission procedures will be made available to the student and his/her parent/guardian (Education Code 48916)
3. Notice of the right to appeal the expulsion to the County Board of Education (Education Code 48918)
4. Notice of the alternative educational placement to be provided to the student during the time of expulsion (Education Code 48918)

5. Notice of the student's or parent/guardian's obligation to inform any new district in which the student seeks to enroll of the student's status with the expelling district, pursuant to Education Code 48915.1 (Education Code 48918)

#### Decision Not to Enforce Expulsion Order

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

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

The suspension of the enforcement of an expulsion shall be governed by the following: (Education Code 48917)

1. The Board may, as a condition of the suspension of enforcement, assign the student to a school, class, or program appropriate for the student's rehabilitation. This rehabilitation program may provide for the involvement of the student's parent/guardian in the student's education. However, a parent/guardian's refusal to participate in the rehabilitation program shall not be considered in the Board's determination as to whether the student has satisfactorily completed the rehabilitation program.
2. During the period when enforcement of the expulsion order is suspended, the student shall be on probationary status.
3. The suspension of the enforcement of an expulsion order may be revoked by the Board if the student commits any of the acts listed under "Grounds for Suspension and Expulsion" above or violates any of the district's rules and regulations governing student conduct.
4. When the suspension of the enforcement of an expulsion order is revoked, a student may be expelled under the terms of the original expulsion order.
5. Upon satisfactory completion of the rehabilitation assignment, the Board shall reinstate the student in a district school. Upon reinstatement, the Board may order the expunging of any or all records of the expulsion proceedings.
6. Suspension of the enforcement of an expulsion order shall not affect the time period and requirements for the filing of an appeal of the expulsion order with the County Board of Education.
7. The Superintendent or designee shall send written notice of any decision to suspend the enforcement of an expulsion order during a period of probation to the student or parent/guardian.

The notice shall also inform the parent/guardian of the right to appeal the expulsion to the County Board of Education. (Education Code 48918(j)).

#### Right to Appeal

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

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

#### Notifications to Law Enforcement Authorities

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

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

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

#### Post-Expulsion Placements

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

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

(cf. 6185 - Community Day School)

When the placement described above is not available, and when the County Superintendent of Schools so certifies, students expelled for acts described in items #6-13 and #18-21 under "Grounds for Suspension and Expulsion" above may be instead referred to a program of study that is provided at another comprehensive middle, junior, or senior high school, or at an elementary school. (Education Code 48915)

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

#### Readmission After Expulsion

Readmission procedures shall be as follows:

1. On the date set by the Board when it ordered the expulsion, the district shall consider readmission of the student. (Education Code 48916)
2. The Superintendent or designee shall hold a conference with the parent/guardian and the student. At the conference the student's rehabilitation plan shall be reviewed and the Superintendent or designee shall verify that the provisions of this plan have been met. School regulations shall be reviewed and the student and parent/guardian shall be asked to indicate in writing their willingness to comply with these regulations.
3. The Superintendent or designee shall transmit to the Board his/her recommendation regarding readmission. The Board shall consider this recommendation in closed session if information would be disclosed in violation of Education Code 49073-49079. If a written request for open session is received from the parent/guardian or adult student, it shall be honored.
4. If the readmission is granted, the Superintendent or designee shall notify the student and parent/guardian, by registered mail, of the Board's decision regarding re-admission.
5. The Board may deny readmission only if it finds that the student has not satisfied the conditions of the rehabilitation plan or that the student continues to pose a danger to campus safety or to other district students or employees. (Education Code 48916)
6. If the Board denies the readmission of a student, the Board shall determine either to continue the student's placement in the alternative educational program initially selected or to place the student in another program that serves expelled students, including placement in a county community school. (Education Code 48916)
7. The Board shall provide written notice to the expelled student and parent/guardian describing the reasons for denying readmittance into the regular program. This notice shall indicate the Board's determination of the educational program which the Board has chosen. The student shall enroll in that program unless the parent/guardian chooses to enroll the student in another school district. (Education Code 48916)

## Maintenance of Records

The Board shall maintain a record of each expulsion, including the specific cause of the expulsion. The expulsion record shall be maintained in the student's mandatory interim record and sent to any school in which the student subsequently enrolls upon receipt of a written request by the admitting school. (Education Code 48900.8, 48918(k))

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

(cf. 5119 - Students Expelled from Other Districts)

(cf. 5125 - Student Records)

## Outcome Data

The Superintendent or designee shall maintain the following data: (Education Code 48900.8, 48916.1)

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

Regulation TWIN RIVERS UNIFIED SCHOOL DISTRICT

approved: July 25, 2008 McClellan, California

## **Board Policy 5144.2 Student Suspension and Expulsion (Students with Disabilities)**

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 CFR 300.534)

Suspension

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

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

(cf. 6159 - Individualized Education Program)

The 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.

#### Suspension of Expulsion

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

#### Notification to Law Enforcement Authorities

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)

Legal Reference:

**EDUCATION CODE**

35146 Closed sessions (re suspensions)

35291 Rules (of governing board)

48203 Reports of severance of attendance of disabled students

48900-48925 Suspension and expulsion

56000 Special education; legislative findings and declarations

56320 Educational needs; requirements

56321 Development or revision of individualized education program

56329 Independent educational assessment

56340-56347 Individual education program teams

56505 State hearing

**PENAL CODE**

245 Assault with deadly weapon

626.2 Entry upon campus after written notice of suspension or dismissal without permission

626.9 Gun-Free School Zone Act

626.10 Dirks, daggers, knives, razors or stun guns

UNITED STATES CODE, TITLE 18

930 Weapons

1365 Serious bodily injury

UNITED STATES CODE, TITLE 20

1412 State eligibility

1415 Procedural safeguards

UNITED STATES CODE, TITLE 21

812(c) Controlled substances

UNITED STATES CODE, TITLE 29

706 Definitions

794 Rehabilitation Act of 1973, Section 504

CODE OF FEDERAL REGULATIONS, TITLE 34

104.35 Evaluation and placement

104.36 Procedural safeguards

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

300.530-300.537 Discipline procedures

COURT DECISIONS

Schaffer v. Weast (2005) 125 S. Ct. 528

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

M.P. v. Governing Board of Grossmont Union High School District, (1994) 858 F.Supp. 1044

Honig v. Doe, (1988) 484 U.S. 305

Management Resources:

## FEDERAL REGISTER

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

## WEB SITES

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

U.S. Department of Education, Office of Special Education Programs:  
<http://www.ed.gov/about/offices/list/osers/osep/index.html>

## Regulation TWIN RIVERS UNIFIED SCHOOL DISTRICT

approved: July 25, 2008 McClellan, California

### **Administrative Regulation 5144.2 Student Suspension and Expulsion (Students with Disabilities)**

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 CFR 300.534)

#### Suspension

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

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

(cf. 6159 - Individualized Education Program)

The 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.

#### **Suspension of Expulsion**

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

#### **Notification to Law Enforcement Authorities**

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)

#### **Legal Reference:**

#### **EDUCATION CODE**

35146 Closed sessions (re suspensions)

35291 Rules (of governing board)

48203 Reports of severance of attendance of disabled students

48900-48925 Suspension and expulsion

56000 Special education; legislative findings and declarations

56320 Educational needs; requirements

56321 Development or revision of individualized education program

56329 Independent educational assessment

56340-56347 Individual education program teams

56505 State hearing

PENAL CODE

245 Assault with deadly weapon

626.2 Entry upon campus after written notice of suspension or dismissal without permission

626.9 Gun-Free School Zone Act

626.10 Dirks, daggers, knives, razors or stun guns

UNITED STATES CODE, TITLE 18

930 Weapons

1365 Serious bodily injury

UNITED STATES CODE, TITLE 20

1412 State eligibility

1415 Procedural safeguards

UNITED STATES CODE, TITLE 21

812(c) Controlled substances

UNITED STATES CODE, TITLE 29

706 Definitions

794 Rehabilitation Act of 1973, Section 504

CODE OF FEDERAL REGULATIONS, TITLE 34

104.35 Evaluation and placement

104.36 Procedural safeguards

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

300.530-300.537 Discipline procedures

#### COURT DECISIONS

Schaffer v. Weast (2005) 125 S. Ct. 528

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

M.P. v. Governing Board of Grossmont Union High School District, (1994) 858 F.Supp. 1044

Honig v. Doe, (1988) 484 U.S. 305

Management Resources:

#### FEDERAL REGISTER

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

#### WEB SITES

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

U.S. Department of Education, Office of Special Education Programs:  
<http://www.ed.gov/about/offices/list/osers/osep/index.html>

#### Regulation TWIN RIVERS UNIFIED SCHOOL DISTRICT

approved: July 25, 2008 McClellan, California



## D. Comprehensive School Safety Plan

### (D) Procedures to Notify Teachers of Dangerous Students

- Students who violate education code requiring a schools act date are tagged in the student information system (Aeries) with a date of violation.
- Teacher class rosters in ABI will show teachers those students with a safe schools act date.
- Teachers may inquire with site administration to get additional discipline or support information regarding the safe schools act date notation.



## E. Comprehensive School Safety Plan

### (E) Discrimination and Harassment Policy

#### Board Policy 5145.7 – Sexual Harassment

The Board of Trustees is committed to maintaining a safe school environment for sexual orientation, gender expression, and gender identity that is free from harassment and discrimination. The Board also prohibits retaliatory behavior or action against any person who reports, files a complaint or testifies about, or otherwise supports a complaint alleging sexual harassment at school or at school-sponsored or school related activities.

##### Definition:

■ “Gender expression” refers to external cues that one uses to represent or communicate one’s gender to others, such as behavior, clothing, hairstyles, activities, voice, mannerisms, or body characteristics.

■ “Gender identity” refers to a person’s gender-related identity, appearance or behavior whether or not different from that traditionally associated with the person’s physiology or assigned sex at birth.

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

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

(cf. 1312.1 - Complaints Concerning District Employees)

(cf. 5131 - Conduct)

(cf. 5131.2 - Bullying)

(cf. 5137 - Positive School Climate)

(cf. 5141.4 - Child Abuse Prevention and Reporting)

(cf. 5145.3 - Nondiscrimination/Harassment)

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

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

#### Instruction/Information

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

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

## Complaint Process and Disciplinary Actions

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

(cf. 1312.3 - Uniform Complaint Procedures)

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

(cf. 5144 - Discipline)

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

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

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

(cf. 4117.7 - Employment Status Report)

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

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

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

## Record-Keeping

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

(cf. 3580 - District Records)

## Legal Reference:

### EDUCATION CODE

200-262.4 Prohibition of discrimination on the basis of sex

48900 Grounds for suspension or expulsion

48900.2 Additional grounds for suspension or expulsion; sexual harassment

48904 Liability of parent/guardian for willful student misconduct

48980 Notice at beginning of term

### CIVIL CODE

51.9 Liability for sexual harassment; business, service and professional relationships

1714.1 Liability of parents/guardians for willful misconduct of minor

### GOVERNMENT CODE

12950.1 Sexual harassment training

**CODE OF REGULATIONS, TITLE 5**

4600-4687 Uniform complaint procedures

4900-4965 Nondiscrimination in elementary and secondary education programs

**UNITED STATES CODE, TITLE 20**

1221 Application of laws

1232g Family Educational Rights and Privacy Act

1681-1688 Title IX, discrimination

**UNITED STATES CODE, TITLE 42**

1983 Civil action for deprivation of rights

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

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

**CODE OF FEDERAL REGULATIONS, TITLE 34**

99.1-99.67 Family Educational Rights and Privacy

106.1-106.71 Nondiscrimination on the basis of sex in education programs

**COURT DECISIONS**

Donovan v. Poway Unified School District, (2008) 167 Cal.App.4th 567

Flores v. Morgan Hill Unified School District, (2003, 9th Cir.) 324 F.3d 1130

Reese v. Jefferson School District, (2001, 9th Cir.) 208 F.3d 736

Davis v. Monroe County Board of Education, (1999) 526 U.S. 629

Gebser v. Lago Vista Independent School District, (1998) 524 U.S. 274

Oona by Kate S. v. McCaffrey, (1998, 9th Cir.) 143 F.3d 473

Doe v. Petaluma City School District, (1995, 9th Cir.) 54 F.3d 1447

**Management Resources:**

**CSBA PUBLICATIONS**

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

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

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

Dear Colleague Letter: Transgender Students, May 2016

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

Dear Colleague Letter: Title IX Coordinators, April 2015

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

Dear Colleague Letter: Sexual Violence, April 4, 2011

Sexual Harassment: It's Not Academic, September 2008

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

**WEB SITES**

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

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

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

**Policy TWIN RIVERS UNIFIED SCHOOL DISTRICT**

adopted: July 25, 2008 McClellan, California

revised: May 16, 2017

## Administrative Regulation 5145.7 – Sexual Harassment

### **Students**

The district designates the following individual(s) as the responsible employee(s) to coordinate its efforts to comply with Title IX of the Education Amendments of 1972 and California Education Code 234.1, as well as to investigate and resolve sexual harassment complaints under AR 1312.3 - Uniform Complaint Procedures. The coordinator/compliance officer(s) may be contacted at:

Director of Student Services  
5115 Dudley Blvd.  
McClellan, CA 95652  
(916) 566-1600

(cf. 1312.3 - Uniform Complaint Procedures)

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

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

(cf. 5131 - Conduct)

(cf. 5131.2 - Bullying)

(cf. 5137 - Positive School Climate)

(cf. 5145.3 - Nondiscrimination/Harassment)

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

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

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

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

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

#### Reporting Process and Complaint Investigation and Resolution

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

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

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

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

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

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

(cf. 5141.4 - Child Abuse Prevention and Reporting)

#### Confidentiality

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

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

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

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

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

(cf. 5125 - Student Records)

### Response Pending Investigation

When an incident of sexual harassment or discrimination is reported, the principal or designee, in consultation with the compliance officer, shall determine whether interim measures are necessary pending the results of the investigation. The principal/designee or compliance officer shall take immediate measures necessary to stop the harassment and protect students and/or ensure their access to the educational program. To the extent possible, such interim measures shall not disadvantage the complainant or victim of the alleged harassment. Interim measures may include placing the individuals involved in separate classes or transferring a student to a class taught by a different teacher, in accordance with law and Board policy. The school should notify the individual who was harassed of his/her options to avoid contact with the alleged harasser and allow the complainant to change academic and extracurricular arrangements as appropriate. The school should also ensure that the complainant is aware of the resources and assistance, such as counseling, that are available to him/her. As appropriate, such actions shall be considered even when a student chooses to not file a formal complaint or the sexual harassment or discrimination occurs off school grounds or outside school-sponsored or school-related programs or activities.

### Notifications

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

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

(cf. 5145.6 - Parental Notifications)

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

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

(cf. 1113 - District and School Web Sites)

(cf. 1114 - District-Sponsored Social Media)

3. Be provided as part of any orientation program conducted for new students at the beginning of each quarter, semester, or summer session (Education Code 231.5)
4. Appear in any school or district publication that sets forth the school's or district's comprehensive rules, regulations, procedures, and standards of conduct (Education Code 231.5)
5. Be included in the student handbook.
6. Be provided to employees and employee organizations

Regulation TWIN RIVERS UNIFIED SCHOOL DISTRICT

approved: July 25, 2008 McClellan, California

revised: May 16, 2017

AR 1312.3 Uniform Complaint Procedures

Community Relations

Except as the Board of Trustees may otherwise specifically provide in other district policies, these uniform complaint procedures (UCP) shall be used to investigate and resolve only the complaints specified in BP 1312.3.

(cf. 1312.1 - Complaints Concerning District Employees)

(cf. 1312.2 - Complaints Concerning Instructional Materials)

(cf. 1312.4 - Williams Uniform Complaint Procedures)

(cf. 4030 - Nondiscrimination in Employment) Compliance Officers

The district designates the individual(s) identified below as the employee(s) responsible for coordinating the district's response to complaints and for complying with state and federal civil rights laws. The individual(s) also serve as the compliance officer(s) specified in AR 5145.3 - Nondiscrimination/Harassment as the responsible employee to handle complaints regarding unlawful discrimination (such as discriminatory harassment, intimidation, or bullying). The individual(s) shall receive and coordinate the investigation of complaints and shall ensure district compliance with law.

(cf. 5145.3 - Nondiscrimination/Harassment)

(cf. 5145.7 - Sexual Harassment)

Director

Student Services

Twin Rivers Unified School District

5115 Dudley Boulevard

Bay C

McClellan, CA 95652

(916) 566-1600

[Rudy.puente@twinriversusd.org](mailto:Rudy.puente@twinriversusd.org)

The compliance officer who receives a complaint may assign another compliance officer to investigate and resolve the complaint. The compliance officer shall promptly notify the complainant and respondent, if applicable, if another compliance officer is assigned to the complaint.

In no instance shall a compliance officer be assigned to a complaint in which he/she has a bias or conflict of interest that would prohibit him/her from fairly investigating or resolving the complaint. Any complaint against a compliance officer or that raises a concern about the

compliance officer's ability to investigate the complaint fairly and without bias shall be filed with the Superintendent or designee who shall determine how the complaint will be investigated.

The Superintendent or designee shall ensure that employees assigned to investigate and resolve complaints receive training and are knowledgeable about the laws and programs at issue in the complaints to which they are assigned. Training provided to such employees shall include current state and federal laws and regulations governing the program, applicable processes for investigating and resolving complaints, including those alleging unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), applicable standards for reaching decisions on complaints, and appropriate corrective measures. Assigned employees may have access to legal counsel as determined by the Superintendent or designee.

