

San Bruno Park School District

**Parkside Intermediate
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COMPREHENSIVE SCHOOL SAFETY PLAN

Prepared by Parkside Intermediate's Site Council
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SAN BRUNO PARK SCHOOL DISTRICT

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MISSION STATEMENT

The mission of the educational community of Parkside Intermediate is to provide all students with a high level of academic skills and to prepare them for lives of vision and consequence in the 21st century. We will provide a positive learning environment, challenging each individual to cultivate the highest traits which are distinctly human: reason, creativity, curiosity, compassion, and coexistence.

VISION STATEMENT

Parkside Intermediate School's Safe School Vision

1. Parkside Intermediate will provide a safe, orderly, and secure environment conducive to learning.
2. Parkside Intermediate will create a school in which pupils will attend regularly and be safe from both physical and social-psychological harm.
3. Parkside Intermediate will work collaboratively with the district office and school board to identify, establish and use strategies and programs to comply with school safety laws.
4. Parkside Intermediate will develop a plan to work cooperatively and collaboratively with parents, pupils, teachers, administrators, counselors and community agencies, including law enforcement, to provide a safe and orderly school and neighborhood.
5. Parkside Intermediate will develop an academic program that will focus on high expectations of pupil performance and behavior in all aspects of the school experience.
6. Parkside Intermediate will work collaboratively with other elementary, middle schools and high schools to assist in a smooth transition from one school level to another.
7. Parkside Intermediate will solicit the participation, views, and advice of teachers, parents, school administrators, and community members and use this information to promote the safety of our pupils, staff and community.

INTRODUCTION - SCHOOL PROFILE

Parkside Intermediate is one of eight schools in the San Bruno Park School District with traditions dating back one hundred years. Parkside Intermediate has a diverse pupil body and is served by a dedicated staff. Both staff and parents comment on the positive changes that are ongoing in our school.

Parkside Intermediate faces challenges in maintaining a safe school. This section of the Comprehensive School Safety Plan will describe programs in place at our school as well as strategies and programs of our school site council for continued improvement in providing a safe, orderly, school environment conducive to learning.

School Crime Status and Reporting

Parkside Intermediate School complies with all Federal regulations in the accumulation and reporting of data and statistics pertaining to expulsions, suspension, and truancy information to satisfy NCLB requirements. In accordance with those requirements it has been determined that Parkside Intermediate is NOT at risk of being classified as a persistently dangerous school.

With an enrollment of 576 students in the 2007 – 2008 school year, it was found that Parkside Intermediate School had a total of five (5) expulsions (.87% of the total population), 70 suspensions (12.15% of the total population), and 76 students designated as truant with an unexcused absence or tardy of more than 30 minutes on three (3) or more days (12.28% of the total population).

Personal Characteristics of Pupil & Staff

Parkside Intermediate has an enrollment of 576 pupils in grades 7 and 8. Pupils from this school come from families with low family mobility. Approximately 31 % of the pupils are in families receiving Aid to Families with Dependent Children that are eligible for free/reduce lunches. The ethnic makeup of the pupil population is 43% Hispanic, 4% Black, 29% Caucasian, 8% Pacific Islander, 8% Asian, 7% Filipino and 2% Other. Our pupils have a variety of life experiences. Some pupils have recently arrived from foreign countries while others have never left their neighborhood.

Curriculum and Educational Activities

The course of study includes the basic core curriculum, physical education and enrichment classes such as Spanish, Visual Arts, Music, Mathematics/ Technology, Music/ Technology, AVID, Yearbook, and Newspaper.

Pupils have the opportunity to participate in noon and after-school activities. These include After School Homework Club, Student Council/ Leadership, Dance Club, and a comprehensive After School Sports program.

PHYSICAL ENVIRONMENT

The Schools' Location and Physical Environment

Parkside Intermediate is located in the city of San Bruno in San Mateo County that has a low crime rate and an average poverty level. The immediate area around the school includes single family dwellings, apartments, parks, as well as other elementary schools, a comprehensive high school, and many churches. Present safety hazards include heavy traffic areas.

Description of School Ground

The following is a sample - please describe in your own words. The school site encompasses (Insert number of acres here). The buildings have numerous corridors and face the playground. The playground is grass, concrete and asphalt and includes basketball and volleyball courts, baseball diamonds and a lined track. Parkside Intermediate is completely enclosed by a fence with gates which are kept locked during school hours. There are several wings and/ or clusters of classrooms including (Insert number permanent classroom) classrooms (Insert number of re-locatable classroom here) re-locatable classrooms. Other ancillary structures include (Insert as appropriate: office, cafeteria, restrooms, library).

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

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

Maintenance of School Buildings/Classrooms

The school's physical facility is well maintained and generally looks neat and clean. The school was most recently renovated during the 2000 school year. District personnel periodically examine the school's physical facility and help eliminate obstacles to school safety. Additionally, health and fire department inspectors contribute to school safety.

The classrooms are monitored for safety and appearance by the administration and individual classroom teachers. The pupils take pride in the appearance of the school.

In recent years Parkside has suffered from an increase in graffiti defacing the blind spots of the school gymnasium. These blind spots are located on the east, south, and western walls. These locations are hidden from the street and passers-by and neighbors are unable to see any illegal activity. Additionally, the far southern area of the campus has become an area of great concern for the

site administration. The area is also hidden from street view and suffers greatly from vandalism and damage. The issues created by the vandalism and damage to the facility require a significant amount of time from the site custodial team and site administration to catalog, repair, and investigate.

Internal Security Procedures

Parkside Intermediate has established procedures in the following areas: California Safe School Assessment (CSSA) reporting procedures, suspension and expulsion procedures, and an inventory system.

Parkside Intermediate crime statistics reflect a total of 149 crimes reported during the 2005-06 school year.

Keeping reportable crimes at a minimum requires constant vigilance. The following strategies will be utilized in achieving this goal: The Administration has split the school lunch program into two separate periods to alleviate the amount of students out on Yard A. In addition, the Yard B section of the campus behind the Library has been restricted to student access during the Lunch and Brunch periods. Yard supervisors are present during both lunch periods in addition to site administration. Student access to the school is restricted until 7:45 in the morning when site administration opens the main gates for student entry. All other entry points to the campus are closed until the start of the school day. Site bathrooms and hallways are routinely patrolled during the school day and after school to maintain appropriate levels of safety.

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

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

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

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

Pupil conduct standards and consequences for Parkside Intermediate are specifically described in this Comprehensive Schools Safety Plan including: (a) the adopted school discipline rules and procedures, (b) District Disciplinary Guidelines, and (c) the adopted school-wide dress code.

Pupils may be suspended or recommended for expulsion or for certain acts. For specific student violations, a mandatory expulsion recommendation shall be submitted by the administration of Parkside Intermediate.

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

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

If appropriate, additional internal security procedures affecting the integrity of the school facility include: walkie-talkies for all mobile school personnel and office personnel including administration, yard supervisors, telephones in all classrooms and meeting areas, and a comprehensive alarm and security system including security cameras on the perimeter areas of the school.

Community involvement is encouraged to help increase school safety. Yard supervisors consist of both volunteers and paid itinerant employees.

Inventory System – Engraved ID, Security Storage

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

SCHOOL CLIMATE

The School's Social Environment

Leadership at Parkside Intermediate is a shared process. A proactive role is assumed in all phases of the school operation. The current management team is committed to developing Parkside Intermediate toward excellence in the areas of academic and social behavior.

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

Disaster Procedures, Routine and Emergency

A contingency plan for emergencies is contained in a handbook available to each staff member. The District's Emergency Response Plan - **ERP Plan**. is listed at the last section of this plan. The plan is reviewed at the beginning of each school year. This plan also contains available district and outside agency resources, emergency disaster procedures and information on Standardized Emergency Management System (SEMS).

Classroom Organization and Structure

Parkside Intermediate teachers provide a varied learning environment in their classrooms. Teachers use a variety of teaching strategies including: Project Based Learning, oral presentations, group projects, simulation exercises, and displays.

The teachers at Parkside Intermediate are highly qualified, with many teachers holding advanced degrees. The staff is united in their desire to provide quality education for all pupils. Classrooms and teachers provide safe, orderly learning environment, enhance the experience of learning, and promote positive interactions amongst pupil and staff. Instructional time is maximized and disruptions are minimized.