(cf. 4331 - Staff Development)

(cf. 9124 - Attorney)

The compliance officer or, if necessary, any appropriate administrator shall determine whether interim measures are necessary during and pending the result of an investigation. If interim measures are determined to be necessary, the compliance officer or the administrator shall consult with the Superintendent, the Superintendent's designee, or, if appropriate, the site principal to implement one or more interim measures. The interim measures may shall remain in place until the compliance officer determines that they are no longer necessary or until the district issues its final written decision, whichever occurs first.

#### Notifications

The district's UCP policy and administrative regulation shall be posted in all district schools and offices, including staff lounges and student government meeting rooms. (Education Code 234.1)

The Superintendent or designee shall annually provide written notification of the district's UCP, including information regarding unlawful student fees, local control and accountability plan (LCAP) requirements, and requirements related to the educational rights of foster youth and homeless students, to students, employees, parents/guardians, the district advisory committee, school advisory committees, appropriate private school officials or representatives, and other interested parties. (Education Code 262.3, 48853, 48853.5, 49013; 49069.5, 51225.1, 51225.2, 52075; 5 CCR 4622)

(cf. 0420 - School Plans/Site Councils)

(cf. 0460 - Local Control and Accountability Plan) (cf. 1220 - Citizen Advisory Committees)

(cf. 3260 - Fees and Charges)

(cf. 4112.9/4212.9/4312.9 - Employee Notifications) (cf. 5145.6 - Parental Notifications)

(cf. 6173 - Education for Homeless Children)

(cf. 6173.1 - Education for Foster Youth)

The annual notification and complete contact information of the compliance officer(s) may be posted on the district web site and, if available, provided through district-supported social media.

(cf. 1113 - District and School Web Sites)

(cf. 1114 - District-Sponsored Social Media)

The Superintendent or designee shall ensure that all students and parents/guardians, including students and parents/guardians with limited English proficiency, have access to the relevant information provided in the district's policy, regulation, forms, and notices concerning the UCP.

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

The notice shall:

1. Identify the person(s), position(s), or unit(s) responsible for receiving complaints
2. Advise the complainant of any civil law remedies that may be available to him/her under state or federal antidiscrimination laws, if applicable
3. Advise the complainant of the appeal process, including, if applicable, the complainant's right to take a complaint directly to the California Department of Education (CDE) or to pursue remedies before civil courts or other public agencies, such as the U.S. Department of Education's Office for Civil Rights (OCR) in cases involving unlawful discrimination (such as discriminatory harassment, intimidation, or bullying).
4. Include statements that:
  - a. The district has the primary responsibility to ensure compliance with applicable state and federal laws and regulations governing educational programs.
  - b. The complaint review shall be completed within 60 calendar days from the date of receipt of the complaint unless the complainant agrees in writing to an extension of the timeline.
  - c. A complaint alleging retaliation or unlawful discrimination, (such as discriminatory harassment, intimidation, or bullying) must be filed not later than six months from the date it occurred, or six months from the date the complainant first obtained knowledge of the facts of the alleged unlawful discrimination. The time for filing may be extended for up to 90 days by the Superintendent or designee for good cause upon written request by the complainant setting forth the reasons for the extension.
  - d. Complaints should be filed in writing and signed by the complainant. If a complainant is unable to put his/her complaint in writing, for example, due to conditions such as a disability or illiteracy, district staff shall assist him/her in the filing of the complaint.
  - e. If a complaint is not filed in writing but the district receives notice of any allegation that is subject to the UCP, the district shall take affirmative steps to investigate and address the allegations, in a manner appropriate to the particular circumstances.

If the allegation involves retaliation or unlawful discrimination (such as discriminatory harassment, intimidation, or bullying) and the investigation reveals that discrimination has occurred, the district will take steps to prevent recurrence of discrimination and correct its discriminatory effects on the complainant, and on others, if appropriate.

A student enrolled in a public school shall not be required to pay a fee for his/her participation in an educational activity that constitutes an integral fundamental part of the district's educational program, including curricular and extracurricular activities.

f. The Board is required to adopt and annually update the LCAP in a manner that includes meaningful engagement of parents/guardians, students, and other stakeholders in the development and/or review of the LCAP.

g. A foster youth shall receive information about educational rights related to his/her educational placement, enrollment in and checkout from school, as well as the responsibilities of the district liaison for foster youth to ensure and facilitate these requirements and to assist the student in ensuring proper transfer of his/her credits, records, and grades when he/she transfers between schools or between the district and another district.

h. A foster youth or homeless student who transfers into a district high school or between district high schools shall be notified of the district's responsibility to:

1) Accept any coursework or part of the coursework that the student has satisfactorily completed in another public school, juvenile court school, or a nonpublic, nonsectarian school or agency, and to issue full or partial credit for the coursework completed

2) Not require the student to retake any course or a portion of a course which he/she has satisfactorily completed in another public school, juvenile court school, or a nonpublic, nonsectarian school or agency

3) If the student has completed his/her second year of high school before the transfer, provide the student information about district-adopted coursework and Board-imposed graduation requirements from which he/she may be exempted pursuant to Education Code 51225.1

i. The complainant has a right to appeal the district's decision to the CDE by filing a written appeal within 15 calendar days of receiving the district's decision.

j. In any complaint alleging unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), the respondent also shall have the right to file an appeal with the CDE in the same manner as the complainant, if he/she is dissatisfied with the district's decision.

k. The appeal to the CDE must include a copy of the complaint filed with the district and a copy of the district's decision.

l. Copies of the district's UCP are available free of charge.

## District Responsibilities

All UCP-related complaints shall be investigated and resolved within 60 calendar days of the district's receipt of the complaint unless the complainant agrees in writing to an extension of the timeline. (5 CCR 4631)

For complaints alleging unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), the district shall inform the respondent when the complainant agrees to an extension of the timeline for investigating and resolving the complaint.

The compliance officer shall maintain a record of each complaint and subsequent related actions, including steps taken during the investigation and all information required for compliance with 5 CCR 4631 and 4633.

All parties involved in the allegations shall be notified when a complaint is filed and when a decision or ruling is made. However, the compliance officer shall keep all complaints or allegations of retaliation or unlawful discrimination (such as discriminatory harassment, intimidation, or bullying) confidential except when disclosure is necessary to carry out the investigation, take subsequent corrective action, conduct ongoing monitoring, or maintain the integrity of the process. (5 CCR 4630, 4964)

#### Filing of Complaints

The complaint shall be presented to the compliance officer who shall maintain a log of complaints received, providing each with a code number and a date stamp.

All complaints shall be filed in writing and signed by the complainant. If a complainant is unable to put a complaint in writing due to conditions such as a disability or illiteracy, district staff shall assist him/her in the filing of the complaint. (5 CCR 4600)

Complaints shall also be filed in accordance with the following rules, as applicable:

1. A complaint alleging district violation of applicable state or federal law or regulations governing the following programs may be filed by any individual, public agency or organization. (5 CCR 4630)

Adult Education

Economic Impact Aid

After School Education and Safety

Education of Pupils in Foster Care, Pupils who are Homeless, and former Juvenile Court Pupils now enrolled in the school district

Agricultural Vocational Education

English Learner Programs

American Indian Education Centers and Early Childhood Education Program Assessments

Every Student Succeeds Act / No Child Left Behind (Titles I–VII)

Bilingual Education

Local Control and Accountability Plans (LCAP)

California Peer Assistance and Review Programs for Teachers  
Migrant Education  
Career Technical Education  
Career Technical  
Technical Training  
Pupil Fees  
Child Care and Development  
Reasonable Accommodations to a Lactating Pupil  
Physical Education Instructional Minutes (for grades one through six)  
Child Nutrition  
Regional Occupational Centers and Programs  
Compensatory Education  
School Safety Plans  
Consolidated Categorical Aid  
Special Education  
Course Periods without Educational Content (for grades nine through twelve)  
State Preschool  
Tobacco-Use Prevention Education

Any complaint alleging noncompliance with law regarding the prohibition against requiring students to pay student fees, deposits, and charges or any requirement related to the LCAP may be filed anonymously if the complaint provides evidence, or information leading to evidence, to support an allegation of noncompliance. A complaint about a violation of the prohibition against the charging of unlawful student fees may be filed with the principal of the school or with the Superintendent or designee. However, any such complaint shall be filed no later than one year from the date the alleged violation occurred. (Education Code 49013, 52075; 5 CCR 4630).

2. A complaint alleging unlawful discrimination (such as discriminatory harassment, intimidation, or bullying) may be filed only by a person who alleges that he/she personally suffered the unlawful discrimination or by a person who believes that an individual or any specific class of individuals has been subjected to it. The complaint shall be initiated no later than six months from the date when the alleged unlawful discrimination occurred, or six months from the date when the complainant first obtained knowledge of the facts of the alleged unlawful discrimination. The time for filing may be extended for up to 90 days by the Superintendent or designee for good cause upon written request by the complainant setting forth the reasons for the extension. (5 CCR 4630)

3. When a complaint alleging unlawful discrimination (such as discriminatory harassment, intimidation, or bullying) is filed anonymously, the compliance officer shall pursue an investigation or other response as appropriate, depending on the specificity and reliability of the information provided and the seriousness of the allegation.

4. When the complainant of unlawful discrimination (such as discriminatory harassment, intimidation, or bullying) or the alleged victim, when he/she is not the complainant, requests confidentiality, the compliance officer shall inform him/her that the request may limit the district's ability to investigate the conduct or take other necessary action. When honoring a

request for confidentiality, the district shall nevertheless take all reasonable steps to investigate and resolve/respond to the complaint consistent with the request.

### Mediation

Within three business days after the compliance officer receives the complaint, he/she may informally discuss with all the parties the possibility of using mediation.

Mediation shall be offered to resolve complaints that involve more than one student and no adult. However, mediation shall not be offered or used to resolve any complaint involving an allegation of sexual assault or where there is a reasonable risk that a party to the mediation would feel compelled to participate. If the parties agree to mediation, the compliance officer shall make all arrangements for this process.

Before initiating the mediation of a complaint alleging retaliation or unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), the compliance officer shall ensure that all parties agree to make the mediator a party to relevant confidential information.

The compliance officer shall also notify all parties of the right to end the informal process at any time.

If the mediation process does not resolve the problem within the parameters of law, the compliance officer shall proceed with his/her investigation of the complaint.

The use of mediation shall not extend the district's timelines for investigating and resolving the complaint unless the complainant agrees in writing to such an extension of time. If mediation is successful and the complaint is withdrawn, then the district shall take only the actions agreed to through the mediation. If mediation is unsuccessful, the district shall then continue with subsequent steps specified in this administrative regulation.

### Investigation of Complaint

Within 10 business days after the compliance officer receives the complaint, the compliance officer shall begin an investigation into the complaint.

Within one business day of initiating the investigation, the compliance officer shall provide the complainant and/or his/her representative with the opportunity to present the information contained in the complaint to the compliance officer and shall notify the complainant and/or his/her representative of the opportunity to present the compliance officer with any evidence, or information leading to evidence, to support the allegations in the complaint. Such evidence or information may be presented at any time during the investigation.

In conducting the investigation, the compliance officer shall collect all available documents and review all available records, notes, or statements related to the complaint, including any additional evidence or information received from the parties during the course of the investigation. He/she shall individually interview all available witnesses with information pertinent to the complaint, and may visit any reasonably accessible location where the relevant

actions are alleged to have taken place. At appropriate intervals, the compliance officer shall inform both parties of the status of the investigation.

To investigate a complaint alleging retaliation or unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), the compliance officer shall interview the alleged victim(s), any alleged offenders, and other relevant witnesses privately, separately, and in a confidential manner. As necessary, additional staff or legal counsel may conduct or support the investigation.

A complainant's refusal to provide the district's investigator with documents or other evidence related to the allegations in the complaint, failure or refusal to cooperate in the investigation, or engagement in any other obstruction of the investigation may result in the dismissal of the complaint because of a lack of evidence to support the allegation. Similarly, a respondent's refusal to provide the district's investigator with documents or other evidence related to the allegations in the complaint, failure or refusal to cooperate in the investigation, or engagement in any other obstruction of the investigation may result in a finding, based on evidence collected, that a violation has occurred and in the imposition of a remedy in favor of the complainant. (5 CCR 4631)

In accordance with law, the district shall provide the investigator with access to records and other information related to the allegation in the complaint and shall not in any way obstruct the investigation. Failure or refusal of the district to cooperate in the investigation may result in a finding based on evidence collected that a violation has occurred and in the imposition of a remedy in favor of the complainant. (5 CCR 4631)

The compliance officer shall apply a "preponderance of the evidence" standard in determining the veracity of the factual allegations in a complaint. This standard is met if the allegation is more likely to be true than not.

#### Report of Findings

Unless extended by written agreement with the complainant, a final decision shall be sent to the complainant within 60 calendar days of the district's receipt of the complaint. Within 30 calendar days of receiving the complaint, the compliance officer shall prepare and send to the complainant a written report, as described in the section "Final Written Decision" below. If the complainant is dissatisfied with the compliance officer's decision, he/she may, within five business days, file his/her complaint in writing with the Board.

The Board may consider the matter at its next regular Board meeting or at a special Board meeting convened in order to meet the 60-day time limit within which the complaint must be answered. The Board may decide not to hear the complaint, in which case the compliance officer's decision shall be final.

If the Board hears the complaint, the compliance officer shall send the Board's decision to the complainant within 60 calendar days of the district's initial receipt of the complaint or within the time period that has been specified in a written agreement with the complainant. (5 CCR 4631)

In resolving any complaint alleging unlawful discrimination (such as discriminatory harassment, intimidation, and bullying), the respondent also shall be sent the district's decision and, in the

same manner as the complainant, may file a complaint with the Board if dissatisfied with the decision.

### Final Written Decision

The district's decision on how it will resolve the complaint shall be in writing and shall be sent to the complainant and respondent. (5 CCR 4631)

In consultation with district legal counsel, information about the relevant part of a decision may be communicated to a victim who is not the complainant and to other parties who may be involved in implementing the decision or are affected by the complaint, as long as the privacy of the parties is protected. In a complaint alleging unlawful discrimination (such as discriminatory harassment, intimidation, and bullying), notice of the district's decision to the alleged victim shall include information about any sanction to be imposed upon the respondent that relates directly to the alleged victim.

If the complaint involves a limited-English-proficient student or parent/guardian and the student involved attends a school at which 15 percent or more of the students speak a single primary language other than English, then the decision shall also be translated into that language. In all other instances, the district shall ensure meaningful access to all relevant information for parents/guardians with limited English proficiency.

For all complaints, the decision shall include: (5 CCR 4631)

1. The findings of fact based on the evidence gathered. In reaching a factual determination, the following factors may be taken into account:

- a. Statements made by any witnesses
- b. The relative credibility of the individuals involved
- c. How the complaining individual reacted to the incident
- d. Any documentary or other evidence relating to the alleged conduct
- e. Past instances of similar conduct by any alleged offenders
- f. Past false allegations made by the complainant

2. The conclusion(s) of law

3. Disposition of the complaint

4. Rationale for such disposition

For complaints of retaliation or unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), the disposition of the complaint shall include a determination for each allegation as to whether retaliation or unlawful discrimination has occurred.

The determination of whether a hostile environment exists may involve consideration of the following:

- a. How the misconduct affected one or more students' education
- b. The type, frequency, and duration of the misconduct
- c. The relationship between the alleged victim(s) and offender(s)
- d. The number of persons engaged in the conduct and at whom the conduct was directed
- e. The size of the school, location of the incidents, and context in which they occurred
- f. Other incidents at the school involving different individuals

5. Corrective actions, including any actions that have been taken or will be taken to address the allegations in the complaint and including, with respect to a student fees complaint, a remedy that comports with Education Code 49013 and 5 CCR 4600

For complaints of unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), the decision may, as required by law, include:

- a. The corrective actions imposed on respondent
- b. Individual remedies offered or provided to the complainant or another person who was the subject of the complaint, but this information should not be shared with the respondent.
- c. Systemic measures the school has taken to eliminate a hostile environment and prevent recurrence

6. Notice of the complainant's and respondent's right to appeal the district's decision to the CDE within 15 calendar days, and procedures to be followed for initiating such an appeal

The decision may also include follow-up procedures to prevent recurrence or retaliation and for reporting any subsequent problems.

For complaints alleging unlawful discrimination based on state law (such as discriminatory harassment, intimidation, and bullying), the decision shall also include a notice to the complainant that:

- 1. He/she may pursue available civil law remedies outside of the district's complaint procedures, including seeking assistance from mediation centers or public/private interest attorneys, 60 calendar days after the filing of an appeal with the CDE. (Education Code 262.3)
- 2. The 60 days moratorium does not apply to complaints seeking injunctive relief in state courts or to discrimination complaints based on federal law. (Education Code 262.3)
- 3. Complaints alleging discrimination based on race, color, national origin, sex, gender, disability, or age may also be filed with the U.S. Department of Education, Office for Civil Rights at [www.ed.gov/ocr](http://www.ed.gov/ocr) within 180 days of the alleged discrimination.

## Corrective Actions

When a complaint is found to have merit, the compliance officer shall adopt any appropriate corrective action permitted by law. Appropriate corrective actions that focus on the larger school or district environment may include, but are not limited to, actions to reinforce district policies; training for faculty, staff, and students; updates to school policies; or school climate surveys.

For complaints involving retaliation or unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), appropriate remedies that may be offered to the victim but not communicated to the respondent may include, but are not limited to, the following:

1. Counseling
2. Academic support
3. Health services
4. Assignment of an escort to allow the victim to move safely about campus
5. Information regarding available resources and how to report similar incidents or retaliation
6. Separation of the victim from any other individuals involved, provided the separation does not penalize the victim
7. Restorative justice
8. Follow-up inquiries to ensure that the conduct has stopped and there has been no retaliation
9. Determination of whether any past actions of the victim that resulted in discipline were related to the treatment the victim received and described in the complaint

For complaints involving retaliation or unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), appropriate corrective actions that focus on a student offender may include, but are not limited to, the following:

1. Transfer from a class or school as permitted by law
2. Parent/guardian conference
3. Education regarding the impact of the conduct on others
4. Positive behavior support
5. Referral
6. Denial of participation in extracurricular or co-curricular activities or other privileges as permitted by law
7. Disciplinary action, such as suspension or expulsion, as permitted by law

When an employee is found to have committed retaliation or unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), the district shall take appropriate disciplinary action, up to and including dismissal, in accordance with applicable law and collective bargaining agreement.

The district may also consider training and other interventions for the larger school community to ensure that students, staff, and parents/guardians understand the types of behavior that constitute unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), that the district does not tolerate it, and how to report and respond to it.

4. If a complaint alleging noncompliance with the laws regarding student fees, deposits, and other charges, physical education instructional minutes for students in elementary schools, or any requirement related to the LCAP is found to have merit, the district shall provide a remedy to all affected students and parents/guardians subject to procedures established by regulation of the State Board of Education. (Education Code 49013, 51223, 52075) If TWIN RIVERS UNIFIED SCHOOL DISTRICT finds merit in a complaint regarding Pupil Fees, Local Control and Accountability Plans (LCAP), Course Periods without Educational Content (grades nine through twelve), and Physical Education Instructional Minutes (grades one through eight), we shall provide a remedy. In the case of complaints regarding Course Periods without Educational Content, the remedy shall go to the affected pupil. In the case of complaints regarding Pupil Fees, Physical Education Instructional Minutes and LCAP, the remedy shall go to all affected pupils and parents/guardians.

For complaints alleging noncompliance with the laws regarding student fees, the district shall attempt in good faith, by engaging in reasonable efforts, to identify and fully reimburse all affected students and parents/guardians who paid the unlawful student fees within one year prior to the filing of the complaint. (Education Code 49013; 5 CCR 4600)

#### Appeals to the California Department of Education

Any complainant who is dissatisfied with the district's final written decision may file an appeal in writing with the CDE within 15 calendar days of receiving the district's decision. (Education Code 222, 48853, 48853.5, 49013, 49069.5, 51223, 51225.1, 51225.2, 51228.3, 52075; 5 CCR 4632)

When a respondent in any complaint alleging unlawful discrimination (such as discriminatory harassment, intimidation, and bullying) is dissatisfied with the district's final written decision, he/she, in the same manner as the complainant, may file an appeal with the CDE.

The complainant or respondent shall specify the basis for the appeal of the decision and whether the facts are incorrect and/or the law has been misapplied. The appeal shall be accompanied by a copy of the locally filed complaint and a copy of the district's decision. (5 CCR 4632)

Upon notification by the CDE that the complainant or respondent has appealed the district's decision, the Superintendent or designee shall forward the following documents to the CDE: (5 CCR 4633)

1. A copy of the original complaint
2. A copy of the written decision
3. A summary of the nature and extent of the investigation conducted by the district, if not covered by the decision
4. A copy of the investigation file including, but not limited to, all notes, interviews, and documents submitted by the parties and gathered by the investigator
5. A report of any action taken to resolve the complaint
6. A copy of the district's uniform complaint procedures
7. Other relevant information requested by the CDE

Regulation TWIN RIVERS UNIFIED SCHOOL DISTRICT

approved: March 18, 2008 McClellan, California

revised: February 13, 2013

revised: May 17, 2016

revised: December 2, 2016

revised: September 26, 2017

II suspected sexual abuse must be reported.

Reporting:

An oral report to designated law enforcement agencies must be made immediately. The observing employee must contact:

- a. The Child Protective Services (CPS) Unit of the local Welfare or Human Services Department; or
- b. The Jurisdictional Law Enforcement Agency - County Sheriffs' Department, Police Department (non-emergency); Emergency Number – 911

Some District law enforcement may not meet the notification requirements prescribed by law to receive reports of child abuse. However, all law enforcement officers are mandated reporters.

A follow-up written report must be submitted within 36 hours. Forms are available in Attachment 2 of this Tab.

Interviewing:

School Interview Law: Penal Code 11174.3 imposes both a time sequence and series of duties on school personnel and the law enforcement investigator. This law is limited to child abuse victims only, and the law speaks only to abuse which takes place in the home. If law enforcement comes to school to take a child into custody, rather than question the child, the interview procedures do not apply. The child is effectively under arrest.

Law enforcement (Sheriff, Police, or CPS) may interview suspected victims of child abuse on school premises during school hours concerning child abuse in the home. The child may choose to be interviewed in private or may select an adult staff member to be present "to lend support".

The Interview: The investigator comes to school. All investigations begin in the school office. The staff member "in-charge" should ask for identification and the purpose of the proposed interview. When it is made clear that the interview will focus on allegation of abuse in the home, the staff member in-charge should be present with the child before the interview begins.

The investigator must advise the child of the right to choose a staff member to be present during the interview. If the child chooses not to have a staff member present, the staff member should leave the room. However, the child has the right to change their mind during the interview process. The law gives continuous option to ask for an adult to be present, or to send the staff member away. If the child asks for the mother or father to be present, this is the responsibility of the investigator. The school employee cannot grant or deny such requests.

If the child asks for an adult staff member to be present:

- The staff member, by law, may decline to sit in the interview
- The school administrator should inform the selected staff member of their duties during the interview. A copy of Penal Code 11174.3 (see Attachment 1 to this Tab) should be supplied to the selected staff member who has agreed to be present.
- The staff member's role is that of comforter during the interview. There is no questioning by the staff member and no discussion of the child abuse incident with the child. There must be no prompting by the staff member. Investigators should not attempt to ask or direct the staff member to coerce, suggest, or elicit a response from the child.
- The law forbids disclosure of what the staff member hears or learns during the interview. This confidentiality disappears when a court orders testimony. No written report is required by the staff member.



## F. Comprehensive School Safety Plan

### (F) School-wide Dress Code

#### Board Policy 5132 - Dress Code

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

(cf. 4119.22 - Dress and Grooming)

(cf. 5145.2 - Freedom of Speech/Expression)

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

(cf. 5144 - Discipline)

#### Gang-Related Apparel

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

(cf. 0450 - Comprehensive Safety Plan)

(cf. 5136 - Gangs)

## Uniforms

In order to promote student safety and discourage theft, peer rivalry and/or gang activity, the principal, staff and parents/guardians at a school may establish a reasonable dress code requiring students to wear uniforms. Such a dress code may be included as part of the school safety plan and must be presented to the Board for approval. The Board shall approve the plan upon determining that it is necessary to protect the health and safety of the school's students.

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

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

### Legal Reference:

#### EDUCATION CODE

32281 School safety plans

35183 School dress codes; uniforms

35183.5 Sun-protective clothing

48907 Student exercise of free expression

49066 Grades; effect of physical education class apparel

#### CODE OF REGULATIONS, TITLE 5

302 Pupils to be neat and clean on entering school

#### COURT DECISIONS

Marvin H. Jeglin et al v. San Jacinto Unified School District et al, (C.D. Cal. 1993)

827 F.Supp. 1459

Arcadia Unified School District v. California Department of Education, (1992) 2 Cal. 4th 251

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

Policy TWIN RIVERS UNIFIED SCHOOL DISTRICT

adopted: July 15, 2008 McClellan, California

## Administrative Regulation 5132 - Dress Code

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 Trustees policy and administrative regulations. These school dress codes shall be regularly reviewed.

(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. Shoes must be worn at all times. Sandals must have heel straps. Thongs or backless shoes or sandals are not acceptable.
2. Clothing, jewelry and personal items (backpacks, fanny packs, gym bags, water bottles etc.) shall be free of writing, pictures or any other insignia which are crude, vulgar, profane or sexually suggestive, which bear drug, alcohol or tobacco company advertising, promotions and likenesses, or which advocate racial, ethnic or religious prejudice.
3. Hats, caps and other head coverings shall not be worn indoors.
4. 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.
5. Gym shorts may not be worn in classes other than physical education.

Coaches and teachers may impose more stringent dress requirements to accommodate the special needs of certain sports and/or classes.

(cf. 3260 - Fees and Charges)

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)

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.

#### Uniforms

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

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

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

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

#### Regulation TWIN RIVERS UNIFIED SCHOOL DISTRICT

approved: July 15, 2008 McClellan, California



## G. Comprehensive School Safety Plan

### (G) Safe Ingress/Egress Procedures

#### **SAFETY PROCEDURES TO AND FROM SCHOOL**

##### **PEDESTRIANS:**

Students who walk to and from school are to abide by all public safety rules such as:

- 1) using crosswalks
- 2) using sidewalks when available
- 3) walking against the traffic
- 4) walking single file when in groups (When there are no sidewalks)
- 5) wearing light outer clothing on dark mornings

##### **BICYCLISTS:**

Students who ride bicycles to and from school are to follow all California traffic laws including:

- 1) wearing a proper helmet
- 2) riding with traffic
- 3) crossing streets at intersections by walking the bike across in the crosswalk
- 4) riding single file while in groups of riders
- 5) walking the bicycle while on campus
- 6) securing the bicycle with a lock in the designated bike storage area

**ALL BICYCLISTS MUST LOCK THEIR BIKES BY THE REAR TIRE FOR OPTIMUM THEFT PROTECTION.** Although the Twin Rivers Unified School District provides bike racks for students' convenience, the school is NOT responsible for theft of bicycles or for loss to students to and from school. Students should not leave helmets, pumps, seat covers or baskets on their bikes.

##### **CAR TRANSPORTATION:**

Drivers are never to off load or pick up passengers in the bus zone in front of the school. VISITORS may park in the visitor parking lot in front of the school. If a parent or guardian is dropping off students AND visiting the office, he or she should park in the visitor parking lot. Do not park in the drop off zone as your car will block others who are dropping off passengers. After off-loading, exit slowly, paying close attention to pedestrians.

### **STUDENTS ON CAMPUS**

Once students arrive on campus, they are not to leave unless signed out from the office.

### **EARLY DISMISSAL**

- Students leaving during the day for any reason should bring a note from a parent or guardian authorizing the release of the child
- If any adult other than the guardian comes for the student, a signed note from the parent or guardian permitting release of the child is required. If the adult is not known to staff, check emergency card and verify release by phone call to the child's guardian.
- Student must be released through the office, where parent is required to list the date and time of dismissal on the sign out sheet.
- All early dismissals must also be entered into AERIES.

### **CUSTODY CONCERNS**

- Custody issues should be noted both on the student's emergency card and in AERIES
- Follow required steps to verify adult
- If release of child seems suspicious, contact TRPD

## **POLICIES FOR A SECURE CAMPUS**

### **SITE STAFF**

- All staff members must wear name badges while on campus, including substitute teachers
- Start and end times of school and when students are allowed on campus will be publicized
- Teachers should keep classroom doors locked at all times
- If campus is not closed off by fences, if possible, custodians should close and lock all gates leading onto school grounds
- At night, all outside lights should be in working condition and turned on

### **VISITORS and VOLUNTEERS**

- All visitors must check in with the office and sign in to the binder

- Visitors who stay on campus are required to wear a visible visitor sticker or badge
- Visitors must also leave campus through the office, checking out by signing the binder

#### **DISTRICT AND INDIVIDUAL SCHOOL SITE RESPONSIBILITIES**

- Each site produces procedures for a secure campus based on facility configurations and fencing at the present time
- Facility inspection should include information on the adequacy of security systems on site (cameras, lights, fencing, etc.)
- Individual schools need to publish and distribute procedures for drop off and pick up of students
- All entries/exits, crosswalks, and bus zones need to be clearly marked with paint and signage



# Comprehensive School Safety Plan

## (H) School Discipline

### **All Students Have a Right to a High-Quality Education**

The right to a high-quality education ensures that school disciplinary measures will not be used to exclude students from school or otherwise deprive them of such an education, unless it is necessary to preserve the safety of students and staff. One objective of discipline in schools is to *assist students in learning and displaying self-discipline or control of their own behavior*. Attainment of this objective depends on the good judgment and compassion of all parents/ guardians within the community. Success with this discipline plan depends on the cooperative effort between parents, students and staff.

### **General Principles**

The goal of student discipline is to teach students to behave in ways that contribute to academic achievement and school success, as well as support a school climate where students and staff are responsible and respectful.

### **Apply Reasonable Consequences**

District programs and school will make every reasonable effort to correct student misbehavior through site-based resources at the lowest possible level, and support students in learning the skills necessary to enhance a positive school environment and avoid negative behavior.

Teachers can address the vast majority of disciplinary issues at the classroom level. In all instances school discipline should be reasonable, timely, fair, age-appropriate, and match the severity of the student's behavior. The use of out of school suspensions, expulsions and referrals to alternative schools should be minimized.

### **Due Process**

School and district officials must make sure that disciplinary due process rights are explained to students and parents. A failure to provide students and parents/ guardians with due process could possibly result in the breakdown of trust between school and some students, families, and the communities they serve. To ensure effective relationships and adequate communication in student disciplinary matters, there should be consideration and respect for: parents/ guardians right to be immediately notified when their child faces disciplinary action; students' right to a fair hearing; and parents/ students right to appeal suspensions, expulsions, and referrals to alternative schools.

### **Out of School Suspensions or Voluntary Transfers**

The use of measures such as out of school suspension or involuntary transfers excludes students from school and should be minimized. These measures typically result in loss of instructional time and should be reserved for infractions that cannot be appropriately addressed through other interventions and disciplinary responses.

### **Referrals to Alternative School Programs**

The referral to alternative school should receive careful consideration. Has the home school exhausted all possible resources in supporting student success prior to making a referral for either voluntary or involuntary transfers? Referrals to the alternative schools to access credit recovery will only be considered after attendance and disciplinary interventions and supports on the comprehensive school site have been attempted and failed to bring about the desired response.

### **District Collaboration of Services Transfer Process (D-COST)**

D-COST is a district level meeting of secondary school site administrators and Student Services support personnel to address and resolve credit and behavioral issues facing students from the district's secondary school programs. Students who have credit, attendance or behavioral issues which have not been successful on the comprehensive school campus can be presented to this team for possible voluntary transfer to available alternative school placements. These transfers are only approved after all site interventions have been attempted and failed to produce the desired result. Attendance and behavioral issues must have a Site SART in place for at least 30 days. Before a voluntary transfer can be considered the student's parent must have agreed to the transfer as evidenced by the signed Voluntary Transfer contract (Appendix ?)

Students who arrive in Twin Rivers USD sometime during the school year who have not been successful in their previous school placement can be considered for a voluntary transfer. Typically the student should be enrolled in their neighborhood school prior to being referred to an alternative school site, but there are exceptions to this rule. It is best to contact the Student Services office for further guidance on the most appropriate placement. Another exception to this rule would be any student who is coming from an alternative school program in another district. They can be referred to Student Services for evaluation and placement.

### **Students with Disabilities**

Many students with disabilities require intense academic support and removal from the learning environment can have a negative impact on their achievement. Learning environments which experience few interruptions (out of school suspensions, expulsions, referrals to alternative school, etc.) will likely achieve the greatest educational benefit. When considering suspensions and expulsions, school administrators must carefully determine if the behavior is a manifestation of the student's disability. It is important that behavioral interventions are positive and in accordance with the student's Individualized Education Program (IEP), behavior support plan and 504 plan. A student with special needs can only be suspended for up to ten (10) days without a manifestation determination to evaluate the support services necessary to bring about student success.

A student with special needs can be referred to an alternative school site if their IEP and BSP are current and there is space available in the alternative school program. To make this determination the site administrator should consult the Department Chair or Program Specialist assigned to y school to determine whether all paperwork is up to date.

## **Tier 2 Behavioral Supports Matched to Motivational Functions**

It is important to look at the possible reasons for the persistent behaviors that have been identified as areas/ environments of concern. Below are possible motivational factors with strategies that can be implemented to provide solutions and supports typically at the Tier 2 level of services. Directions for completing the document are as follows: "Identify the possible reason for the persistent behavior; mark the strategies you have implemented to offer Tier 2 behavioral supports and; provide evidence of implementation for RTI team review."