The School's Cultural Environment

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

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

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

Cultural diversity is celebrated throughout the year by Black History Month, Cinco de Mayo, Portuguese Cultural Day, Native American Cultural Day, Yom Kippur, and Ramadan. These cultural observances are recognized and discussed through the Social Studies programs.

ACTION PLAN

“Physical Environment”

GOAL: Continue to improve the physical plant as well as address the curricular needs of the student body through the use of educational technology.

I. Areas of Pride and Desired Improvements

a. Pride

- 1. Increased scores on mandated testing.**
- 2. Implementation of technology.**

b. Areas of Desired Improvement

- 1. Redevelopment of educational structure for all students.**
- 2. Increase security of facility.**

II. Desired Change #1 Continued redevelopment of site facilities

a. Related Strategies and Activities

- 1. Identify high priority areas in need of immediate action**
- 2. Work with site staff to identify other target areas.**

b. Resources Required

- 1. Identify areas of funding, work with District.**
- 2. District facilities manager to identify outside resources.**

c. Personnel Assignments

- 1. Site administration will work with site/ District staff.**

d. Timeframe for completion

- 1. Review by end of school year 2010-2011.**
- 2. Assess delivery of supports for high target students for Summer 2010.**

e. Budget

- 1. Unknown**
- 2. State/ Federal grants**

f. Evaluation criteria

- 1. None identified at this time.**

III. Desired Change #2 Continued implementation of educational technology to support curriculum

a. Related Strategies and Activities

- 1. Identify areas of need to maintain a safe physical environment for all stakeholders.**
- 2. Work with staff to identify hardware and software that would be most utilized.**

b. Resources Required

- 1. Capital Improvement funding.**
- 2. Other funding as identified.**

c. Personnel Assignments

- 1. Administrative staff will contact local and national providers for training on the use of technology.**

d. Timeframe for completion

- 1. Hardware to be purchased for start of 2010-2011 school year.**
- 2. Installation hardware for start of 2010-2011 school year.**

e. Budget

- 1. See section b above.**

f. Evaluation criteria

- 1. Work successfully with District to acquire appropriate technology and software.**

ACTION PLAN

“School Climate”

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

I. Areas of Pride and Desired Improvements

g. Pride

- 1. A Board adopted Uniform and Wardrobe policy.**
- 2. A comprehensive program aligned to appropriate student expectations.**

h. Areas of Desired Improvement

- 1. Address the diverse needs of struggling students in Language Arts and Math.**
- 2. Maintain school facilities in a manner that promotes a safe environment free of vandalism, damage, and graffiti.**

II. Desired Change #1 Address the diverse needs of struggling students in Language Arts and Math.

i. Related Strategies and Activities

- 1. Identify struggling learners.**
- 2. Align resources to meet their individual needs.**

j. Resources Required

- 1. Supplementary curriculum to support the acquisition of foundation skills.**
- 2. Identified funding sources for after school supports.**

k. Personnel Assignments

- 1. Identify personnel to work with underachieving students.**
- 2. Identify other school based services to support struggling students (i.e.: counseling, etc)**

l. Timeframe for completion

1. 2010 – 2011 school year.

m. Budget

- 1. After school hourly program funding**
- 2. Title 1 funding**

n. Evaluation criteria

- 1. Review of student GPA data**
- 2. Review of student STAR data**

III. Desired Change #2 Create a rich after school enrichment program.

o. Related Strategies and Activities

- 1. Identify areas of significant need to reduce, minimize, and eliminate damage and vandalism.**
- 2. Identify appropriate security measures to deter illegal activities including surveillance cameras.**

p. Resources Required

- 1. Capital Improvement funds.**
- 2. Other funding as identified.**

q. Personnel Assignments

- 1. Administrative staff will contact local and national hardware providers for bids on technology.**

r. Timeframe for completion

- 1. Implement for the 2010 -2011 school year.**

s. Budget

- 1. Identify funds.**

t. Evaluation criteria

- 1. Rate of reduction of vandalism, damage to facility.**

SAFETY STRATEGIES

Introduction

Safe Schools are orderly and purposeful places where students and staff are free to learn and teach without the threat of physical and psychological harm. Parkside Intermediate promotes educationally and psychologically healthy environments for all children and youth. Parkside Intermediate recognizes there are comprehensive, broad factors directly related to a safe school environment such as the school facility, school programs, staff, parents and the community. Parkside Intermediate further recognizes that safe school practices make major contributions to academic and school improvement efforts.

Although keeping children safe requires a community-wide effort, schools are an important piece of the undertaking to keep children safe. Parkside Intermediate's efforts are illustrated below which broaden the safety planning and incorporate an expansive range of strategies and programs in the school safety plan.

SCHOOL SAFETY STRATEGY #1: *Positive pupil interpersonal relations are fostered by teaching social-personal skills, encouraging pupils to feel comfortable assisting others to get help when needed and teaching pupils alternative, socially appropriate replacement responses to violence, including, but not limited to problem solving and anger control skills. When appropriate, staff members shall make referrals to recognized community agencies and/or counseling and mental health resources in the community to assist parents/student with issues prevention and intervention. The school uses a variety of methods to communicate to pupils, parents, and the greater community that all children are valued and respected.*

Preventing and Intervening: Pupil Aggressive Behavior

Creating a safe school requires having in place many preventive measures for children's mental and emotional problems. Schools can reduce the risk of violence by teaching children appropriate strategies for dealing with feelings, expressing anger in appropriate ways and resolving conflicts.

Staff members at Parkside Intermediate have received training in conflict resolution and confrontation skills. Parkside Intermediate uses a comprehensive approach to school violence prevention. Pupils are identified in their school career using measures shown to be highly effective in identifying student with antisocial and aggressive tendencies. These measures include: (a) number of disciplinary referrals to office, (b) observed aggressive behavior, and (c) teacher observation.

Mental Health Programs Assigned to Parkside Intermediate is a school psychologist and a site based counselor as well as multiple counseling interns. District programs contributing to mental health goals include Drug Abuse Recognition Education (DARE). The staff of Parkside Intermediate shall identify students in need and bring forth the student and the family to the school's student study team. The staff of Parkside Intermediate shall implement the EDCR Incident Crisis Response Plan for "suicide" in cases where a student exhibits specific characteristics. In incidences of possible suicide, school/district psychologist or police crisis response units shall be contacted.

Professional Development The San Bruno Park School District provides professional development for teachers, parents, and community members. Amongst the goals of such programs are to help others establish and nurture a healthy sense of self confidence and self control, to develop personal and social responsibility and to enhance academic success.

Student Recognition Programs. Parkside Intermediate offers several recognition and award programs such as the annual 3.5 GPA party, the annual Honor's Tea for exemplary students, school-wide dances for successful students, various awards and recognitions, the annual Honors Tea, the annual 500 Day festival, the annual Great America trip for 8th grade students, and the annual Narita Sister City school program with Narita Japan.

SCHOOL SAFETY STRATEGY #2: *Procedures, programs and strategies used to help eliminate problems of bias or unfair treatment of pupils by staff and by peers because of ethnic group, gender, race, national origin, social class, religion, disability, sexual orientation, physical appearance, color, ancestry, parental status, or other relevant characteristics. The school provides a way for each pupil to safely report and, be protected after reporting, troubling behaviors that the pupil thinks may lead to dangerous situations, such as potential school violence.*

Nondiscrimination and Fair Treatment of Pupils A major source of conflict in many schools is the perceived or real problem of bias and unfair treatment of students because of ethnicity, gender, race, social class, religion, disability, nationality, sexual orientation, physical appearance, or some other factor. Effective schools convey the attitude that all children can achieve academically and behave appropriately, while at the same time appreciating individual differences. Effective schools communicate to students and the greater community that all children are valued and respected.

In order to maximize the successful education of all students and help them become productive citizens and lifelong learners in a diverse society, all individuals including student, parents, staff and community members:

- ☐ Shall be treated with dignity, respect and fairness;
- ☐ Shall encourage and maintain high expectations;
- ☐ Shall model an appreciation for socio-economic, cultural, ethnic, gender and religious diversity; and
- ☐ Shall contribute to an environment of mutual respect, caring and cooperation.

Students, parents, staff and community members shall join together to share a sense of belonging and take pride in our schools, facilities and programs through participation and cooperation in support of the education of all students.

A copy of the "Parent Student Handbook" is provided to each parent/student annually or upon enrollment. This handbook includes information pertaining to student rights to physical safety, to the protection of personal property, to respect from adults, and to be free of discrimination on the basis of gender, race, color, religion, ancestry, national origin, ethnic group, marital or parental status, physical or mental disability, sexual orientation or the perception of one or more of such characteristics. The District's policies on nondiscrimination and sexual harassment support these protections and serve to promote the fair treatment of all children.