<b>Motivational Functions of Behavior</b>	<b>Mark Behavioral Supports &amp; Provide Evidence</b>
<b>Options for Ability:</b> Sometimes behaviors occur because the student does not have the neurological or physiological ability to behave the way the teacher would like. Interventions include: teaching replacement behaviors for the new skill or making behavioral accommodations.	<ul style="list-style-type: none"><li><input type="radio"/> Teach classroom/ environmental routines</li><li><input type="radio"/> Teach expectations</li><li><input type="radio"/> Teach and review policies and procedures</li><li><input type="radio"/> Provide visual, auditory and kinesthetic supports</li><li><input type="radio"/> Reinforce the desired behavior</li><li><input type="radio"/> Other (please describe)</li></ul>
<b>Options for Awareness:</b> Students may exhibit patterns about which they are almost completely unaware. Interventions include: helping the student become aware of the behavior through cueing or self-monitoring.	<ul style="list-style-type: none"><li><input type="radio"/> Correct immediately</li><li><input type="radio"/> Provide goal setting</li><li><input type="radio"/> Use signals/ prompts</li><li><input type="radio"/> Implement Replacement behaviors/ positive options</li><li><input type="radio"/> Reinforce the desired behavior</li><li><input type="radio"/> Other (please describe)</li></ul>
<b>Options for Adult Attention:</b> In order to get attention from an adult, some students may seek attention in inappropriate ways. Interventions include: ways to increase the frequency, duration, and intensity of adult attention the student receives when exhibiting positive behavior.	<ul style="list-style-type: none"><li><input type="radio"/> Correct calmly</li><li><input type="radio"/> Planned discussion- confer with student</li><li><input type="radio"/> Provide non-contingent attention</li><li><input type="radio"/> Circulate frequently</li><li><input type="radio"/> Reinforce the desired behavior</li><li><input type="radio"/> Other (please describe)</li></ul>
<b>Options for Peer Attention:</b> Some students demonstrate inappropriate behavior to seek attention from peers – playing class clown, showing off, arguing, bullying, or being annoying. Interventions include: an increase of positive attention when appropriate peer interactions occur.	<ul style="list-style-type: none"><li><input type="radio"/> Increase pro-social peer interaction</li><li><input type="radio"/> Provide explicit instruction in social skills</li><li><input type="radio"/> Work with peer group on planned ignoring</li><li><input type="radio"/> Change seat location</li><li><input type="radio"/> Reinforce the desired behavior</li><li><input type="radio"/> Other: (please describe)</li></ul>
<b>Options for Power/ Control:</b> Some students seek power or control by eliciting emotional reactions from staff. Interventions include: giving the student control over certain aspects when he/ she exhibits positive behaviors and avoids power struggles or arguments.	<ul style="list-style-type: none"><li><input type="radio"/> Data collection</li><li><input type="radio"/> Put student in charge of an area or role in the classroom</li><li><input type="radio"/> Manage the cycle of behavioral escalation</li><li><input type="radio"/> Give viable choices</li><li><input type="radio"/> Reinforce the desired behavior</li><li><input type="radio"/> Other (please describe)</li></ul>
<b>Options for Avoidance:</b> Typically, the student is trying to escape or avoid something. Interventions include: a skill-building component and ways to learn the behavior that is desired.	<ul style="list-style-type: none"><li><input type="radio"/> Adjust expectations/ procedures</li><li><input type="radio"/> Planned discussion-confer with student</li><li><input type="radio"/> Use first/ then</li><li><input type="radio"/> Adapt instruction</li><li><input type="radio"/> Increase assignment interest</li><li><input type="radio"/> Change schedule</li></ul>

Other (please describe)

## Suspension, Expulsion, and Involuntary Transfer

According to Education Code sections 48900, a pupil who commits any offense related to school activities or attendance involving the following acts or offenses may be removed from his or her school setting through suspension, expulsion or involuntary transfer to a continuation school, opportunity program or county community school:

- Physical injury of another person
- Drug or alcohol offense
- Receipt of stolen property
- Obscene acts, profanity
- Disruption/ defiance
- Gang behavior
- Hate-motivated behavior
- Sexual harassment
- Terroristic threats
- Theft
- Harassment, threats, or intimidation
- Bullying

Suspension	Expulsion	Involuntary Transfer
<b>Definition:</b>  A short-term removal of a pupil from on-going instruction at a school for adjustment purposes. (may only be used when other means of correction fail to bring about proper conduct, except for specified offenses or safety concerns) Ed. Code 48900.5	Long-term removal of a pupil from the school district by action of the governing board, which may suspend the expulsion with specified conditions. (Ed. Code 48915, 48918, 48925)  For special education students, there must be a pre-expulsion IEP. (Ed. Code 48915.5)	Transfer of irregularly attending truant or disruptive pupil to a continuation school or opportunity program. (Ed. Code 48432.5, 48637)
<b>Who has the authority:</b>  Principals or their designees are given the power by the superintendent to suspend students from school. Teachers may suspend from the classroom. (Ed. Code 48900, 48910, 48911)	Principal or superintendent (or designee) must recommend expulsion if a pupil causes serious physical injury; brandishes a knife, or dangerous object, arranges sale of a controlled substance or assault or battery on a school employee. The referral must have substantial evidence.  Board makes the final decision to expel or suspend the expulsion. (Ed. Code 48915)	Principal or designee present cases to be considered for transfer to continuation school, opportunity school or county community school. A committee makes the final determination. (Ed. Code 48432.5, 48637.1, 48637.2)
<b>How long:</b>  <u>Principals or their designees</u> can suspend for up to 5 days per incident for a total of 20 days per	Until the governing board permits readmission. (Ed. Code 48915.1, 48916)	Until the end of the semester following the semester during which the acts leading to the

<p>school year. (Ed. Code 48903, 4812.5)</p> <p><u>Teachers</u> may suspend from their class for the remainder of that day and 1 additional day. (Ed. Code 48910) May request the parent attend class with their child. (Ed. Code 48900.1)</p>		<p>transfer occurred. (Ed. Code 48432.5)</p>
<p><b>Due-process steps:</b></p> <ol style="list-style-type: none"> <li>1. Conduct informal conference with pupil, referring school employee, and principal or designee. (Ed. Code 48911)</li> <li>2. Tell pupil reasons for discipline and allow an opportunity to present his/her side. (Ed. Code 48911)</li> <li>3. Contact parent/guardian by telephone and in writing. (Ed. Code 48911)</li> <li>4. Record suspension in Assertive Discipline.</li> <li>5. If recurring request conference parent/guardian and school. (Ed. Code 48911)</li> </ol>	<ol style="list-style-type: none"> <li>1. Hearing within 30 school days of act unless governing board meets less than weekly, in which case 40 school days are allowed. (Ed. Code 48918)</li> <li>2. Give student and parent/guardian written notice, facts and charges, along with a copy of the specific Ed. Code violation. Also advise the parent on the right to have counsel, a redacted copy of the documents, question witnesses, and present evidence at the hearing.</li> <li>3. The Board determines whether the student is expelled subsequent to the recommendation from the hearing panel.</li> <li>4. Expulsion decision must be based on <b>substantial evidence relevant to the charges</b>. (Ed. Code 48918)</li> <li>5. Deliberation is held in closed session, but decision is made public. (Ed. Code 48918)</li> <li>6. Student must be advised that he/she may appeal to the county board of education. (Ed. Code 48918-48924)</li> </ol>	<ol style="list-style-type: none"> <li>1. Student and parent are notified of proposed involuntary transfer in writing. Parent/guardian/student may request appeal with the superintendent's designee. (ed. Code 48432.5)</li> <li>2. At the meeting, student and parents are informed of facts and reasons for transfer. They are offered the opportunity to inspect the documents and present their own evidence. (ed. Code 48432.5, 48637)</li> <li>3. Written decision must give reasons for the transfer (based on Ed. Code 48900, truancy, or irregular attendance). (Ed. Code 48432.5, 48637).</li> </ol>

## **Expulsion Procedures At a Glance**

### **Principal determine whether to expel:**

1. Determine as quickly as possible if the case is going to be referred for expulsion
  - a. If you are not sure of your circumstances contact the Student Services coordinator to discuss the incident. (50853)
2. Complete the 1<sup>st</sup> page of the expulsion packet and email it to the clerk and coordinator in Student Services.
3. Mark the discipline screen in Aeries with the suspension and then choose “Add New” and choose “EXRF” for Expulsion Referral.
  - a. When doing the suspension choose the Description and Code which are the most serious. It is not necessary to mark 48900 (k) Disrupted school activities unless it is a necessary part of the incident. (see Expulsion – Policy and Procedures)
  - b. If a weapon was involved select “Additional Information” tab. Complete the following
    - i. Law enforcement notified?
    - ii. Incident #
    - iii. Weapon type
    - iv. Student is Special Education?
  - c. Also if a weapon of any sort is involved take pictures immediately by placing a ruler beside the item. This is to demonstrate size or scale for the picture.
4. For a Student with Special Needs notify the Dept. Chair and psychologist assigned to your school site. Make sure to notify the program specialist of the first day of suspension. A manifestation Determination must be held within 10 days. Every effort should be made to continue the support services during the suspension.

### **Incident investigation:**

1. Collect statements from all involved students or staff that support your reason for requesting expulsion. The accused student must be given an opportunity to tell their side. If they refuse, make note of it in your investigative summary.
2. Identify and interview witnesses. Have them give written or verbal statements as soon as possible after the incident.

### **Complete the expulsion packet**

1. Within 5 to 7 days submit a complete packet to Student Services
  - a. Email the completed packet in Word to the Student Services clerk and drop off the complete packet with all original witness statements.
2. Make sure that the address and phone numbers are current.
3. Student Services coordinator will extend the suspension for an additional 5 days

### **Additional Findings necessary for expulsion**

1. Identify “other means of corrections that you have attempted” by include interventions attempted at the school site in your expulsion packet.
2. If you feel that the presence of this student on your campus poses a potential threat to the safety of that student or others make note of your reasons in the packet.

## **Expulsion of Students – Policy and Procedures**

### **Principal's Discretion on Recommending Expulsion**

Education Code 48915 describes offenses for which principals are mandated to recommend student expulsion and those for which principals may exercise their discretion to determine whether or not an expulsion recommendation is appropriate.

#### **A. Mandatory Expellable Offenses with No Principal Discretion**

The principal shall immediately suspend and recommend a student's expulsion if he or she determines that the student committed any of the following acts while at school or at a school related activity off school grounds:

1. Possessing, selling, or furnishing a firearm.
2. Brandishing a knife at another person
3. Unlawfully selling a controlled substance
4. Committing or attempting to commit a sexual assault or committing a sexual battery.
5. Possession of an explosive.

#### **B. Offenses Subject to Limited Principal Discretion**

The principal shall recommend a student's expulsion if he or she determines that the student committed one or more of the following acts while at school or at a school related activity off school grounds unless the principal also determines that expulsion is inappropriate due to particular circumstances:

1. Causing serious physical injury to another person, except in self-defense.
2. Possession of a knife or dangerous object of no reasonable use to the pupil.
3. Unlawful possession of any controlled substance, except for the first offense for possession of not more than one ounce of marijuana.
4. Robbery or extortion.
5. Assault or battery upon any school employee.

**NOTE:** Serious physical injury is defined as "An injury that requires substantial risk of death; extreme physical pain; protracted and obvious disfigurement; or protracted loss or impairment of function of a bodily member, organ or mental faculty." (Paragraph (3) of subsection (h) of section 1365 of title 18, United States Code)

#### **C. Offenses Subject to Broad Principal Discretion**

The principal has maximum discretion to recommend or not recommend expulsion when he or she determines that a student has committed any of the following offenses at any time, including, but

not limited to, while at school or at a school related activity off school grounds; while going to or coming from school; or school related activity.

1. Caused, attempted to cause, or threatened to cause physical injury to another person.
2. Willfully used force or violence upon the person of another, except in self-defense.
3. Unlawfully possessed, used, sold, or otherwise furnished, or been under the influence of, a controlled substance.
4. Committed or attempted to commit robbery or extortion.
5. Caused or attempted to cause damage to school property or private property.
6. Stole or attempted to steal school property or private property.
7. Possessed or used tobacco, or products containing tobacco or nicotine products, including, but not limited to, cigarettes, cigars, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets, and electronic cigarettes.
8. Committed an obscene act or engaged in habitual profanity or vulgarity.
9. Unlawfully offered, arranged, or negotiated to sell a controlled substance an alcoholic beverage, or an intoxicant of any kind, and either sold, delivered, or otherwise furnished to a person another liquid, substance, or material alcoholic beverage, or intoxicant.
10. 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.
11. Knowingly received stolen school property or private property.
12. Possessed an imitation firearm. As used in this section, "imitation firearm" means a replica of a firearm that is so substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm.
13. Harassed, threatened, or intimidated a pupil who is a complaining witness or a witness in a school disciplinary proceeding for purposes of either preventing that pupil from being a witness or retaliating against that pupil for being a witness, or both.
14. Committed sexual harassment (applicable to grades 4 through 12 only)
15. Caused, attempted to cause, threatened to cause, or participated in an act of, hate violence.(applicable to grades 4 through 12 only)
16. Intentionally engaged in harassment, threats, or intimidation, directed against school district personnel or pupils.(applicable to grades 4 through 12 only)
17. Made terroristic threats against school officials or school property, or both.
18. Engaged in, or attempted to engage in, hazing
19. Engaged in an act of bullying, including, but not limited to bullying committed by means of an electronic act.

**D. Additional Findings Necessary for Expulsion.**

For the offenses listed above in Sections B and C, Sections 48915 (b) and (e) require that, in addition to the findings that the student committed the offense, to expel the governing board **must** also make one of the following findings:

1. Other means of correction are not feasible or have repeatedly failed to bring about proper conduct.
2. Due to the nature of the act, the presence of the pupil causes a continuing danger to the physical safety of the pupil or others.

Therefore, the principal who makes the expulsion recommendation is responsible for providing the additional evidence that will support at least one of the additional findings, in addition to the evidence substantiating the allegation that is the immediate cause of the expulsion recommendation. In the event the principal does not provide sufficient facts or information to support an additional finding, the expulsion request will be terminated.

**School-site Expulsion Procedures**

At the school level, only the principal is authorized to recommend a student's expulsion. However, the principal's designee may assist the principal in preparing expulsion cases. The following are steps the school principal or designee should take whenever a student is accused of an act for which expulsion may or must be recommended.

**A. Incident Investigation**

As soon as the alleged incident occurs, the principal shall immediately investigate the matter prior to issuing a suspension, except when the principal has determined that an "emergency situation" exists. E.C. section 48911 (c) defines "emergency situation" as one that constitutes a "...clear and present danger to the lives, safety, or health of pupils or school personnel."

Within 24 hours the school principal must complete the Call-in (first page of the expulsion document) notifying Student Services personnel that a student is being considered for an expulsion recommendation to ensure that appropriate steps are taken. The school principal shall be responsible for ensuring that each step listed below is completed:

1. Collect relevant information surrounding the incident.
2. Identify and interview witness(es) and the accused student.
3. Secure verbal and written statements from the accused student, victim(s), and witness(es) who observed the incident and may corroborate any piece of information obtained.
4. Review the appropriate pupil records, such as cumulative record, attendance, previous discipline history, and, when applicable, Individualized Education Plan (IEP).
5. Contact law enforcement, as applicable.
6. When appropriate take pictures, to support your evidence of the incident and proceed with the discipline process as appropriate.

**B. Misconduct Occurring at a School Other Than the Student's School of Enrollment**

If the misconduct occurred at or near a school other than the student's school of enrollment, the principal of the school where the incident occurred shall immediately report the matter to the principal of the student's school of enrollment. It is the principal of the student's school of enrollment who must determine whether or not to recommend expulsion. The principal of the school where the incident occurred should within three (3) school days provide the other principal with the following:

1. Inter-office correspondence which describes the alleged misconduct.
2. Signed and dated written statements from the victim(s) and/or witness(es).
3. Any other information that may assist the school of enrollment principal in the investigation.

**C. Mandatory Notification and Reporting**

1. Notification of Law Enforcement. (TRPD)

E.C. section 48902 requires that the school principal, prior to suspending or recommending the student for expulsion, notify law enforcement if it is reasonably suspected that the student committed any of the following acts:

2. Assault with a deadly weapon (California Penal Code Section 245).
3. Possession or sale of narcotics or a controlled substance or sale or delivery of a substance represented as alcohol, a controlled substance, or intoxicant (E.C. Sections 48900(c) and (d)).
4. Possession of a firearm(s) at a public school (California Penal Code Section 626.9).
5. Possession of a dirk, dagger, ice pick, knife having a fixed blade longer than 2 ½ inches, folding knife with a blade that locks into place, razor with an unguarded blade, taser or stun gun, BB or pellet or other type of air gun, or spot marker upon the grounds of any school within the K-12 school district (California Penal Code 626.10).

If the student is arrested, or released to law enforcement, the school principal or designee shall take steps to notify the parent regarding the place to which the student is reportedly being taken. Prior to the release of the student to the law enforcement, the principal or designee should obtain the name, badge number and contact information of the officer taking custody of the student. This information should be shared with the parent. Efforts to notify the parent should be documented.

**Student Suspension Prior to Expulsion**

**A. Informal Suspension Conference**

Prior to issuing suspension, the principal or designee shall conduct an informal conference with the student. At this conference, the principal or designee shall:

1. Discuss with the student the details surrounding the charge(s).
2. Provide the student the opportunity to respond to the charge(s) and to present a defense.
3. Inform the student of the grounds upon which a suspension is based, if a suspension is warranted.

The principal's informal conference with the student prior to the student's suspension may be postponed if an "emergency situation" exists, as defined in **School Site Procedures**.