Discipline Policy and Code Effective and safe schools, develop, and consistently enforce, school-wide rules that are clear, broad-based, and fair. School safety can be enhanced by the development of a school-wide disciplinary policy that includes a code of conduct, specific rules and consequences that can accommodate student differences on a case-by-case basis when necessary. Discipline consequences should be commensurate with the offense, should be written, applied in a nondiscriminatory manner, and accommodate cultural diversity. Direct teaching and social problem solving and social decision-making is now a standard feature of effective drug and violence prevention programs.

Parkside Intermediate uses both classroom and school-wide discipline codes that clearly communicate the behavioral expectancies and consequences for pupils. Parkside Intermediate has developed plans to promote positive behaviors in the playground, lunchroom, hallways, and assembly areas.

SCHOOL SAFETY STRATEGY #3: *Parkside Intermediate's administrators, teachers, families, pupils, support staff, and community members recognize and make appropriate use of the early warning signs related to violence, substance abuse, and other at-risk concerns.*

Crisis Intervention and Disaster Planning The staff of Parkside Intermediate shall increase school safety by evaluating and addressing serious behavioral and academic concerns. Weapons (on campus and in the community), bomb threats, explosives, fights, natural disasters, accidents, and

suicides call for immediate, planned action, and long-term, post-crisis intervention. Planning for such contingencies reduces chaos and trauma.

Parkside Intermediate benefits from the District's Earthquake Disaster Crisis Response Plan (EDCR). The EDCR Plan includes information on how to respond to a crisis. Risk factors, response and contingency plans, quick response designs, parent contacts, debriefing, suicide/threat response, violence/aggression response and training/drills to become aware of warning signs are among the areas addressed.

California Safe Schools Assessment

Parkside Intermediate actively participates in the California Safe Schools Assessment. Data is collected, reported, and reviewed on all crimes committed on the school campus. Parkside Intermediate recognizes that a safe school continually assesses its progress by identifying problems, collecting information regarding progress toward solutions, and by sharing this information with students, families, and the community at large.

Teacher Notice of Disciplinary History

The San Bruno Park School District shall provide to the administration of Parkside Intermediate information on each pupil who has: (1) during the previous three school years, engaged in any suspendable or expellable act (except E.C. 48900 (h)) or (b) committed a crime reported to the District by a family member, local law enforcement, Probation Department or social services. This information is used to develop awareness, assigning appropriate discipline consequences, help in allocating resources, and is a factor in determining which services are provided to the pupil or recommended to the parent/guardian.

Gang Affiliation

Gang affiliation and gang activity will not be tolerated at Parkside Intermediate. The staff at Parkside Intermediate shall work closely with the local law enforcement/Gang Unit regarding all issues and matters that are gang related. Information from the school and the community shall be communicated to the student's parents, if the pupil begins to make gang affiliations. Appropriate prevention and intervention strategies and programs shall be offered to the families.

Gangs and Graffiti

Local city efforts have formed a graffiti removal service, a law enforcement gang task force, and a school resource officer program. Parkside Intermediate uses its links with the City of San Bruno to enhance its effort to curb gang influence. An increase in graffiti, damage to facility, and other inappropriate activities after hours have led the site administration to pursue alternate methods of surveillance of the school site.

Alternative Programs. Research has shown that effective alternative programs can have long-term positive results by reducing expulsions and court referrals. Parkside Intermediate to an Independent Study Program, a "Home-Hospital Study Program" and may make a referral to the Office of Child Welfare and Attendance for placement in one of the programs offered through the San Mateo County Department of Education. These alternative programs, when matched to a pupil's needs, can produce positive outcomes.

Drug and Violence Prevention Programs

The goals of the district's Drug Alcohol and Tobacco Education Program and other related community program include providing all K-12 pupils with a comprehensive drug and violence prevention program and providing all pupils in grades four through eight with a comprehensive tobacco use prevention education.

Truancy Learning Center/District Attorney Referral

Parkside Intermediate recognizes the importance of punctuality and regular attendance. The staff of Parkside Intermediate shall accurately record the attendance record for all students. Parents of students with poor attendance will be contacted. Students with poor attendance due to medical issues will be referred to the school nurse. Should attendance problems continue, official action is to be taken, which could result in a referral to the School Attendance Review Board or a referral to the San Mateo County District Attorney's Office with a request for prosecution of the parent and/or the student. Truant students shall be referred to the Truancy Learning Center.

Megan's Law Notification The staff of Parkside Intermediate shall receive Megan's Law Sex Offender Information from local law enforcement and that information shall be communicated with the public so that the information can be used to protect students and families. Megan's Law provides the public with photographs and descriptive information on serious or high risk sex offenders residing in California who have been convicted of committing sex crimes and are required to register.

SCHOOL SAFETY STRATEGY #4: *Plan(s) and method(s) are available to identify isolated and troubled pupils, help foster positive relationships between school staff and pupils, and promote meaningful parental and community involvement.*

Parent/Guardian Involvement

Staff members in effective and safe schools make persistent efforts to involve parents/guardian by: Informing them about discipline policies, procedures, and rules, and about their children's behavior, both desirable and undesirable; involving them in making decisions concerning school-wide disciplinary policies

and procedures; and encouraging them to participate in prevention programs, intervention programs and crisis planning.

Parkside Intermediate:

- Effectively uses the School Site Council
- Notifies parents about, and encourages participation in parenting programs.
- Has established a school visitation procedure.
- Provides a newsletter to parents.
- Uses the School Accountability Report Card as a procedure to communicate to parents.
- Provides several opportunities for Teacher-Parent Conferences.
- Maintains an effective Homework Policy

Each classroom is arranged to help prevent aggressive behavior. High traffic areas are free of congestion. Pupils are in full view of the teacher so the teacher can easily monitor students' behavior. Teaching materials and student supplies are readily accessible to minimize student-waiting time. Seats are arranged so students can easily see instructional presentations and to reduce the opportunity for off-task behavior.

Parent Training: Promoting the Use of Community Resources

Parkside Intermediate advocates for the provision of community resources to help maximize the development of positive behavior and the suppression of antisocial behavior. Such training promises to maximize the parent's contribution to academic excellence and noteworthy social-development.

Problem Solving Teams

School communities can enhance their effectiveness by identifying factors that result in violence and other problem behaviors. In-building, collaborative problem-solving teams are viewed as essential to successful prevention and intervention with aggressive behavior. Parkside Intermediate utilizes a student study team to help address issues of problem behavior. These problem-solving efforts bring together school staff, parents, and when appropriate, involved community-based agencies and the pupil. The goal is to help identify, clarify, analyze and resolve issues concerning pupil, educational and familial concerns. The student study team is flexible enough to address individual problems and school-wide matters.

Community Linkages

When working with parents and students with specific issues, the staff of Parkside Intermediate will provide information to the families regarding available community resources. The staff of Parkside Intermediate shall work closely with recognized local city, county and state agencies.

SCHOOL SAFETY STRATEGY #5: *Specific employees (e.g., the campus supervisor) use unique strategies to promote school safety.*

Campus Supervisor and Administrative Positions

Schools can enhance physical safety by monitoring the surrounding school grounds-including landscaping, parking lots, and bus stops. Pupils can also be a good source of information. Peers often are the most likely group to know in advance about potential school violence.

Parkside Intermediate employs a principal and vice principal whose job is designed to help increase school safety, prevent prohibited offenses, and promote positive student relationships. The principal and vice principal have developed procedures to monitor the school campus, the surrounding areas, and has designated the safe entrance and exit routes to school. Furthermore, recognizing that pupils are often the first to know of dangerous plans or actions, the principal and vice principal at Parkside Intermediate makes himself/ herself available for a pupil to safely report troubling behaviors that may lead to dangerous situations.

When it comes to school safety, pupils are taught not to keep secrets. Effective relationships between the principal and vice principal and pupils help initiate appropriate investigations, help staff learn of suspects in school offenses, and help collect important knowledge about community conflicts that may have an impact on school safety.

Campus Disturbances and Crimes

Parkside Intermediate recognizes that campus disturbances and crimes may be committed by visitors and outsiders to the campus. Several steps have been taken to protect the school, staff, and pupils from safety threats by individuals visiting the campus area. In addition, disputes often occur because of parental custody disputes. The staff of Parkside Intermediate will maintain in the student's record custody documentation provided by families and will request assistance from local law enforcement and the Office of Child Welfare and Attendance as needed.

Visitors and Disruptions to Educational Process

Parkside Intermediate is aware of the laws, policies and procedures, which govern the conduct of visitors to the school campus. Parkside Intermediate uses continuing efforts to minimize the number of campus entrance and exit points used daily. Access to school grounds is limited and supervised on a regular basis by individuals, such as the campus supervisor; staff familiar with the student body. Campus traffic, both pedestrian and vehicular, flows through areas that can be easily and naturally supervised. Delivery entrances used by vendors are also checked regularly. The campus has perimeter fencing.

To ensure the safety of pupils and staff and avoid potential disruptions, all visitors to the campus, except pupils of the school and staff members, must register immediately upon entering any school building or grounds when school is in session.

Parkside Intermediate has established a visible means of identification for visitors while on school premises (i.e. tag). Furthermore, the principal, designee or campus supervisor may direct an individual to leave school grounds if he/she has a reasonable basis for concluding that the person is committing an act that is likely to interfere with the peaceful conduct of school activities or that the person has entered the campus with the purpose of committing such an act.

Parkside Intermediate has developed a notice for disruptive individuals and, when appropriate, exercises the authority to remove a visitor or outsider from the campus. Law enforcement is immediately contacted for individuals engaging in threatening conduct, including disturbing the peace.

Parkside Intermediate's notice and removal system establishes sufficient documentation for civil law remedies as needed. For continuing disruptive behavior by a visitor or outsider, Parkside Intermediate shall contact the district office to determine whether to file for a temporary restraining order and injunction.

SCHOOL SAFETY STRATEGY #6: *At Parkside Intermediate, effective procedures will followed to maintain a safe physical plant and school site.*

Enhancing Physical Safety Practices

Schools can enhance physical safety by adjusting traffic flow patterns to limit potential for conflicts or altercations. Schools can enhance physical safety by having adults visibly present throughout the school building. This includes encouraging parents to visit the school.

Schools can enhance physical safety by conducting a building safety audit in consultation with the Office of Child Welfare and Attendance and/or law enforcement.

- Parkside Intermediate operates a closed campus, where pupils must have permission to leave the campus during school hours and only by parent permission or with a designated adult.
- Parkside Intermediate has attempted to minimize blind spots around the school facility.
- Parkside Intermediate prohibits posters in classroom windows.
- Parkside Intermediate has installed an alarm and surveillance system.
- Parkside Intermediate has set a priority to keep buildings clean and maintained.

- Parkside Intermediate has located its playground equipment where it is easily observed.
- Parkside Intermediate has limited roof access by keeping dumpsters away from building walls.
- Parkside Intermediate avoids decorative hedges and plants all new trees at least ten feet from buildings.
- Parkside Intermediate keep trees and shrubs closely trimmed to limit outside hiding places for people or weapons.
- Parkside Intermediate keeps the school grounds free of gravel or loose rock surfaces.
- Parkside Intermediate has designed its parking lots to discourage through traffic and to slow vehicles proceeding through the parking lot.
- Parkside Intermediate ensures vehicle access around the building(s) for night surveillance and emergency vehicles.
- Parkside Intermediate keeps a complete list of staff members who have keys to building(s).
- Parkside Intermediate does not allow graffiti to remain on walls. The procedure involves following the three “R’s” after discovery of graffiti—read, record (i.e. photograph or videotape) and remove. Inflammatory bathroom graffiti is removed daily upon discovery.
- Parkside Intermediate provides maximum supervision in heavy traffic areas.
- Parkside Intermediate has relocated safe activities near typical trouble spots (e.g. relocate a counselor’s office next to a corridor where problems have occurred).
- Parkside Intermediate has established two-way communication between the front office and each classroom.
- Parkside Intermediate offers school-or-community-based activities for students after school.
- Parkside Intermediate has instituted after-school academic and recreational programs for latchkey students.

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School Safety Compliance

CHILD ABUSE REPORTING AND PROCEDURES

San Bruno Park School District

Board Policy

BP 5141.4

Students

Child Abuse Reporting Procedures

The Governing Board recognizes that the district has a responsibility to protect students by facilitating the prompt reporting of known and suspected incidents of child abuse and neglect. The Superintendent or designee shall establish procedures for the identification and reporting of such incidents in accordance with law.

(cf. 5141.41 - Child Abuse Prevention)

(cf. 5142 - Safety)

Employees who are mandated reporters, as defined by law and district administrative regulation, are obligated to report all known or suspected incidents of child abuse and neglect. Mandated reporters shall not investigate any suspected incidents but rather shall cooperate with agencies responsible for reporting, investigating and prosecuting cases of child abuse and neglect.

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

(cf. 4131 - Staff Development)

In the event that training is not provided to mandated reporters, the Superintendent or designee shall report to the California Department of Education the reasons that such training is not provided. (Penal Code 11165.7)

Parents/guardians may contact the Superintendent or designee to obtain procedures for filing a complaint against a district employee or other person whom they suspect has engaged in abuse of a child at a school site.

(cf. 1312.1 - Complaints Concerning District Employees)

SPBSD-School Emergency Response Comprehensive Safety Plan Template

Legal Reference:

EDUCATION CODE

33308.1 Guidelines on procedure for filing child abuse complaints
44690-44691 Staff development in the detection of child abuse and neglect
48906 Notification when student released to peace officer
48987 Dissemination of reporting guidelines to parents

PENAL CODE

152.3 Duty to report murder, rape or lewd or lascivious act
273a Willful cruelty or unjustifiable punishment of child; endangering life or health
288 Definition of lewd or lascivious act requiring reporting
11164-11174.3 Child Abuse and Neglect Reporting Act

WELFARE AND INSTITUTIONS CODE

15630-15637 Dependent adult abuse reporting
CODE OF REGULATIONS, TITLE 5
4650 Filing complaints with CDE, special education students
Management Resources:

CDE LEGAL ADVISORIES

0514.93 Guidelines for parents to report suspected child abuse by school district employees or other persons against a pupil at school site

WEB SITES

CDE: <http://www.cde.ca.gov>
School/Law Enforcement Partnership: <http://www.cde.ca.gov/spbranch/safety/partnership.html>
California Attorney General: <http://caag.state.ca.us>
California Department of Social Services: <http://www.dss.cahwnet.gov>
Governor's Office of Criminal Justice Planning: <http://www.ocjp.ca.gov>

Policy SAN BRUNO PARK SCHOOL DISTRICT

Policy Adopted: April 15, 2004, San Bruno, California

SUSPECTED CHILD ABUSE REPORTING PROCEDURES

I. Initiating the Report

- A. The report is initiated by a telephone report to the appropriate agency.
- B. If the suspected child abuse has taken place within the family, call the Enter appropriate Agency Hotline at [Enter Phone Number]
- C. If the suspected child abuse has taken place outside the family, call the local police department at:

San Bruno Police Department
(650) 616-7100

D. Content of call.

- 1) Name, address and age of child involved.
- 2) Clear description of suspected abuse.

II. Written Report

- A. The telephone call is to be followed by completion of the Suspected Child Abuse Report. These forms are available in the Principal's office or you may call the San Bruno Park School District office at (650) 624-3100 for a form.
- B. The written report is to be addressed to the person to whom the telephone report was made.
- C. The written report must follow the phone call within 36 hours.
 - 1. Suspected child abuse within the family, San Mateo County Children and Family Services Division, 400 Harbor Rd., Belmont, California 94002
 - 2. Suspected child abuse outside the family should be mailed to the agency to which the report was called -

San Bruno Police Department
1177 Huntington, San Bruno, California, 94066

The reporting party should keep the yellow copy of the Suspected Child Abuse Report form or verification of completion of the reporting obligation.

Caution:

1. The reporting responsibility has not been discharged until both the telephone call and written reports are complete.
2. School personnel are not to engage in any investigation of suspected cases. The investigation will be done by the child protective services office.
3. The reporting responsibility is an individual one which is NOT discharged by report to supervisors or administrators.

SUSPENSION AND EXPULSION POLICIES

San Bruno Park School District

Board Policy

BP 5144.1

Students

Suspension and Expulsion

The Governing Board has established policies and standards of behavior in order to promote learning and protect the safety and well-being of 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 excluded from all school-related extracurricular activities during the period of suspension or expulsion.