**B. Issuance of Lawful Suspension**

1. A student should be suspended only when the principal determines that the student has committed one or more of the acts described in E.C. sections 48900. and other means of correction have been attempted and failed or are not deemed appropriate in this situation. Such a determination should be based on an objective review of the facts relating to the alleged incident and should not be based on speculation, rumor, conjecture or bias.
2. A student may be suspended only one time per charge and for no more than five (5) consecutive school days at a time. The suspension may be extended if the student is being recommended for expulsion. The student must be allowed to return to the school if an alternative school placement has not been made prior to the end of the student's suspension.
3. A student may not be suspended in absentia. Therefore, when a student has been arrested or released to law enforcement, or has otherwise left the campus, the student cannot be suspended until and unless the student returns to school.

**C. Due Process Conference**

The law requires that expulsion cases be processed within a prescribed timeline and in accordance with generally accepted principles of due process. For this reason, a decision to recommend expulsion may not be made until after the principal has held a conference to notify the parent of the decision to refer for expulsion. If at all possible, the student should be present. At the conclusion of the conference, if the principal determines to not recommend expulsion, appropriate alternative intervention should be implemented.

Within ten (10) days of the referral for expulsion the Coordinator of Behavior must conduct a Due Process meeting with the parent and student.

1. The Coordinator shall make every effort to contact the family, including by phone and by mail, to schedule the Due Process conference. At the conference the coordinator shall:
  - a. Inform the student and the parent of each applicable charge.
  - b. Provide the student and the parent with the opportunity to discuss the allegations.
  - c. Ask the student to respond, verbally and in writing, to the allegation(s) and provide the student opportunity to admit, deny, or qualify his or her participation and to present any explanation, justification, or other information relevant to the alleged misconduct.
  - d. Keep record of all pertinent comments made during the conference, particularly those made by the student or parent.
  - e. Advise the student and parent of their obligation to not engage in harassment, intimidation, or threatening behavior against potential witnesses.
  - f. Explain the expulsion procedure and the process of an interim placement should the expulsion process continue.

- i. The coordinator may offer the student and the parent the opportunity to waive their right to an expulsion meeting and admit to the terms of the expulsion.
  - ii. An Agreement to Complete Rehabilitation Plan may be signed by the student, the parent and the district representative.
  - iii. The terms of the expulsion may be stipulated in this agreement including placement, duration of contract and counseling or other agreements made at the Due Process meeting.
2. If student and parent do not attend the due process conference, the coordinator shall:
  - a. Exercise all due diligence to reschedule the conference within a reasonable period of time and document in the student's expulsion folder the details of each attempt.
  - b. Carefully review all information and documents gathered from the investigation of the alleged misconduct and insure that all evidence is available to support the alleged misconduct.
  - c. If the expulsion is warranted, proceed with the expulsion recommendation.
  - d. Mail to the parent's last known address the Due Process letter which outlines the grounds for suspension and expulsion, Summary of Expulsion Procedures, and the School Discipline Policy/ Student Code of Conduct.
  - e. When the accused is a student who has an IEP or a 504 Plan, the pre-expulsion IEP or manifestation meeting must be held within ten (10) school days and prior to the Due Process meeting.
    - i. The interim placement for special education students should be addressed in the student's pre-expulsion IEP meeting. Prior to the meeting, arrangements must be made by the Special Education coordinator for an offer of FAPE. Interim placements for special education students are to be arranged by the referring school with assistance from the Special Education coordinator.

#### D. Preparation of Expulsion Case Materials

The principal or designee should prepare the expulsion case documents and forward them to Student Services within five (5) days from the date of the expulsion referral.

NOTE: Documents obtained or generated during the course of the process are pupil records and must be kept confidential. At no time should any record of student discipline be affixed to the student's cumulative record folder.

##### **1. A complete set of materials includes:**

- a. One copy of the Expulsion packet, including the Call-in sheet, Action Subject to Expulsion Form, and the letter to the Director of Student Services.
- b. A letter from the administrator assigned to the case summarizing the circumstances surrounding the incident and subsequent actions that led to the expulsion recommendation.
- c. Written statements of the witness(es) and the accused student(s).

- i. These statements must be original handwritten statements that are signed and dated, and should include information sufficient to identify a person and to describe specific details.
- ii. If the witness is too young or otherwise incapable of writing his or her statement, or if the statement needs to be translated into English, a school district official may write or translate the statement on the witness's behalf.

**NOTE:** Student witnesses should be advised that they may be asked to testify at a hearing or have their statement read into permanent record. They should be encouraged to give complete and accurate information.

- iii. The school may use an Anonymous Sworn Declaration of Witness statement if fear of reprisal is possible.
- d. Physical evidence and/or a photograph of the evidence.

**NOTE:** Before law enforcement books the physical evidence into custody, the school shall always take a photograph or make a photocopy of the physical evidence alongside a ruler to show scale.

- e. Student Discipline Record

Include the detailed account of the student's discipline referrals indicating the date, specific infraction(s), and behavioral intervention(s) for each incident that took place for the previous school years.

## **The Expulsion Hearing**

### **A. Applicable Law**

**Education Code Section 48918** mandates that a pupil be invited to participate in a hearing to determine (1) whether the evidence supports the allegation(s) and (2) whether that pupil should or can be expelled. Therefore, an Expulsion Review Committee (ERC) hearing is conducted for each student who is recommended for expulsion unless the expulsion is withdrawn by the principal or the student and family agree to waive their right to an expulsion hearing. The expulsion hearing must be conducted in a manner consistent with the student's due process rights and must follow general rules of administrative procedure.

### **B. School Official's Presentation of the Case.**

At the ERC hearing, the school administrator or designee will be required to present factual evidence, in the form of live testimony, upon which the expulsion recommendation is based.

1. Describe all allegations of misconduct upon which the expulsion recommendation is based.
2. Describe the alleged incident in which the accused student was involved and the circumstances surrounding the incident.
3. Describe evidence of providing due process.

4. Provide direct witness testimony and documentary evidence in support of the school's allegation and the school's investigation.
5. Provide facts or information in support of additional findings, when necessary.

C. Evidence

**Education Code section 48918 (f)** provides that an Expulsion Review Committee may consider only the evidence that is introduced at the expulsion hearing. Therefore, it is the principal's responsibility to ensure that all necessary evidence is secured and made available for presentation at the hearing. If the school administrator is aware of any exculpatory evidence that excuses, justifies, or suggests that the student did not engage in the misconduct, the administrator must present this evidence at the hearing.

A student may not be expelled on the basis of written statement alone. Failure to present credible direct evidence sufficient to support the recommendation for expulsion, or failure to comply with statutory deadlines or general principles of due process, may result in a determination of not recommended for expulsion.

D. Witnesses

1. The principal who recommends expulsion is responsible for making all arrangements for the presence of any witnesses who will testify on behalf of the school. If the witness is a student, the principal must:
  - a. Obtain parental consent.
  - b. Complete appropriate paperwork such as a field trip slip.
  - c. Arrange for transportation, if necessary.
  - d. Arrange for an adult to supervise the witness(es) if necessary.

2. Anonymous Sworn Declaration of Witness

Any person who directly observes an incident, or is victim of misconduct, should be strongly encouraged to come forward with testimony. However, participation by witnesses at expulsion hearings is voluntary. If a witness does not wish to testify due to fear of reprisal, it is appropriate to allow an anonymous sworn statement to be used in lieu of live testimony.

E. Placement of Students Who Are Not Recommended for Expulsion

1. Students who are not recommended for expulsion by the ERC shall be returned to the referring school unless the school administrator can provide good cause, supported by facts, to deny such arrangement. In this case, the Student Services representative, will review the evidence and make an appropriate placement. Such placement will be authorized "District placement" by the Superintendent or his designee. This placement will be for a designated time line, either the duration of the current semester or a semester plus one more.

If a student and his parent agree to stay at this placement past the designated time line, this placement will become the student's new home school.

## **Board Action**

Only the governing board has authority to issue an expulsion order. After receiving a recommendation from the Expulsion Review Committee, the Board may order one of the following actions:

### **A. Expulsion**

1. **Expulsion without Suspended Enforcement or Mandatory Expulsion** - The student is expelled and is not allowed to attend any school or educational program within the Twin Rivers Unified School District during the term of expulsion, except as precluded by law. In this case the student is referred to the Sacramento County Office of Education for placement in a county community school.
2. **Expulsion with a Suspended Enforcement** – The student is expelled and is allowed to attend a school or educational program within the TRUSD on a probationary basis, at the discretion of the District.

### **B. No Expulsion**

The Board may reject the recommendation of the Expulsion Committee and choose to not expel the student. In this case the student will be referred to the Student Services coordinator to ensure that the student is immediately re-enrolled in the referring school, or in another comparable school.

### **C. Revocation of Suspended Enforcement**

Students who have been placed on expulsion with suspended enforcement may have their suspended enforcement status revoked and be expelled outright if it is determined that, during the period of suspended enforcement, the student committed another violation of the Education Code 48900. Procedures to initiate revocation of suspended enforcement include the following:

1. Initiate a student suspension, if applicable.
2. Contact the Student Services coordinator to recommend revocation of suspended enforcement.
3. Discuss another alternative placement with the coordinator.

## **Admission of Students Expelled From Other School Districts**

Students who are under current expulsion orders from other school districts and move to reside within TRUSD boundaries, whose parent(s) want to enroll their child in a TRUSD school, should be directed to call the Student Services coordinator for the admission process.

- A. A Student Services staff member will conduct an intake and request necessary records from the expelling district.
- B. The Student Services coordinator will conduct an admission hearing to determine whether the student poses a potential danger to either the students or employees of the District based on the documentary evidence and face to face assessment of the student.

- C. If the applicant is a student with disabilities, an interim school placement in an appropriate setting according to the students current IEP will be provided.
- D. The coordinator will make every effort to place the student in a school program similar to that which is recommended in the previous school district's expulsion order.

## Types of Evidence to Support Disciplinary Referrals

- A. **Physical evidence** – Items that were left at the scene or confiscated following an incident. (weapons, drugs, etc.) Take pictures with a ruler next to it with your phone. Email the pictures to Student Services.
  - a. All photo evidence should be properly marked with date, time, place
- B. **Substantial evidence** refers to the nature and quality of evidence as to distinguish no doubt to its ability to support a decision to expel.
- C. **Direct testimony** – Evidence that is given by an eyewitness who provides live testimony to what was seen or heard. Direct evidence is the most convincing type of evidence because it leaves little room for error.
- D. **Sworn Declarations** – A witness may be represented in the form of sworn declarations if the hearing panel finds that the disclosure of the identity of a witness and the testimony of that witness at the hearing would subject the witness to unreasonable risk of either physical or psychological harm.
- E. **Hearsay** – Evidence based on statements or documents made by someone other than the witness. Hearsay evidence cannot be tested by cross-examination. There is no opportunity to resolve ambiguities in statements or documents presented. A recommendation to expel cannot be based solely on hearsay evidence; it must be supported by direct testimony or a signed admission of guilt.

## Evidence Guidelines

- A. Evidence must be substantial. Based on all the types of evidence presented, is it reasonable to conclude that the pupil committed the alleged act?
- B. Is the evidence presented substantial enough to allow any reasonable person to conclude the pupil did commit the alleged act?
- C. If you use only hearsay evidence, it cannot be used as the only basis for expelling a pupil.
- D. Direct evidence is the most convincing form of evidence.
- E. Circumstantial evidence is permitted; such evidence does not necessarily demand a finding of guilt. Think of circumstantial evidence as links in a chain. Each link should clearly link to the next in order to support a decision.

## Discipline Matrix

Levels of Interventions and Disciplinary Responses		
<b>Level 1</b>	<ul style="list-style-type: none"> <li>* Teacher/ Student Conference</li> <li>* Reminders and Redirection</li> <li>* Teaching of Expectations and Skills</li> <li>* Written Apology</li> </ul>	<ul style="list-style-type: none"> <li>* Reflective Essay or Other Reflective Activity</li> <li>* Independent Study</li> <li>* Role Play</li> <li>* Substance Use Intervention Group</li> </ul>
<b>Level 2</b>	<ul style="list-style-type: none"> <li>* Any Lower-Level Intervention</li> <li>* Parent/ Guardian Outreach</li> <li>* In-Class Time-out</li> <li>* Loss of Privileges (e.g. exclusion from group lunch or extra activities.</li> <li>* Self-Charting Behaviors</li> <li>* Daily Report Card on Behavior, Task Completion, and Achievement</li> </ul>	<ul style="list-style-type: none"> <li>* Reprimand by Administrator</li> <li>* Removal from Class to Supervised Time-Out in another Classroom</li> <li>* Seat Change or Schedule Change</li> <li>* Mini Course/ Training (Conflict resolution, anger management, social skills, or appropriate behavior)</li> <li>* Substance Abuse Intervention Group</li> </ul>
<b>Level 3</b>	<ul style="list-style-type: none"> <li>* Any Lower - Level Interventions</li> <li>* Modification of IEP or Manifestation/ BSP</li> <li>* Referral to Support Staff (e.g. counselor, psychologist, nurse, etc.)</li> <li>* Short -term Behavior Progress Reports</li> <li>* Behavior Support Plan (BSP)</li> <li>* Referral to After School Program (CHARGE, etc)</li> <li>* In-school suspension</li> </ul>	<ul style="list-style-type: none"> <li>* Community Service</li> <li>* Mentoring Program</li> <li>* Site Attendance Review Team meeting (SART) either attendance or Behavior</li> <li>* Structured Behavior Assessment</li> <li>* ACCESS Referral or other Community Based Services</li> <li>* Peer Mediation</li> <li>* Substance Use Intervention Group</li> </ul>
<b>Level 4</b>	<ul style="list-style-type: none"> <li>* Any Lower-Level Interventions</li> <li>* Detention After School</li> <li>* Saturday School/ Friday School etc</li> <li>* Restorative Justice</li> <li>* In-School Suspension ( 1 to 3 days)</li> </ul>	<ul style="list-style-type: none"> <li>* Peer Court or Jury</li> <li>* Pay Restitution</li> <li>* Out-of -School Suspension (1 - 3 days)</li> <li>* Substance Use Intervention Group</li> <li>* Referral to DCOST</li> </ul>
<b>Level 5</b>	<ul style="list-style-type: none"> <li>* Any Lower-Level Interventions</li> <li>* Out of School Suspension (1 - 5 days)</li> <li>* Referral to Law Enforcement</li> </ul>	<ul style="list-style-type: none"> <li>* Referral to DCOST</li> <li>* Referral for Involuntary Transfer</li> <li>* Referral for Expulsion</li> </ul>
<b>Level 6</b>	<ul style="list-style-type: none"> <li>* Referral to Law Enforcement</li> <li>* Mandatory Expulsion Referral (must have supporting evidence and documentation)</li> </ul>	

Please note that the above list is not intended to be exhaustive and is only a representative sample of disciplinary responses/ interventions that a site administrator may consider. With proper documentation (e.g. behavior/ disciplinary history, behavior charts, support plans, parent conferences) administrators can elevate the level of disciplinary response.





## I. Comprehensive School Safety Plan

### (I) Hate Crime Reporting Procedures

Any student who believes that he/she is a victim of a hate-motivated behavior shall immediately contact the principal or designee, or an adult staff member of their choice.

Staff who are informed of hate-motivated behavior or personally observe such behavior shall notify the principal or designee, and law enforcement, as appropriate.

The principal or designee shall ensure that all staff members receive appropriate training to recognize hate-motivated behavior, methods of handling such behavior in appropriate ways, and reporting procedures.

If a student who believes that he/she is a victim of a hate-motivated behavior and that the situation has not been remedied by the principal or designee, he/she may file a complaint in accordance with district complaint procedures.

Students who engage in hate-motivated behavior shall be subject to discipline in accordance with the district's discipline policies.



## J. Comprehensive School Safety Plan

### (J) Bullying Prevention Procedures

#### Board Policy 5131.2 – Bullying

The Governing Board 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 individual or group shall, through physical, written, verbal, or other means, harass, sexually harass, threaten, intimidate, retaliate, cyberbully, cause bodily injury to, or commit hate violence against any student or school personnel or anyone providing support services during school activities .

(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 **creation or** 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 addressing bullying in district schools shall be developed with involvement of key stakeholders, including students, parents/guardians, and staff, and may be incorporated into the comprehensive safety plan, the local control and accountability plan, and other applicable district and school plans.

(cf. 0420 - School Plans/Site Councils)

(cf. 0450 - Comprehensive Safety Plan)

(cf. 0460 - Local Control and Accountability Plan)

(cf. 1220 - Citizen Advisory Committees)

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

(cf. 6020 - Parent Involvement)

As appropriate, the Superintendent or designee may collaborate with law enforcement, courts, social services, mental health services, other agencies, and community organizations in the development and implementation of joint strategies to promote safety in schools and the community and to provide services for alleged victims and perpetrators of bullying.

(cf. 1020 - Youth Services)

### Bullying Prevention

To the extent possible, district schools shall focus on the prevention of bullying by establishing clear rules for student conduct and implementing strategies to promote 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 engaging in bullying. (cf. 5137 - Positive School Climate)

As appropriate, the district shall 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. 6142.8 - Comprehensive Health Education)

(cf. 6142.94 - History-Social Science Instruction)

(cf. 6163.4 - Student Use of Technology)

Staff shall receive related professional development, including information about early warning signs of harassing/intimidating behaviors and effective response.