(cf. 6145 - Extracurricular and Co curricular Activities)

Except in cases 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 is usually 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 him/herself or others. (Education Code 48915)

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

Each principal shall annually inform all students and parents/guardians of the school's discipline rules and procedures and of the availability of all district policies and regulations dealing with student discipline, suspension and expulsion. (Education Code 35291, 35291.5)

Alternatives to suspension or expulsion will be used with students who are truant, tardy, or otherwise absent from assigned school activities. (Education Code 48900)

Zero Tolerance (Grades 7-8)

The Board supports a zero tolerance approach to serious offenses. This approach makes the removal of potentially dangerous students from the classroom a top priority. It ensures fair and equal treatment of all students and requires that all offenders be punished to the fullest extent allowed by law. Staff shall immediately report to the Superintendent or the Director of Student Services, any incidence of offenses specified in law, Board policy and administrative regulation as cause for suspension or expulsion.

The Superintendent or designee shall notify staff, students and parent/guardians about the district's zero tolerance policy and the consequences which may result from student offenses. He/she shall also ensure strict enforcement of this policy.

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 regulation and law. (Education Codes 48911, 48915 and 48915.5)

(cf. 5119 - Students Expelled from other Districts)

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

On-Campus Suspension Program

The Board recognizes that students who are suspended from school frequently have no supervision or guidance during the school hours when they are off campus and may fall behind in the course work. 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 in-house suspension program which meets the requirements of law for suspended students 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. The Board recognizes that current law enables parents/ guardians to be absent from work without endangering their employment status in order to attend a portion of their child's school day at a teacher's request. Besides furthering improved classroom behavior, such attendance should promote positive parent-child interactions.

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

Parental attendance may be requested on the day the student returns to class or within one week thereafter. The principal or designee shall contact any parents/guardians who do not respond to the request to attend school. The Board recognizes that parental 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.

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 the law.

Parents/guardians shall be notified of this policy before it is implemented and at the beginning of each subsequent school year. (Education Codes 48900.1, 35291, 48980)

District regulations and school-site rules for student discipline shall include procedures for implementing parental attendance requirements.

Legal Reference:

EDUCATION CODE

212.5 Sexual harassment
233 Hate violence reductions
1981 Enrollment of students
17292.5 Program for expelled students
32050 Hazing
35146 Closed sessions (re suspensions)
35291 Rules (for government and discipline of schools)
35291.5 Rules and procedures on school discipline
48660-48666 Community day schools
48900-48926 Suspension and expulsion
48950 Speech and other communication
49073-49079 Privacy of student records

CIVIL CODE

47 Privileged communication

CODE OF CIVIL PROCEDURE

1985-1997 Subpoenas; means of production

GOVERNMENT CODE

11455.20 Contempt
54950-54963 Ralph M. Brown Act (re closed sessions)

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

SPBSD-School Emergency Response Comprehensive Safety Plan Template

PENAL CODE

240 Assault defined
242 Battery defined
243.4 Sexual battery
245 Assault with deadly weapon
261 Rape defined
266c Unlawful sexual intercourse
286 Sodomy defined
288 Lewd or lascivious acts with child under age 14
288a Oral copulation
289 Penetration of genital or anal openings
417.25-417.27 Laser scope
422.6 Interference with civil rights; damaging property
422.7 Aggravating factors for punishment
422.75 Protected classes
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

COURT DECISIONS

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, 308
Woodbury v. Dempsey (2003) 108 Cal. App. 4th 421

ATTORNEY GENERAL OPINIONS

80 Ops.Cal.Atty.Gen. 347 (1997)
80 Ops.Cal.Atty.Gen. 91 (1997)
80 Ops.Cal.Atty.Gen. 85 (1997)
UNITED STATES CODE, TITLE 20
7151 Gun free schools

Management Resources:

CDE PROGRAM ADVISORIES

0306.96 Expulsion Policies and Educational Placements, SPB 95/96-04

Policy SAN BRUNO PARK SCHOOL DISTRICT

adopted: March 10, 2004 San Bruno, California

SUSPENSION AND EXPULSION/DUE PROCESS

San Bruno Park School District

Administrative Regulation

5144.1

Adopted May 10, 2006

Students

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 Governing Board for students of the same grade level.
2. Referral to a certificated employee designated by the principal to advise students.
3. Removal from the class, but without reassignment to another class or program, for the remainder of the class period without sending the student to the principal or designee as provided in Education Code 48910. 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)

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. Transfer students and their parents/guardians shall be notified at the time of enrollment. (Education Code 35291.5, 48900.1, 48980)

(cf. 5144 - Discipline)

Notification shall include information about the ongoing availability of individual school rules and all district policies and regulations pertaining to student discipline. (Education Code 35291)

(cf. 5145.6 - Parental Notifications)

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

Pursuant to Education Code 48900.7, the making of a terrorist threat includes any written or oral statement by a person who willfully threatens to commit a crime which will result in death, great bodily injury to another person or property damage in excess of \$1,000.00, with the specific intent that the statement is to be taken as a threat, even if there is no intent of actually carrying it out.

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

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

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

(cf. 5145.7 - Sexual Harassment)

18. 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)

Education Code 233 defines "hate violence" as any act punishable under Penal Code 422.6, 422.7 or 422.75. Such acts include injuring or intimidating another person, interfering with the exercise of a person's civil rights, or damaging a person's property because of the person's race, color, religion, ancestry, national origin, disability, gender or sexual orientation.

19. Intentionally harassed, threatened or intimidated a student or group of students to the extent of having the actual and reasonably expected effect of materially disrupting classwork, creating substantial disorder, and invading student rights 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 alternative 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)*)

Alternatives to suspension or expulsion will 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 and send the student to the principal for appropriate action. The student shall be appropriately supervised during the class periods from which he/she has been removed.

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

A student removed from class shall not be returned to class during the period of removal without the approval of the teacher of the class and the principal. (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. Describe the legal protections afforded to the parent/guardian as an employee under Labor Code 230.7.
3. 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.
4. 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 a 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, 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".
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 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 a 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, 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 a 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(b))

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 will be held as soon as the student is physically able to return to school. (Education Code 48911(c))

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

4. Parent/Guardian Conference: Whenever a student is suspended, school officials may meet with the parent/guardian to discuss the causes and duration of the suspension, the school policy involved, and any other pertinent matters. (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 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 privacy under Education Code 49073-49079.

(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 or 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 Codes 35146, 48912)

ON-CAMPUS SUSPENSION PROGRAM

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 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 certain offenses listed below under "Mandatory Recommendation and Mandatory Expulsion."

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

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

MANDATORY RECOMMENDATION FOR EXPULSION

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

Note: The Attorney General has determined, in 80 Ops.Cal. Atty. Gen. 347 (1997), that a district may not adopt a zero tolerance policy mandating expulsion of a student for a first offense of possession of a controlled substance or alcohol.

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)

The initial recommendation for consideration of expulsion is that of the school principal or the Superintendent. Designees may not make this type of recommendation.

The recommendation for consideration of expulsion shall be submitted to the Director, Office of Student Services, who will review the material and recommend:

1. Reassignment to appropriate regular education program.
2. Refer student to Alternative Program; i.e., Community School, Independent Study, Continuation or Opportunity School, or other district programs.

3. Refer the matter to the Discipline Review Panel for further consideration.

When a case is referred to the discipline Review Panel, the panel shall question school personnel who have information on the incident and the behavior record of the student charged and weigh the evidence presented.

The panel shall, in the case of an expulsion consideration, weigh information presented to determine:

- a. Is the evidence sufficient to support consideration by the expulsion panel?
- b. Has the district, through the schools involved, considered or utilized alternatives to expulsion when possible?
- c. Have due process procedures been adhered to?

The recommendation shall be either to proceed with the expulsion or to utilize an existing practical alternative in lieu of expulsion.

If the district (school) has not adhered to due process requirements, the student shall be returned to school immediately.

If the Discipline Review Panel meets to consider a matter other than an expulsion, it shall provide its best judgment as to an effective alternative program or plan to action.

The recommendation of the Discipline Review Panel shall be forwarded to the Director, Office of Student Services, who shall then review the facts, concur, veto or modify the recommendation.

4. That an expulsion panel be convened.

At the time a recommendation for expulsion is submitted, a hearing shall be scheduled by the Superintendent or designee to determine whether the suspension shall be extended. If the decision is to extend the suspension, the period of time shall be until the Board has rendered a decision or until the expulsion process is otherwise terminated.