(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, and 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 an act of bullying shall immediately intervene to stop the incident or take immediate steps to resolve through action or reporting. (Education Code 234.1)

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

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

(cf. 6164.2 - Guidance/Counseling Services)

### Reporting and Filing of Complaints

Any student, parent/guardian, or other individual who believes that a student has been subjected to bullying or who has witnessed bullying may report the incident to a teacher, the principal, a compliance officer, or any other available school employee. Within one business day of receiving such a report, a staff member shall notify the principal of the report, whether or not a uniform complaint is filed. In addition, any school employee who observes an incident of bullying involving a student shall, within one business day, report his/her observation to the principal or a district compliance officer, whether or not the alleged victim files a complaint.

Within two business days of receiving a report of bullying, the principal shall notify the district compliance officer identified in AR 1312.3 - Uniform Complaint Procedures.

(cf. 1312.3 - Uniform Complaint Procedures)

When the circumstances involve cyberbullying, individuals with information about the activity shall be encouraged to save and print any electronic or digital messages that they feel constitute cyberbullying and to notify a teacher, the principal, or other employee so that the matter may be investigated. When a student uses a social networking site or service to bully or harass another student, the Superintendent or designee may file a request with the networking site or service to suspend the privileges of the student and to have the material removed.

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

### Investigation and Resolution of Complaints

Any complaint of bullying shall be investigated and, if determined to be discriminatory, resolved in accordance with law and the district's uniform complaint procedures specified in AR 1312.3.

If, during the investigation, it is determined that a complaint is about nondiscriminatory bullying, the principal or designee shall inform the complainant and shall take all necessary actions to resolve the complaint.

## Discipline

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

(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)

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

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

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

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

## Legal Reference:

### EDUCATION CODE

200-262.4 Prohibition of discrimination

32282 Comprehensive safety plan

32283.5 Bullying; online training

35181 Governing board policy on responsibilities of students

35291-35291.5 Rules

48900-48925 Suspension or expulsion

48985 Translation of notices

52060-52077 Local control and accountability plan

### PENAL CODE

422.55 Definition of hate crime

647 Use of camera or other instrument to invade person's privacy; misdemeanor

647.7 Use of camera or other instrument to invade person's privacy; punishment

653.2 Electronic communication devices, threats to safety

### CODE OF REGULATIONS, TITLE 5

4600-4687 Uniform complaint procedures

### UNITED STATES CODE, TITLE 47

254 Universal service discounts (e-rate)

### CODE OF FEDERAL REGULATIONS, TITLE 28

35.107 Nondiscrimination on basis of disability; complaints

CODE OF FEDERAL REGULATIONS, TITLE 34

104.7 Designation of responsible employee for Section 504

106.8 Designation of responsible employee for Title IX

110.25 Notification of nondiscrimination on the basis of age

COURT DECISIONS

Wynar v. Douglas County School District, (2013) 728 F.3d 1062

J.C. v. Beverly Hills Unified School District, (2010) 711 F.Supp.2d 1094

Lavine v. Blaine School District, (2002) 279 F.3d 719

Management Resources:

CSBA PUBLICATIONS

Final Guidance: AB 1266, Transgender and Gender Nonconforming Students, Privacy, Programs, Activities & Facilities, Legal Guidance, March 2014

Providing a Safe, Nondiscriminatory School Environment for Transgender and Gender-Nonconforming Students, Policy Brief, February 2014 Addressing the Conditions of Children: Focus on Bullying, Governance Brief, December 2012

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

Building Healthy Communities: A School Leaders Guide to Collaboration and Community Engagement, 2009

Cyberbullying: Policy Considerations for Boards, Policy Brief, July 2007

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Health Education Content Standards for California Public Schools: Kindergarten Through Grade Twelve, 2008

Bullying at School, 2003

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

Dear Colleague Letter: Bullying of Students with Disabilities, August 2013

Dear Colleague Letter: Harassment and Bullying, October 2010

WEB SITES

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

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

Common Sense Media: <http://www.commonsensemedia.org>

National School Safety Center: <http://www.schoolsafety.us>

ON[the]LINE, digital citizenship resources: <http://www.onthelineca.org>

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

Policy TWIN RIVERS UNIFIED SCHOOL DISTRICT

adopted: June 26, 2012 McClellan, California

revised: May 16, 2017



## AB 9 "Safe Place to Learn Act" Bullying Investigation Process

All credible bullying incidents are to be reported. A bullying incident is witnessed and/or a verbal report is made by a parent, student, staff member, or anonymous reporter of bullying behavior. Complainants are to be protected from retaliation and intimidation.

When a staff member witnesses or learns of a bullying incident, a *Suspected Bullying Report* must be filled out within 24 hours & submitted to principal or designee *immediately*. Parents, students and anonymous reporters may also complete a *Suspected Bullying Report* and submit immediately to principal or designee. Translated versions of this form will be available on the Student Services website.

Principal or administrative designee receives *Suspected Bullying Report* and determines if bullying has occurred. Once the report is received, within 3 schools days a plan will be made to resolve the complaint.

Whether or not it is determined a bullying incident has or has not occurred, all *Suspected Bullying Reports* must be scanned to [stop.bullying@twinriversusd.org](mailto:stop.bullying@twinriversusd.org).

If it is determined through investigation by administrator or designee that bullying has occurred, a *Student Bully Intervention Plan* will be developed with student, school staff and parent/guardian. All *Student Bully Intervention Plans* must be scanned to the [stop.bullying@twinriversusd.org](mailto:stop.bullying@twinriversusd.org). This process will be conducted separately for the aggressor and the target.

School staff will meet *separately* with the aggressor and the target within two weeks to check in and follow-up. Document aggressor, target and/or parent contact in *Aeries Intervention* screen.

Aggressor, target, parent/guardian and school staff will meet *separately* to modify, if needed, the *Student Bully Intervention Plan* to address on-going needs of the alleged target. School staff will document *Bullying Intervention Meeting* in *Aeries Intervention* screen.

If it is determined that bullying has not occurred, appropriate resolution and administrative intervention will be applied. A written response will be provided by site administrator to parents/guardians of target and aggressor within 30 days of AB 9 report filing date.

*Situation resolved*

*Situation resolved*

*Situation resolved*

At any time a Uniform Complaint may be filed at the district to appeal the school site's decision.



## K. Comprehensive School Safety Plan

(K) Emergency Operations Procedures – not public  
(<http://intranet/misc/emergency-procedures>)



**Sacramento County's North Area Schools  
Emergency and Safety Alliance**

Elverta Joint Elementary | Robla Elementary | Center Unified  
Natomas Unified | Twin Rivers Unified

# **HIGHLANDS HIGH SCHOOL**

## **SCHOOL EMERGENCY MANAGEMENT PLAN**

**2024-25**

Meets requirements of California Education Code 32280

## **EMERGENCY INCIDENTS AND RESPONSE ACTIONS**

### **FIRE, EXPLOSION, BOMB THREAT, FLOOD**

**Quick Assessment: NOT SAFE TO STAY**

**Action to Take: EVACUATION**

**NOTIFICATION OF ACTION-** Fire alarm sounds in long bursts and verbal command from school administrator: “EVACUATE THE BUILDING OR SITE”.

**LEAVE THE ROOM/AREA-** When the bell or verbal notification is given; stop whatever you are doing and line students up in single file order. Do not lock doors and proceed to your designated evacuation area. Take your classroom/office safety folder and attendance book with you.

**TAKE ROLL-** When arriving at your assigned location, keep students in single file line and take roll. Hold up the green side of safety folder if all students and staff are accounted for. Hold up red side of folder if a student can not be accounted for. Complete Emergency Attendance Form in your folder and give information to the Teacher Leader for your designated area.

**WAIT FOR DIRECTIONS-** Teacher Leader or administrator will give further directions which include: remain in evacuation area, proceed to on-site loading area, or return to class

### **ON-SITE EVACUATION AREA INFORMATION**

**Primary Location:** Student Parking Lot, Basketball Courts, Tennis Court Area

**Secondary Location:** Bowl

# **ACTIVE SHOOTER, PERSON WITH GUN OR DANGEROUS WEAPON**

**Quick Assessment: NOT SAFE TO BE OUTSIDE BUILDING OR CLASSROOM**

**Action to Take: LOCKDOWN**

**NOTIFICATION ACTION:** Verbal command from administration: “LOCKDOWN”.

**SECURE THE ROOM:** Lock doors and windows. Barricade doors, turn off lights and cover windows. Get down and behind an interior barricade away from the door.

**TAKE ROLL:** If missing students or anyone has serious injuries place red card in a window. If nobody is missing or injured place green card in window. Report status and account for students in Catapult. Complete Emergency Incident Roll Form in your folder and give information to the Teacher Leader of your designated area.

**WAIT FOR DIRECTIONS:** Do not leave. Teacher Leader or administrator will give further directions which include: remain in lock-down status, initiate evacuation procedures, or resume normal activities.

# **POLICE ACTIVITY IN AREA, SEVERE WEATHER, DANGEROUS ANIMAL LOOSE**

**Quick Assessment: NOT SAFE TO BE OUTSIDE BUILDING OR CLASSROOM**

**Action to Take: SHELTER IN PLACE**

**NOTIFICATION ACTION:** Verbal command from administration “SHELTER IN PLACE”.

**STAY INSIDE:** Close doors and windows. Continue normal activities. Limit and control student and staff movement outside secured rooms.

**TAKE ROLL:** If missing students place red card in window. Report status and account for students in Catapult. Complete Emergency Incident Roll Form in your folder and give information to the Teacher Leader of your designated area.

**WAIT FOR DIRECTIONS:** Do not leave. Teacher Leader or administrator will give further directions which include: remain or increase lock-down status, initiate evacuation procedures, or resume normal activities.

## **TOXIC MATERIAL SPILLS, NATURAL GAS LEAK**

**Quick Assessment: NOT SAFE TO BE OUTSIDE BUILDING OR CLASSROOM**

**Action to Take: SHELTER IN PLACE**

**NOTIFICATION ACTION:** Verbal command from administration “SHELTER IN PLACE”.

**GET OR STAY INSIDE BUILDING OR ROOM:** Close doors and windows. Ensure HVAC system is turned off. Continue normal activities.

**TAKE ROLL:** If missing students place red card in window. Report status and account for students in Catapult. Complete Emergency Incident Roll Form in your folder and give information to the Teacher Leader of your designated area.

**WAIT FOR DIRECTIONS:** Do not leave. Teacher Leader or administrator will give further directions which include: remain in shelter-in-place status, initiate evacuation procedures, or resume normal activities.

## **EARTHQUAKE**

**Quick Assessment: NOT SAFE TO STAY**

**Action to Take: DUCK, COVER, HOLD THEN EVACUATE**

**NOTIFICATION ACTION:** Signs of earthquake. Verbal command from administration “Duck, cover, and hold”. Listen for verbal command to “Evacuate”

**IF INSIDE A BUILDING OR ROOM:** Find shelter under furniture. Avoid potential falling objects. Cover head and neck; close eyes, cover ears. Remain in position until signs of earthquake cease or given a verbal direction by administration. Evacuate when safe.

**IF OUTSIDE:** Move away from buildings. Avoid potential falling objects. Lie flat on ground. Cover head and neck. Remain in position until signs of earthquake cease or given a verbal direction by administration. Assess environment to determine if relocation is needed.

**TAKE ROLL**-When arriving at your assigned location, keep students in single file line and take roll. Hold up the green side of safety folder if all students and staff are accounted for. Hold up

red side of folder if a student can not be accounted for. Complete Emergency Attendance Form in your folder and give information to the Teacher Leader for your designated area.

**WAIT FOR DIRECTIONS-** Teacher Leader or administrator will give further directions which include: remain in evacuation area, proceed to on-site loading area, or return to class

## SAFETY INFORMATION

### EMERGENCY PROCEDURES POSTERS

Posters are located on a wall near doorway in each classroom and office. Use posters for procedures, directions, and reference numbers during emergency incidents.

### SAFETY FOLDERS

Primary caretakers of the folders are the classroom teacher and office secretary. It is important that the folders be available to staff when the primary caretaker is not available. **Contents include class rosters, student and staff list with special needs, emergency procedures, directions, reference numbers, emergency incident roll forms, and Emergency Management Team ICS assignments.** Take the folder with you when evacuating. Use folder cover to indicate your status; red- missing, injured, or extra students and staff or green- assigned student and staff accounted for and all ok.

### CATAPULT EMS

[www.catapultems.com/trusd/hh/Incidents](http://www.catapultems.com/trusd/hh/Incidents)

All staff members have access to the online emergency management system Catapult. **Teachers are expected to utilize Catapult for every Lockdown, Shelter-in-Place, and Earthquake drill and emergency event.** When logging in, staff members are asked to provide their status and if they have students with them. If you have students with you, you will be able to select their names to account for them in the system. This will help emergency response teams and the Incident Command Team determine which students on campus are in need of support.

All staff are encouraged to have access to Catapult on their mobile devices in order to receive alerts about drills and emergency events. Staff can manage their communication preferences in Catapult to receive emails and/or texts when situations occur.

## PHONE TREE ASSIGNMENTS FOR TEACHER LEADERS TEAM

When an Evacuation, Lockdown, or Shelter in Place occurs, call to verify notification received, response actions, accountability of students and staff, and any reported injuries from the emergency incidents is the responsibility of the ICS Response Unit's Teachers Leaders Team. The following Teacher Leaders assignments are:

Teacher Leader	Area	Teachers or Staff Members
Steve Eakes	PE areas (Gyms & Fields) Special Ed 1&2,	Drumheller, Eakes, Ruggles, Geivett, Liggera
Johnny Lee	Admin, Cafeteria, Clinic	Admin, Attendance, Clinic, Cafeteria Personnel
Leonardo Valentine	G Wing	Counseling, Conference room, Parent Center, Reyes/FCL, Sweet, Lopez, Valentine, Amaya, Hammond, Baker, Baca, Work Experience Teacher
Michael Noche	F Wing, S Wing, M Wing	Cameron, Lang, Lennertz, Noche, Wells Labs, Kalman
Brad Betschart	E-10 through E-19	Betancourt, Rose, Johnston, Leu, Houa Mulina, Harback, Betschart, Harris
Wendy Robinson	E-1 through E-9	Robinson, Loggins, Davis, Salas, Bach, Woods, Rabe, Valle
Dan Chambliss	D Wing	Chambliss, Weaver, CTE Lab, Yanez, Blakely, Online Credit Recovery
Michael Wolfe	C Wing, Library	Wolfe, Jimenez, Olson, Millard, Trotter, Lawrence, Weiskircher (Library), Satran
Dan Sisneros	N Wing, , J-1, J-2, Theater	Rodriguez, Sisneros, Krasko, Schnell, Miles-Maldonado

**AREA COORDINATORS:** Nick Seiler/parking lot evacuation site; Steve Eakes/blacktop evacuation site;

**Michael Noche/track evacuation site.**

**Teachers or Staff** will complete the Emergency Incident Roll Form (EOC Message Form). List missing and injured students or staff assigned to your room. If you have additional students, staff, or other people who are in your room due to the incident, record this information on the form. Do not release these extra people until directed to do so by your Teacher Leader or administrator. Use the safety folder or colored paper to indicate your room's status: red- missing, injured, or extra people and green-all assigned students and staff accounted for and ok.

**Teacher Leaders** will contact each assigned room to verify response and collect emergency incident roll call information. Use email, cell phone, or runners to make contact with the room. Simply ask **“All**

**Clear?”** Do not get in a conversation, move quickly through the list. When finished, relay the information to the Operations Chief or Command Center.

**ICS Units**, under the direction of the Incident Commander, you will support classrooms by providing personnel to locate, provide medical aid, and evacuate students and staff when necessary.

# ACCOUNTABILITY PLAN

## Conducting Roll During and After an Emergency Incident

It is critical to knowing the whereabouts of all students and staff assigned to the site as quickly as possible after an emergency incident. The following directions and procedures will provide a systematic and thorough process for completing this important task. The Incident Commander (Command Post) will initiate the accountability plan.

1. **Teachers** must take roll and complete the Emergency Incident Student and Staff Update Roll Form to identify missing, injured, and extra students and staff in the classroom. In a Lockdown or Shelter-in-Place, this will be done in Catapult. Teachers will use a colored card or safety folder to indicate: red-missing, injured, or extra student or staff member, or green- all students and staff members accounted for and ok.
2. **Teacher Leaders** or an administrator will collect the teacher's emergency incident update roll by phone, cell phone, email, texts, or emergency runners. Updated information will be collected by the Incident Commander (Command Post).
3. **Incident Commander (Command Post)** conducts or activates ICS Operations Unit to initiate accountability system and procedures. System will use phones, cell phones, emails, texts, or runners to retrieve the information from Teacher Leaders or teachers. A master site attendance roster will be completed which provides updated information listing students and staff who are missing or injured.

**Missing student information** will be cross checked with daily attendance data to verify students' attendance for the day (sick or early check-out), and if they are listed as "extra" in another class.

The Incident Commander will activate **the First Aid Team** to treat injured students and staff. The First Aid Team will set up the First Aid Area for the injured. If possible, injured will be moved to the First Aid Area by any available ICS Response Team or the First Aid Team may be sent to the room to treat the injured.

# REUNIFICATION PLAN

## Orderly Student and Staff Check-Out System

During and after an emergency incident many parents will come to the school very quickly to pick up their children. Following the Accountability Plan the site will account for each student and staff member. Implementing the Reunification Plan will provide the site with an orderly process to reunify students with their parents or guardians. The Incident Commander or Command Post will initiate the Reunification Plan.

### ON-SITE

1. **Teacher Leaders** will supervise the Student Staging Area (Evacuation Area). Teacher Leaders will release students to Reunification Team member and record information on the student release form. At the conclusion of the incident, student release forms will be given to the Incident Commander.
2. **Reunification Team Members** will supervise the Parent Staging Area. Parents arriving to pick up their student will sign in, (Student Reunification Form). Proper identification will be reviewed by Reunification Team. Reunification Team runner will bring student to Parent Staging Area for release to parent/guardian. At the conclusion of the incident, student release forms will be given to the Incident Commander.

### OFF-SITE

1. **Teacher Leaders** will supervise the Student Staging Area (Evacuation Area) and assist the Evacuation Team with moving students to the off-site evacuation area. Teacher Leaders will continue to supervise students at the off-site evacuation area. Students will be released to the Reunification Team member and record information on the student release form. At the conclusion of the incident, student release forms will be given to the Incident Commander.
2. **Evacuation Team Members** initiate the Off-Site Evacuation Plan to move students and staff to the pre-designated Off-Site Evacuation Area. Evacuation Team works with District's Emergency Response Team to arrange pick-up and transportation of students and staff to the off-site location.
3. **Reunification Team Members** will move to the off-site evacuation area and set-up the Off-Site Reunification Operation. The Reunification Team, with assistance from the District's Emergency Response Team, will supervise the Off-Site Parent Staging Area. Parents arriving to pick up their student will sign in, (Student Reunification Form). Proper identification will be reviewed by Reunification Team. Reunification Team runner will bring student to Parent Staging Area for release to parent/guardian. At the conclusion of the incident, student release forms will be given to the Incident Commander.

## **DESIGNATED AREAS**

### **SITE COMMAND POST:**

**Primary:** Main Campus Office

**Secondary:** Scotland Yard

**STAFF STAGING:** Bowl – for release of students

**FIRST AID (TRIAGE):** Cement area in between Music Rooms and Cafeteria

### **ON-SITE EVACUATION:**

**In-doors:** Main Gyms

**Outdoors:** Student Parking lot, Outdoor Basketball Courts behind gyms, Tennis Court Area

**PARENT STAGING:** Ticket Booth on Keema Side (outside fence)

**REUNIFICATION:** Ticket Booth on Keema Side (outside fence)

**COUNSELING:** Little Theater

**MEDIA STAGING:** Flagpole area or Cafeteria

# INCIDENT COMMAND SYSTEM

## Emergency Management Response Unit

	Primary	Back-up
<b>Incident Commander</b> Manages Site during an emergency incident.	<b>Darryl Hawthrone</b>	<b>Tisha Quinlan</b>
<b>Operations Chief</b> Manages and supervises the Response Units during an emergency incident.	<b>Primary</b>  <b>Tisha Quinlan</b>	<b>Back-up</b>  <b>Nick Seiler</b>

## ICS Response Unit

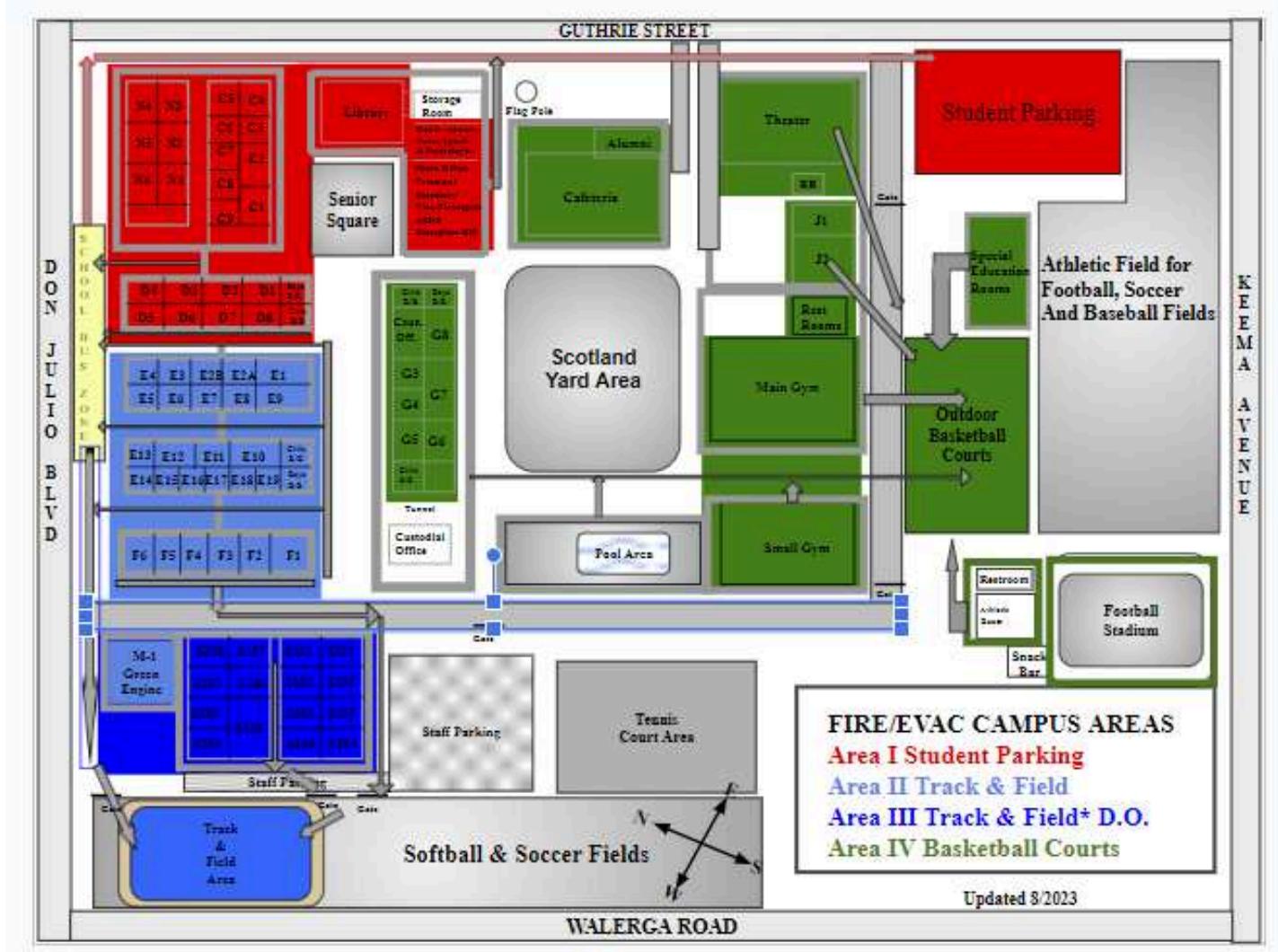
	Staff Assigned	Area Assigned
<b>Teacher Leaders Team</b> Direct and supervise students and staff during an emergency incident.	<b>Eakes</b> <b>J. Lee</b> <b>Noche</b> <b>Betschart</b> <b>Robinson</b> <b>Wolfe</b> <b>Sisneros</b> <b>L. Valentine</b> <b>Chambliss</b>	<b>PE areas, Spec Ed 1&amp;2, Admin, Clinic, Cafeteria</b> <b>F Wing, S Wing, M Wing</b> <b>E 10- E 19</b> <b>E 1 – E 9,</b> <b>C wing, library</b> <b>N wing, J Wing</b> <b>G wing</b> <b>D wing</b>
<b>Search and Rescue Team</b> Find and assist missing and injured students and staff during an emergency incident.	<b>Staff Assigned</b>  <b>Greg Drumheller, Steve Eakes, Michael Noche,</b>	<b>Specialty Area</b>  <b>First Aid, CPR, AED</b>
<b>Reunification Team</b> Connect student and parent after an emergency incident.	<b>Staff Assigned</b>  <b>Felecia Lee, Kim Vancil, Marty Purdue,</b>	
<b>First Aid Team</b> Treat and triage injuries during an emergency incident.	<b>Staff Assigned</b>  <b>Valentina Kravchuk</b> <b>Paul Blakely</b>	<b>Specialty Area</b>  <b>Health Assistant</b> <b>EMT trained</b>
<b>Security Team</b> Protect and assist students and staff during an emergency incident.	<b>Staff Assigned</b>  <b>SRO, CSS #1-Torres, CSS #2, AISS Victor Nance, Morris Wells</b>	
<b>Evacuation Team</b> Move students and staff to safe off-site location during an emergency incident.	<b>Staff Assigned</b>  <b>Nick Seiler, Dennis Weaver, Johnny Lee, Brandy Harris,</b>	

## FIRE DRILL EVACUATION AREA ASSIGNMENTS

Student Parking Lot Area Supervisor: Seiler		Outdoor Basketball Courts Area Supervisor: J. Lee	Track Area Supervisor: Noche
<b>C-1 Wolfe</b>		<b>G-1,2,3 Counseling</b>	<b>E-1 Athletic Trainer Office</b>
<b>C-2 EXLP</b>		<b>G-4 Reyes</b>	<b>E-2A Davis</b>
<b>C-3 EXLP</b>		<b>G-5 Parent Center</b>	<b>E-2B Salas</b>
<b>C-4 Satran/Wellness</b>		<b>G-6 Lopez</b>	<b>E-3 Robinson</b>
<b>C-5 Millard</b>		<b>G-7 Sweet</b>	<b>E-4 Loggins</b>
<b>C-6 Lawrence</b>		<b>G-7a IEP/Conference room</b>	<b>E-5 Rabe</b>
<b>C-7 Olson</b>		<b>G-8 Staff Lounge</b>	<b>E-6 Bach</b>
<b>C-8 Trotter</b>		<b>Gym Eakes</b>	<b>E-7 Valle</b>
<b>C-9 Jimenez</b>		<b>Gym Drumheller</b>	<b>E-8 Woods</b>
<b>D-1 CTE/Lab</b>		<b>Gym Ruggles</b>	<b>E-9 Science Lab</b>
<b>D-2 Weaver</b>		<b>Spec Ed 1 Geivett</b>	<b>E-10 Betschart</b>
<b>D-3 CTE</b>		<b>Spec Ed 2 Liggera</b>	<b>E-11 Harris</b>
<b>D-4 Green room</b>			<b>E-12 Harback</b>
<b>D-5 Yanez</b>			<b>E-13 Mulina</b>
<b>D-6 Chambliss</b>			<b>E-14 Betancourt</b>
<b>D-7 Blakely</b>			<b>E-15 Rose</b>
<b>D-8</b>			<b>E-16 Johnston</b>
<b>N-1 Lab</b>			<b>E-17 Leu</b>
<b>N-2 Science storage</b>			<b>E-18 Leu</b>
<b>N-3 Schnell</b>			<b>E-19 Yearbook</b>
<b>N-4 Sisneros</b>			<b>F-1 Weight Room</b>
<b>N-5 Rodriguez</b>			<b>F-2 Lennertz</b>
<b>N-6 Krasko</b>			<b>F-3 Storage</b>
<b>Theater</b>			<b>F-4 Lang</b>
<b>J-1 Athletics</b>			<b>F-5 Custodian Storage</b>
<b>J-2 Music</b>			<b>F-6 Noche/Wells</b>
<b>Main Office</b>			<b>M-1 Green Diesel</b>
<b>Clinic</b>			<b>S-101 EL Serv.</b> <b>S-201</b> <small>Career/Arts</small>
<b>Library</b>			<b>S-102 EL Serv.</b> <b>S-202</b> <small>Equity</small>
<b>Cafeteria</b>			<b>S-103 IT</b> <b>S-203</b> <small>EL Serv.</small>
			<b>S-104 IT</b> <b>S-204</b> <small>OPEN</small>
			<b>S-105 IT</b> <b>S-205</b> <small>Keema</small>
			<b>S-106 Counsel/CTE</b> <b>S-206</b> <small>LAB</small>
			<b>S-107 EL Serv.</b> <b>S-207</b> <small>Student Serv.</small>
			<b>S-208</b> <small>Student Serv.</small>

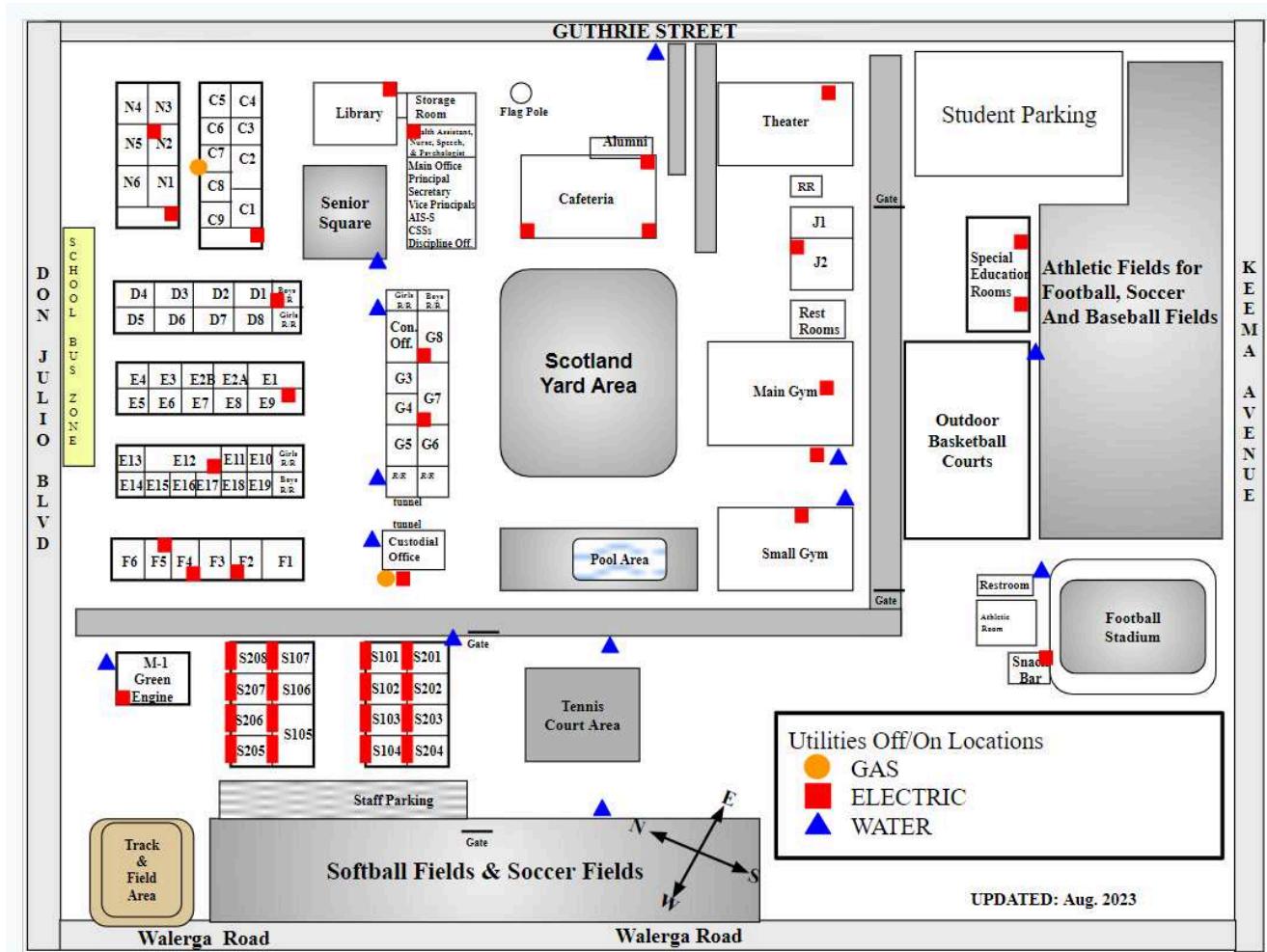
# Evacuation Map Page

## Designated Evacuation Areas



# Emergency Preparedness Map Page

## Utilities Off/On Locations



**Twin Rivers**  
**UNIFIED SCHOOL DISTRICT**  
**WRITTEN HAZARD COMMUNICATION PROGRAM**

### **General**

The following hazard communication program has been established for Twin Rivers Unified School District. This program will be available for review by all employees.

|

### **Hazard Determination**

Twin Rivers Unified School District will rely on safety data sheets obtained from product suppliers to meet hazard determination requirements.

### **Labeling**

- A. Site Head Custodians, Science Department Chairs, and Cafeteria Services Team leaders will be responsible for seeing that all containers entering the workplace for their area (Custodial, Classroom, Cafeteria) are properly labeled.
- B. All labels will be checked for:

Product Identifier: chemical name

Name and address, telephone number of the manufacturer, distributor, or importer

- Signal Words: Identify severity such as "Danger" or "Warning" Hazard Statements: Explanation of the nature of the hazard

Precautionary statements: Recommended measures that workers should take to minimize adverse effects from exposure to hazardous chemical

Pictograms to alert users of the chemical hazards to which they may be exposed

- C. Each responsible person shall ensure that all portable containers used in their work area are labeled with the appropriate identity and hazard warning.