The extension of suspension shall be based upon determination by the Superintendent or designee that the presence of the student at the school or in an alternative school placement would cause a danger to persons or property or a threat of disrupting the instructional process. This extension shall be imposed only after the student and the parent/guardian have been given the opportunity to be present at a hearing conducted by the Superintendent or designee. At this time, the student and parent/guardian shall be given the opportunity to be heard and present any information that might bear upon the decision.

Materials which support the decision of the person recommending the expulsion shall be prepared and submitted to the Office of Student Services. The departments of Attendance, Guidance, Special Education and/or Health may be requested to assist in the preparation of this material.

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 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 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 no 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))

WAIVER OF HEARING (DEFAULT PROCEEDINGS)

If the parent/guardian agrees that their son/daughter behaved essentially in the manner stated in the principals letter recommending expulsion and that such behavior constitutes a violation of the California Education Code, Section 48900, 48900.2, 48900.3, 48900.4, 48900.7 and/or 48915 a suspendable/expellable offense, the parent/guardian may request to waive the Administrative Hearing Panel.

When the parent/guardian agrees to waive the Administrative Hearing Panel, they also waive all notification and timelines related to the expulsion hearing process, along with their rights to appeal the determination of the Board.

The signed affidavit and findings of fact will be submitted to the Board for their approval. The Board has the discretionary power to accept, reject, or modify all recommendations.

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 all the following: (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 (Education Code 48918(b))

Written notice of the hearing shall be forwarded to the student and the student's parent/guardian at least 10 calendar days before the date of the hearing. The notice shall include: (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 and/or be represented by legal counsel or by a non-attorney 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.

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

6. The right to inspect and obtain copies of all documents to be used at the hearing.

7. The opportunity to confront and question all witnesses who testify at the hearing.

8. The opportunity to question all evidence presented and to present oral and documentary evidence on the student's behalf, including witnesses.

CONDUCT OF EXPULSION HEARING

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

Whether the expulsion hearing is held in closed or public session, the Board may meet in closed session to determine if the student should be expelled. If the Board admits any other person to the 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 written and complete 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, formerly 11525. (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(ii))

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: While technical rules of evidence do not apply to expulsion hearings, 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 must be supported by substantial evidence that the student committed any of the acts listed in "Grounds for Suspension and Expulsion" above.

Findings of fact shall be based solely on the evidence at the hearing. While no evidence 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) and (h))

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)

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 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 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 in "Conduct of Expulsion Hearing."

The hearing officer or administrative panel shall, within three school days after the hearing, determine whether to recommend expulsion of the student to the Board. If expulsion is not recommended, the student shall be immediately reinstated. (See "Reinstatement.") 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. (See "Decision Not to Enforce Expulsion Order" below.)

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))

THE DISCIPLINE REVIEW PANEL

The Discipline Review Panel will consist of elementary educators when a review is being made of an elementary student and of secondary educators when a review is being made of secondary student.

1. The Discipline Review Panel shall hear the following types of disciplinary cases:

- a. Requests for expulsion from site principals or the Superintendent.
- b. School site administrative requests for assistance (non-expulsion situations).

2. Each discipline review panel shall consist of three certificated persons plus a chairperson and shall consist of elementary educators when a review is being made of an elementary student and of secondary educators when a review is being made of a secondary student. A panelist may not serve on any panel involving a student who is currently attending the school in which he/she is assigned. A representative from Student Services shall be a nonvoting member of each panel.

A chairperson and assistant chairperson, to serve when the chairperson is unable to serve, shall be appointed by the Superintendent or designee and shall serve at his/her pleasure. Neither shall be a member of the Student Services staff.

A pool of panelists shall be established which shall be composed of personnel who have served or are currently serving as members of administrative expulsion panels. The committee chairman shall select members to serve on individual panels.

The meetings of the discipline review panel are open to school district personnel only.

The duties of the Discipline Review Panel are as follows:

1. The chairperson shall call a meeting of the panel as soon as possible, but no later than 10 school days after the receipt of notice of a pending case.
2. A recommendation must be forwarded to the Director, Office of Student Services, within three days of the review hearing.
3. In the event a member of the committee cannot be present at a meeting, the Director, Office of Student Services, will appoint an alternate from the pool to attend.

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. (Education Code 48916)

At the time of the expulsion order, the Board shall recommend a plan for the students 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 parental consent, students who have been expelled for reasons relating to controlled substances or alcohol may be required to enroll in a county-sponsored drug rehabilitation program before returning to school. (Education Code 48916.5)

Written Notice to Expel

The Superintendent or designee shall send written notice of the decision to expel 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 (a)-(o), Education Code 48900.2-48900.4, Education Code 48915 (c) and (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 Governing Board. (Education Code 48918)
4. Notice of the alternative educational placements 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 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 to the County Board of Education. The appeal must be filed within 30 days of the Board’s decision to expel, even if the expulsion action is suspended and the student is placed on probation. (Education Code 48919)

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 through #13 and #17 through #19 under "Grounds for Suspension and Expulsion" 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 readmission.
5. The Board may deny readmission only if it finds that the student has not satisfied the conditions of the rehabilitation plan or that the student continues to pose a danger to campus safety or to other district students or employees. (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, within five days 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)

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)

OUTCOME DATA

The Superintendent or designee shall maintain the following data and report such data annually to the California Department of Education, using forms supplied by the California Department of Education: (Education Code 48900.8, 48916.1)

1. The number of students recommended for expulsion.
2. The 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 SAN BRUNO PARK SCHOOL DISTRICT

approved: May 10, 2006 Redding, California

PROCEDURES FOR NOTIFYING TEACHERS ABOUT DANGEROUS PUPILS

Each September and February, all teachers are provided with a list of enrolled students who have one or more suspensions of a serious or violent nature. This list includes student suspensions for the current year plus the previous three years. The following procedure is used in notifying teachers of the suspension history:

1. Suspension lists are provided to each teacher using a routing sheet. All teachers sign the routing slip indicating their review of the data.
2. Teachers are advised about the confidential nature of the data.
3. All routing sheets and suspension reports are to be returned and filed in the school office.

To notify teachers of suspensions as they occur during the school year, the following process is used:

1. Teachers are provided with a copy of the student suspension form.
2. Teachers are advised about the confidential nature of the data.

When students are administratively transferred from one school to another for disciplinary reasons, teachers (to whom the student is assigned) at the new school are notified by the school administration and provided with written information about reasons for the student's transfer and a copy of the student's behavior contract. Copies of the written notice are maintained in the school office.

When the district receives information from the juvenile court system that a student has been convicted of the serious or violent crime requiring teacher notification, the principal and the teachers are provided with written notice from the district Student Services Department. Copies of this notice are maintained in the school office and the district Student Services' Office.

SEXUAL HARASSMENT POLICY

San Bruno Park School District

Board Policy

BP 5145.7

Students

The Governing Board is committed to maintaining an educational environment that is free from harassment. The Board prohibits sexual harassment of students by other students, employees or other persons, at school or at school-sponsored or school-related activities. The Board also prohibits retaliatory behavior or action against persons who complain, testify, assist or otherwise participate in the complaint process established pursuant to this policy and the administrative regulation.

Instruction/Information

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

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

(cf. [5131.5](#) - Vandalism, Theft and Graffiti)

(cf. [5137](#) - Positive School Climate)

(cf. [5141.41](#) - Child Abuse Prevention)

(cf. [5145.3](#) - Nondiscrimination/Harassment)

(cf. [6142.1](#) - Family Life/Sex Education)

Complaint Process

Any student who feels that he/she is being or has been subjected to sexual harassment shall immediately contact his/her teacher or any other employee. A school employee to whom a complaint is made shall, within 24 hours of receiving the complaint, report it to the principal or designee.

Any school employee who observes any incident of sexual harassment involving a student shall report this observation to the principal or designee, whether or not the victim files a complaint.

In any case of sexual harassment involving the principal or any other district employee to whom the complaint would ordinarily be made, the employee who receives the student's report or who observes the incident shall report to the nondiscrimination coordinator or the Superintendent or designee.

(cf. [4119.11/4219.11/4319.11](#) - Sexual Harassment)

(cf. [5141.4](#) - Child Abuse Reporting Procedures)

(cf. [5145.3](#) - Nondiscrimination/Harassment)

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

(cf. [1312.1](#) - Complaints Concerning District Employees)

Disciplinary Measures

Any student who engages in sexual harassment of anyone at school or at a school-sponsored or school-related activity is in violation of this policy and shall be subject to disciplinary action. For students in grades 4 through 8, 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.

Record-Keeping

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

SPBSD-School Emergency Response Comprehensive Safety Plan Template

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

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

Legal Reference:

EDUCATION CODE

[200-262.4](#) Prohibition of discrimination on the basis of sex

[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

CODE OF REGULATIONS, TITLE 5

[4900-4965](#) Nondiscrimination in elementary and secondary education programs receiving state financial assistance

UNITED STATES CODE, TITLE 20

[1681-1688](#) Title IX, Discrimination

UNITED STATES CODE, TITLE 42

[2000d-2000d-7](#) Title VI, Civil Rights Act of 1964

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

CODE OF FEDERAL REGULATIONS, TITLE 34

[106.1-106.71](#) Nondiscrimination on the basis of sex in education programs

COURT DECISIONS

SPBSD-School Emergency Response Comprehensive Safety Plan Template

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

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

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

Nabozny v. Podlesny, (1996, 7th Cir.) 92 F.3d 446

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

Oona R.-S. etc. v. Santa Rosa City Schools et al, (1995) 890 F.Supp. 1452

Rosa H. v. San Elizario Ind. School District, (W.D. Tex. 1995) 887 F. Supp. 140, 143

Clyde K. v. Puyallup School District #3, (1994) 35 F.3d 1396

Patricia H. v. Berkeley Unified School District, (1993) 830 F.Supp. 1288

Franklin v. Gwinnet County Schools, (1992) 112 S. Ct. 1028

Kelson v. City of Springfield, Oregon, (1985, 9th Cir.) 767 F.2d 651

Management Resources:

OFFICE OF CIVIL RIGHTS AND NATIONAL ASSOCIATION OF ATTORNEYS
GENERAL

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

OFFICE OF CIVIL RIGHTS' PUBLICATIONS

Revised Sexual Harassment Guidance, January 2001

Sexual Harassment Guidance, March 1997

WEB SITES

OCR: <http://www.ed.gov/offices/OCR>

Policy SAN BRUNO PARK SCHOOL DISTRICT

adopted: April 15, 2004 San Bruno, California

San Bruno Park School District

Board Policy

BP 4119.11

Personnel

***Note: Education Code [231.5](#) mandates the district to have a written policy on sexual harassment.

Generally, courts recognize two types of conduct as constituting sexual harassment. "Quid Pro Quo" ("this for that") sexual harassment is considered to have occurred when a person in a position of authority makes another individual's educational or employment benefits conditional upon that other person's willingness to engage in unwanted sexual behavior (e.g., promising a promotion for sex). "Hostile environment" sexual harassment, on the other hand, is conduct by the perpetrator that is so severe, persistent, or pervasive that it creates a hostile, intimidating, or abusive educational or professional environment for another. Sexual harassment also covers retaliatory behavior against a complainant, witness, or other participant in the complaint process.

Sexual harassment may be a violation of Title VII of the Civil Rights Act of 1964 (42 USC [2000e-2000e-17](#)) and/or Title IX of the Education Amendments of 1972 (42 USC [2000h-2-2000h-6](#)), as well as the California Fair Employment and Housing Act, Government Code [12900-12996](#).

Government Code [12940](#) and 34 CFR [106.9](#) extend protection against sexual harassment to job applicants. In addition, pursuant to Government Code [12940](#), employers may be held liable for sexual harassment committed against their workers by clients, customers, or other third parties if they knew or should have known of the harassment and failed to take immediate and appropriate corrective action to stop the harassment.***

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

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

(cf. [4030](#) - Nondiscrimination in Employment)

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

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

(cf. [4112.9/4212.9/4312.9](#) - Employee Notifications)

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

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

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

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

***Note: In *Faragher v. City of Boca Raton*, one of the factors relied on by the court in finding liability for harassment by a supervisor was the failure of the policy to provide an assurance to its employees that harassing supervisors may be bypassed in registering complaints. ***

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

(cf. [4031](#) - Complaints Concerning Discrimination in Employment)

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

(cf. [4117.4](#) - Dismissal)

(cf. 4118 - Suspension/Disciplinary Action)

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

Legal Reference:

EDUCATION CODE

[200-262.4](#) Prohibition of discrimination on the basis of sex

GOVERNMENT CODE

[12900-12996](#) Fair Employment and Housing Act, especially:

[12940](#) Prohibited discrimination

[12950.1](#) Sexual harassment training

LABOR CODE

[1101](#) Political activities of employees

[1102.1](#) Discrimination: sexual orientation

CODE OF REGULATIONS, TITLE 2

[7287.8](#) Retaliation

CODE OF REGULATIONS, TITLE 5

[4900-4965](#) Nondiscrimination in elementary and secondary education programs receiving state financial assistance

UNITED STATES CODE, TITLE 42

[2000d-2000d-7](#) Title VI, Civil Rights Act of 1964

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

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

CODE OF FEDERAL REGULATIONS, TITLE 34

[106.9](#) Dissemination of policy

COURT DECISIONS

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

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

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

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

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

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

Management Resources:

OFFICE OF CIVIL RIGHTS AND NATIONAL ASSOCIATION OF ATTORNEYS
GENERAL

Protecting Students from Harassment and Hate Crime, January, 1999

WEB SITES

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

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

U.S. Department of Education, Office of Civil Rights:
<http://www.ed.gov/offices/OCR>

Policy SAN BRUNO PARK SCHOOL DISTRICT

Adopted: February 8, 2006 San Bruno, California

SCHOOL DRESS CODE

San Bruno Park School District

Board Policy

BP 5132

Students

Dress and Grooming

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

(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

Note: Education Code [35183](#) authorizes the Board to approve a site-initiated plan that prohibits the school's students from wearing gang-related apparel. The definition of "gang-related apparel" must be limited to apparel that reasonably could be determined to threaten the health and safety of the school environment, and the Board approving the school plan must determine that the policy is necessary for the health and safety of students. In *Marvin H. Jeglin et al v. San Jacinto Unified School District et al*, a federal district court held that in order to justify a gang-related dress code, there must be evidence of a gang presence at a school and actual or threatened disruption or material interference with school activity. Education Code 35294.1 specifies that for the purpose of establishing a schoolwide dress code, gang-related apparel shall not be considered a protected form of speech pursuant to Education Code [48950](#).

District policy should not include a districtwide prohibition against wearing gang-related apparel; pursuant to Education Code [35183](#), such a dress code must be initiated at the school-site level and apply only to the school where it is initiated.

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

Note: Education Code [35183](#) authorizes the Board to approve a site-initiated plan that requires a school's students to wear uniforms. The Board approving such a plan must determine that the policy is necessary for the health and safety of students.

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.

Note: Pursuant to Education Code [35183](#), if the Board approves a plan requiring uniforms, it must provide a method whereby parents/guardians may choose to have their children exempted from an adopted school uniform policy, and the Board's policy must state that such students shall not be penalized academically, otherwise discriminated against or denied attendance to school.

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](#))

***Note: Pursuant to Education Code [35183](#), a policy requiring uniforms may not be implemented without the availability of resources to assist economically disadvantaged students. In *Hartzell v. Connell*, the California Supreme Court stated that public schools may not charge a fee for any activity that is part of the

regular school program. It is arguable that requiring uniforms would be considered a violation of Hartzell since the cost of the uniform could be deemed a "fee." However, the California Supreme Court in *Arcadia Unified School District v. California Department of Education* indicates that a court might find clothing was not an "essential element of school activity." Although the district's responsibility in this area is not clear, Boards with schools requiring uniforms are required to address this matter.***

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

Enforcement of Standards

Employees are expected to provide appropriate supervision to enforce standards of conduct and, if they observe or become aware of a violation of these standards, to immediately intervene or call for assistance. If an employee believes a matter has not been resolved, he/she shall refer the matter to his/her supervisor or administrator for further investigation.

Students who violate district or school rules and regulations may be subject to discipline, including but not limited to suspension, expulsion or transfer to alternative programs in accordance with Board policy and administrative regulation. In addition, when the conduct involves intimidation, harassment, or other endangerment of a student or employee, the Superintendent or designee shall provide appropriate assistance as necessary for the victim and the offender or make appropriate referrals for such assistance.