#### Safety Data Sheets (SDSs)

- A. (1) The Operations Supervisor is responsible for compiling and maintaining the Master Custodial Chemical SOS folder. The folder is kept at Operations Office, Winona Way. (2) The Science Department Chair is responsible for compiling and maintaining the Master Science Chemical SOS folder. The folder is kept in a centralized science lab area. (3) The Cafe Services Team Leader is responsible for compiling and maintaining the Master Nutrition Chemical SOS folder. The folder is kept in the kitchen area.
- B. Additional copies of SDSs for employee use are located in the Office at each district site.
- C. SDSs will be available for review to all employees during each work shift. Copies will be available upon request.
- D. If a required SDS is not received, responsible person shall work with Purchasing Supervisor to contact supplier, in writing, to request the SDS. If not received after two such requests, Purchasing Supervisor will contact the Director, Business Services. Director, Business Services will contact Business Environmental Resource Center or CA Dept. of Industrial Relations, Division of Occupational Safety & Health for guidance.

#### Employee Information and Training

A. Operations Supervisor shall coordinate and maintain records of employee hazard communication training including attendance rosters.

B. Before their initial work assignment, each new employee will attend a Hazard Communication Training class. The class will provide the following information:

location and availability of the written hazard communication program, list of hazardous chemical, and the SDSs

requirements of the hazard communication program

details of the hazard communication program including explanation of the labeling system and SDSs, and how the employee can obtain and use hazard information

all operations in their area where hazardous chemicals are present physical and health hazards of the hazardous chemicals

measures the employee should take to protect from these hazards

methods and observations that can be used to detect the presence or release of hazardous chemicals in the area.

C. The employee shall be informed that:

The employer is prohibited from discharging, or discriminating against, an employee who exercises his/her rights to obtain information regarding hazardous chemicals used in the workplace.

As an alternative to requesting an SDS from the employer, the employee can seek assistance from CA Dept. of Industrial Relations, Division of Occupational Safety & Health.

D. Before any new physical or health hazard is introduced into the workplace, each employee who may be exposed to the substance will be

given information in the same manner as during the hazard communication training class.

## **List of Hazardous Chemicals**

Hazardous chemicals used by Twin Rivers Unified School District are listed below.

Further information regarding any of these chemicals can be obtained by reviewing its respective SDS. Classroom Science (SDSs located in Science Lab at each school with School Site Science Department Head}

alizarin yellow R  
alkaline potassium iodide azide  
aluminum  
aluminum nitrate 0.1 M  
ammonia soln  
ammonium dichromate  
ammonium hydroxide  
ammonium nitrate 0.5M  
ammonium sulfate  
barium chloride 0.1 M  
barium hydroxide  
barium nitrate  
barium peroxide anhydrous  
Benedict's Qualitative Soln  
benzoic acid  
betadine soln  
biuret powder  
biurel soln  
boraxo  
boric acid

bromophenol blue  
bromothymol blue soln  
calcium chloride  
calcium hydroxide calcium nitrate  
carmine (alum lake) charcoal  
chromium  
citric acid  
congo red  
copper  
copper II chloride  
copper II nitrate  
copper II sulfate  
copper sulfate  
Crystal Violet  
cupric chloride 0.5M  
cupric sulfide  
cuprous chloride  
dextrose dichloroindophenol  
ferric chloride soln  
ferric nitrate 1.0M  
0.01 M ferric sulfate  
ferrous sulfate fluorescein  
gelatin  
gibberellic acid  
glucose  
glycerin  
HCl acid 6M  
hydrogen peroxide 3%  
indigo carmine  
iron  
iron II chloride  
iron II nitrate  
isopropyl alcohol 70% lactic acid

lead  
lead II nitrate  
lead II nitrate  
lead nitrate  
lithium chloride  
lithium sulfate  
litmus soln  
Lugol's soln iodine  
magnesium  
magnesium nitrate  
magnesium powder  
magnesium sulfate  
manganese sulfate  
manganous chloride  
mercury I nitrate  
methyl alcohol (refrigerated)  
methyl orange  
methyl red  
methylene blue soln  
methylenedioxane  
nickel  
nickel sulfate  
ninhydrin reagent powder  
nitric acid  
nutrient agar  
oxalic acid  
pancreatin  
phenol red  
phenolphthalein 1% alcohol soln  
phosphoric acid  
potassium chloride  
potassium chromate  
potassium chromate 0.1 M

potassium chromate soln  
potassium dichromate  
potassium ferrocyanide  
potassium ferrocyanide  
soln potassium hydroxide  
potassium iodate  
potassium iodide  
potassium iodide  
potassium iodide  
potassium iodide 0.1 M potassium iodide soln  
potassium nitrate  
potassium permanganate  
potassium permanganate 2%soln  
potassium phosphate  
potassium sulfate  
potassium sulfate  
potassium thiocyanide  
quinine sulfate  
Safrinin Sain  
potassium iodide 0.1 M potassium iodide soln  
potassium nitrate  
potassium permanganate  
potassium permanganate 2%soln  
potassium phosphate  
potassium sulfate  
potassium sulfate  
potassium thiocyanide  
quinine sulfate  
Safrinin Sain  
salicylic acid  
salol or phenyl salicylate silver nitrate  
silver nitrate  
silver nitrate soln sodium bicarbonate sodium bromide

sodium carbonate 0.1 M sodium chlorate  
sodium chloride  
sodium chromate sodium hydroxide sodium hydroxide 0.1 M sodium iodide  
sodium nitrate  
sodium nitrite 1.0M sodium phosphate sodium phosphate 0.05M sodium sulfate  
sodium sulfide  
starch soln  
stearic acid  
steel  
strontium chloride strontium chloride strontium 11 nitrate sucrose  
sulfamic acid  
sulfur  
sulfuric acid  
tin  
toluidine Blue 0  
Tris-Borate-EDTA soln universal indicator soln urea crystals  
Ward's Dna stain  
zinc  
zinc acetate  
zinc chloride  
zinc II nitrate  
zinc sulfate  
zinc sulfate 0.1 M

**Nutrition Services (SDSs located in kitchen at each school site)**

Eco Sanitizer  
Ecotemp Ultra Kleene  
Rinse Dry  
Solid Metal Pro  
Grease Express Fast Foam Degreaser  
Scout Cleaning Product  
Stainless Steel Cleaner & Polish

Orange Force Multi-surface Cleaner Degreaser

Lime-A-Way

Glass Force professional Strength Glass Cleaner

S.S Steel Wool Soap pads

OASIS Multi-Quat Sanitizer

**Custodial Operations (SDSs located either in front Administrative Office, Custodial Office, or Both at each school site)**

Assurance HD Spray & Wipe

QT Plus Disinfectant/Cleaner

Super Shine All Suprox Multi-Purpose Cleaner

GenEon Heavy Duty Cleaner/Degreaser

GenEon Sanitizer/disinfectant

GenEon Glass and General Purpose CleanerGenEon Sanitizing and Disinfecting  
Electrolyte

Revised 05-13-2019

# **School Plan for Student Achievement: Title I Funded Program Evaluation**

## **Highlands High School**

### **Monitoring and Evaluation Template**

<b>Goal #1</b>
Highlands High School will increase students that Meet/Exceed Standards by 7% points from 28% to 35% on the CAASPP in ELA
Highlands High School will increase students that Meet/Exceed Standards by 6% points from 19% to 25% on the CAASPP in Math
Highlands High School will increase EL students making progress towards English language proficiency to 30% on the ELPAC

<b>Budgeted Amount</b>	<b>Actions/ Activities (Strategies)</b>	<b>Expenditures to Date</b>	<b>Monitoring What is/is not working and why?</b>	<b>Modification(s) based on monitoring results (Evaluation)</b>
(From SPSA)	(Actions from your SPSA)	Updated regularly as funds are spent	Give details of effective and/or ineffective indicators showing that this activity or strategy is/is not working, including: Assessment Data, Attendance and Behavior Data, Implementation data, anecdotal data that can be used to justify the action.	Continue, modify, or discontinue and why?

Goal #2
<p>HHS will ensure all students graduate college and career ready by increasing the following KPI indicators:</p> <p>College and Career: increase from 30% to 40%</p> <p>Graduation rate: increase to 92% from 90.79%</p> <p>A-G rate: increase to 55% from 47.86%</p> <p>ARC enrollment: increase to 10% of the senior student population</p> <p>Increase the number of senior students completing a college course</p>

Budgeted Amount	Actions/ Activities (Strategies)	Expenditures to Date	Monitoring What is/is not working and why?	Modification(s) based on monitoring results (Evaluation)
(From SPSA)	(Actions from your SPSA)	Updated regularly as funds are spent	Give details of effective and/or ineffective indicators showing that this activity or strategy is/is not working, including: Assessment Data, Attendance and Behavior Data, Implementation data, anecdotal data that can be used to justify the action.	Continue, modify, or discontinue and why?

Goal #3
<p>Highlands High School teachers will empower students in the classroom using innovative, engaging strategies and curriculum.</p> <p>Highlands High School will empower staff to develop culturally responsive and social justice activities on campus.</p> <p>Highlands High School will:</p> <p>Increase attendance to 92%</p> <p>Decrease suspension rate to 6%</p> <p>Decrease chronic attendance to 25%</p> <p>Increase technology in the classrooms to support instruction and student access</p> <p>Improve technology and classroom aesthetics on campus for student events to improve participation and attendance</p>

Budgeted Amount (From SPSA)	Actions/ Activities (Strategies) (Actions from your SPSA)	Expenditures to Date Updated regularly as funds are spent	Monitoring What is/is not working and why? Give details of effective and/or ineffective indicators showing that this activity or strategy is/is not working, including: Assessment Data, Attendance and Behavior Data, Implementation data, anecdotal data that can be used to justify the action.	Modification(s) based on monitoring results (Evaluation) Continue, modify, or discontinue and why?

<b>Goal #4</b>	
Increase Parent Engagement through creating more opportunities for families to attend events, workshops and programs on the campus or virtually.	

<b>Budgeted Amount</b>	<b>Actions/ Activities (Strategies)</b>	<b>Expenditures to Date</b>	<b>Monitoring What is/is not working and why?</b>	<b>Modification(s) based on monitoring results (Evaluation)</b>
(From SPSA)	(Actions from your SPSA)	Updated regularly as funds are spent	Give details of effective and/or ineffective indicators showing that this activity or strategy is/is not working, including: Assessment Data, Attendance and Behavior Data, Implementation data, anecdotal data that can be used to justify the action.	Continue, modify, or discontinue and why?

<b>Goal #5</b>

<b>Budgeted Amount</b>	<b>Actions/ Activities (Strategies)</b>	<b>Expenditures to Date</b>	<b>Monitoring What is/is not working and why?</b>	<b>Modification(s) based on monitoring results (Evaluation)</b>
(From SPSA)	(Actions from your SPSA)	Updated regularly as funds are spent	Give details of effective and/or ineffective indicators showing that this activity or strategy is/is not working, including: Assessment Data, Attendance and Behavior Data, Implementation data, anecdotal data that can be used to justify the action.	Continue, modify, or discontinue and why?

## **School Plan for Student Achievement: Title I Needs Assessment**

**Directions:** Develop a list of site needs based on current data. Collaborate with ILT, ELAC, Site Council and other groups to determine priority needs. Once your needs are ranked, decide if they fit within a current SPSA goal or if a new goal needs to be created. List the needs your Site Council agrees need to be prioritized for each goal and complete the table. This will determine your actions and budget expenditures for your SPSA.

<b>SPSA Goal</b>	<b>Site Needs (Ranked Greatest-Least)</b>	<b>Data that demonstrates need</b>	<b>Proposed or Current Actions</b>	<b>Metric: How will you measure success?</b>



# 2025-26 School Plan for Student Achievement

## Addendum #1

School Name	County-District-School (CDS) Code	Site Council Meeting Date:	Local Board Approval Date
Highlands High School	34765053434370		

### Table of Contents

SPSA Modified Actions and/or Expenditures to Goal 1 .....	2
SPSA Modified Actions and/or Expenditures to Goal 2 .....	3
SPSA Modified Actions and/or Expenditures to Goal 3 .....	4
SPSA Modified Actions and/or Expenditures to Goal 4 .....	5
SPSA Modified Actions and/or Expenditures to Goal 5 .....	6
Budgeted Funds and Expenditures in this Plan .....	7
Approval/Attested .....	9

## SPSA Modified Actions and/or Expenditures to Goal 1

Goal Statement						
<p>Highlands High School will increase students that Meet/Exceed Standards by 7% points from 28% to 35% on the CAASPP in ELA</p> <p>Highlands High School will increase students that Meet/Exceed Standards by 6% points from 19% to 25% on the CAASPP in Math</p> <p>Highlands High School will increase EL students making progress towards English language proficiency to 30% on the ELPAC</p>						

Action/Services	Approved Expenditures			+/- Proposed Changes			Total Allocation
	Type	Funding Source	Amount	Type	Funding Source	Amount	
1.1 Instructional materials, supplies, instructional programs and services, classroom materials and furniture, licensing software for academic support of EL, special education, foster youth, low income and all students							

## SPSA Modified Actions and/or Expenditures to Goal 2

Goal Statement
<p>HHS will ensure all students graduate college and career ready by increasing the following KPI indicators:</p> <p>College and Career: increase from 30% to 40%</p> <p>Graduation rate: increase to 92% from 90.79%</p> <p>A-G rate: increase to 55% from 47.86%</p> <p>ARC enrollment: increase to 10% of the senior student population</p> <p>Increase the number of senior students completing a college course</p>

Action/Services	Approved Expenditures			+/- Proposed Changes			Total Allocation
	Type	Funding Source	Amount	Type	Funding Source	Amount	
HHS will continue to monitor the following indicators for student progress towards meeting this goal: 2.1 Improve the following KPIs: Graduation rate, A-G rate, ARC course enrollment and completion, Increase CTE program enrollment and completion							
2.2 AVID class sections for grades 9-12 to support student success, access and achievement.	1000-1999: 3000-3999:	Title I Basic Title I Basic	95199 30910	1000-1999: 3000-3999:	Title I Basic Title I Basic	-21000 -11000	94109

### **SPSA Modified Actions and/or Expenditures to Goal 3**

<b>Goal Statement</b>
<p>Highlands High School teachers will empower students in the classroom using innovative, engaging strategies and curriculum.</p> <p>Highlands High School will empower staff to develop culturally responsive and social justice activities on campus.</p> <p>Highlands High School will:</p> <p>Increase attendance to 92%</p> <p>Decrease suspension rate to 6%</p> <p>Decrease chronic attendance to 25%</p> <p>Increase technology in the classrooms to support instruction and student access</p> <p>Improve technology and classroom aesthetics on campus for student events to improve participation and attendance</p>

<b>Action/Services</b>	<b>Approved Expenditures</b>			<b>+/- Proposed Changes</b>			<b>Total Allocation</b>
	<b>Type</b>	<b>Funding Source</b>	<b>Amount</b>	<b>Type</b>	<b>Funding Source</b>	<b>Amount</b>	
3.1 Fund AISS positions and programs, services, materials, supplies, instructional materials, outside agency support to support students to improve engagement, SEL, culture and climate	2000-2999: 3000-3999:	Title I Basic Title I Basic	60010 31301	2000-2999: Classified 3000-3999: 2000-2999: Classified	Title I Basic Title I Basic Title I Basic	+21000 +11000 -2017	121294

## SPSA Modified Actions and/or Expenditures to Goal 4

Goal Statement							
Action/Services	Approved Expenditures			+/- Proposed Changes			Total Allocation
	Type	Funding Source	Amount	Type	Funding Source	Amount	
Staff led workshops, events and activities to increase parent participation and attendance on campus or virtual Security support	1000-1999: 3000-3999:	Title I Parent and Title I Parent and	1500 335				
Reference material and books for families about school, SEL, online , career, college	4000-4999:	Title I Parent and	2112	4000-4999: Books	Title I Parent and	-55	586
Software, licensing and resources for the workshops, events and activities	5000-5999:	Title I Parent and	2000				

### SPSA Modified Actions and/or Expenditures to Goal 5

Goal Statement				
Action/Services	Type	Approved Expenditures	+/- Proposed Changes	Total Allocation
		Funding Source	Funding Source	Amount

## Budgeted Funds and Expenditures in this Plan

The tables below are provided to help the school track expenditures as they relate to funds budgeted to the school.

### Expenditures by Funding Source

#### Approved Expenditures

Funding Source	Amount
Comprehensive Support and Improvement (CSI)	0.00
Title I Basic	217,420.00
Title I Parent and Family Engagement	5,947.00
Title I Part A: Parent Involvement	0.00

#### +/- Proposed Changes

Funding Source	Amount
Comprehensive Support and Improvement (CSI)	0.00
Title I Basic	-2,017.00
Title I Parent and Family Engagement	-55.00
Title I Part A: Parent Involvement	0.00

#### New Total

Funding Source	Amount
Comprehensive Support and Improvement (CSI)	0
Title I Basic	215,403

Title I Part A: Parent Involvement	5,892
	0

### Expenditures by Goal

Approved Expenditures		+/- Proposed Changes	
Goal Number	Total Expenditures	Goal Number	Total Expenditures
Goal 1	0.00	Goal 1	0.00
Goal 2	126,109.00	Goal 2	-32,000.00
Goal 3	91,311.00	Goal 3	29,983.00
Goal 4	5,947.00	Goal 4	-55.00

**Approval/Attested**

<b>Title</b>	<b>Signature</b>	<b>Date</b>
SSC Chair	<u>S. Eddle</u>	10/09/2025
Principal	<u>Darryl Hawthorne</u>	10/09/2025