(cf. [1020](#) - Youth Services)

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

(cf. [5020](#) - Parent Rights and Responsibilities)

(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. [6020](#) - Parent Involvement)

(cf. [6164.2](#) - Guidance/Counseling Services)

Legal Reference:

EDUCATION CODE

[35183](#) School dress codes; uniforms

[35183.5](#) Sun-protective clothing

35294.1 School safety plans

[48907](#) Student exercise of free expression

[49066](#) Grades; effect of physical education class apparel

CODE OF REGULATIONS, TITLE 5

[302](#) Pupils to be neat and clean on entering school

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 SAN BRUNO PARK SCHOOL DISTRICT

adopted: February 11, 2004 San Bruno, California

BLOOD BORNE PATHOGEN EXPOSURE CONTROL

SAN BRUNO PARK SCHOOL DISTRICT BOARD POLICY

Personnel INFECTIOUS DISEASES BP 4119.42

As part of its commitment to provide a safe and healthful work environment, the Governing Board recognizes the importance of developing an exposure control plan. The Superintendent or designee shall establish a written exposure control plan in accordance with state and federal standards for dealing with potentially infectious materials in the workplace to protect employees from possible infection due to contact with bloodborne pathogens, including but not limited to hepatitis B virus, hepatitis C virus and human immunodeficiency virus (HIV).

(cf. [4119.43/4219.43/4319.43](#) - Universal Precautions)

(cf. [4157/4257/4357](#) - Employee Safety)

The Superintendent or designee shall determine which employees have occupational exposure to bloodborne pathogens and other potentially infectious materials. In accordance with the district's exposure control plan, employees having occupational exposure shall be offered the hepatitis B vaccination.

Legal Reference:

LABOR CODE

[142.3](#) Authority of Cal/OSHA to adopt standards

[144.7](#) Requirement to amend standards

CODE OF REGULATIONS, TITLE 8

[3204](#) Access to employee exposure and medical records

[5193](#) California bloodborne pathogens standards

CODE OF FEDERAL REGULATIONS, TITLE 29

[1910.1030](#) OSHA bloodborne pathogens standards

Management Resources:

CDE ADVISORIES

1016.89 Guidelines for Informing School Employees about Preventing the Spread of Infectious Diseases, including Hepatitis B and AIDS/HIV Infections and Policies for Dealing with HIV-Infected Persons in School Settings

WEB SITES

OSHA: <http://www.osha.gov>

Cal/OSHA: http://www.dir.ca.gov/occupational_safety.html

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

Policy SAN BRUNO PARK SCHOOL DISTRICT

adopted: January 12, 2005 San Bruno, California

BLOOD BORNE PATHOGENS – SAFETY PRACTICES

PROCEDURES AND REGULATIONS

1. General

- 1.1. While recognizing that both students and employees diagnosed with an infectious blood borne disease are entitled to a confidential relationship between themselves, the medical community and/or other agencies, the Board of School Trustees encourages these individuals to meet with the School Principal and/or Superintendent of Schools to discuss their disease and immediate and future needs.
- 1.2. Assessment

Students:

2.1. The Superintendent (or designate) will be informed, by the school principal as soon as is known, of any student infected with an infectious blood borne disease.

2.2. A Risk Assessment will be conducted using a team approach including the personal physician, public health personnel, the parent or guardian, and school district personnel as appropriate and will make recommendations about the type of educational and care setting based on the following:

- a. Behavior, neurological development and physical condition of the child;
- b. Type of interaction expected with others.
- c. What the potential is for exposure
- d. Areas for potential for exposure
- e. How exposure may happen
- f. Who needs to know?
- g. What will happen if there is a risk of exposure?

2.3. The team will consider the risk to others in the workplace, whether or not the individual is healthy enough to continue to attend school, and what precautions should be taken to ensure the safety and health of others.

a. The identity of infected students will remain confidential and restricted to those who need to know or are required to be informed.

2.4. Decisions on attendance at school are dependent on the circumstances of each individual case. Regular evaluation of the appropriateness of attendance will be conducted.

2.5. The Board will be notified immediately when the team considers the health condition of a student to be a danger to the immediate health and welfare of a school, its students or employees of the Board.

a. Upon being notified of the team's concern, the Board will refer the matter to the Medical Health Officer in accordance with the procedures outlined in the School Act.

Employees

2.6. The Superintendent will be informed, by district staff as soon as is known, of any employee infected with an infectious blood borne disease.

2.7. Employees with an infectious blood borne disease, who are able to carry out the essential duties of their jobs in a satisfactory manner without posing a health or safety risk to themselves or others, will be entitled to continue their work.

2.8. Decisions regarding potential health or safety hazards will be made on a case-by-case basis in consultation with the employee, the personal physician and district personnel as appropriate.

2.9. The identity of infected employees will remain confidential and restricted to those who need to know or are required to be informed.

2.10. The Board will be notified immediately if the Superintendent considers the health condition of an employee to be a danger to the immediate health and welfare of a school, its students or other employees of the Board.

a. Upon being notified of the Superintendent's concern, the Board will refer the matter to the Medical Health Officer in accordance with the procedures outlined in the School Act.

3. Hygienic Safety Practices

3.1. All employees will follow "Universal Infection Control Precautions" by assuming that blood and other body fluids from all individuals are potentially infectious. These precautions include:

a. Routinely using gloves when anticipating contact with blood

b. Immediately washing hands and other skin surfaces after removal of gloves and/or contact with blood

3.2. Schools will be provided with appropriate protective equipment including disposable waterproof gloves (natural rubber latex, neoprene, nitrile, or vinyl), tongs or pliers and proper sharps containers.

3.3. Schools' medical room mattresses will be either vinyl-coated beds or cloth mattress with a protective vinyl (plastic) covering so that they can be cleaned as needed with a bleach solution.

3.4. Blankets can be cleaned as needed by forwarding them, in a clearly labeled plastic bag, to the Assistant Supervisor Operations at the Facilities Office.

4. Universal Precautions

4.1. Universal Precautions to prevent transmission of blood-borne disease will be followed. *Universal Precautions* is the term for infection control measures endorsed by the Canadian Centre for Occupational Health and Safety for workers who might come into contact with blood and other body fluids. In summary they include:

- a. Wash hands for 30 seconds after contact with blood and other body fluids contaminated with blood.
- b. Wear disposable latex gloves when you encounter blood, body fluids, or when cleaning cuts, scrapes or wounds. Wash your hands as soon as you remove your gloves. Dispose gloves in a plastic bag.
- c. Use disposable absorbent material like paper towels to stop bleeding.
- d. Discard bloodstained material in a sealed plastic bag and deposit in the garbage. Label as containing blood-tainted material.
- e. Cover cuts or scratches with a bandage until healed.
- f. Immediately protect staff and students from coming in contact with blood-soiled surfaces. The area must be disinfected with a fresh solution of one part bleach and nine-parts water (10% bleach solution).
Mops or brushes used for cleaning should be soaked in a bleach solution for 20 minutes.

(Note: The custodial department will provide each school with the product for dissolving in water to provide the bleach solution.)

5. Identification of Risks of Occupational Exposure

5.1. In accordance with the Occupational Health and Safety Regulations (section 6.35), the district's Health & Safety Coordinator will develop and maintain a list of positions and/or tasks and procedures where there is a potential for occupational exposure to a blood borne pathogen.

5.2. Employees who have, or may have, occupational exposure to the hepatitis B virus, will upon request, receive a hepatitis B vaccination (section 6.39, OH&S Regs).

5.3. Employees who may have been exposed to a blood borne pathogen in an exposure incident will be advised to immediately seek medical attention

PROCEDURES TO ENSURE A SAFE AND ORDERLY ENVIRONMENT

RULES AND PROCEDURES ON SCHOOL DISCIPLINE

PHILOSOPHY OF DISCIPLINE

- Behavior expectations and the consequences for not meeting expectations must be clearly communicated to all students and their parents (in writing as well as verbally).
- The severity of consequences for violating behavior expectations increases with each incident of inappropriate behavior.
- The consequences for violating behavior expectations should be severe enough to discourage students from making poor behavior decisions.
- Expectations and consequences should permit students an opportunity to eliminate inappropriate behavior.

Additionally, the school staff recognizes that the middle school years are a transition time from adolescence to young adulthood. As a part of this transition, the student is given greater opportunities to be responsible and demonstrate independence and good judgment. The structure of our behavior expectations (in the classroom as well as school wide) is meant to encourage students to be responsible. The first step in many instances of inappropriate behavior (those considered to be "minor") is a simple warning ("Your behavior is unacceptable. Please stop such behavior"). It is only when a student ignores such warnings and continues to choose to act irresponsibly (like a child rather than an emerging adult) that we involve parents and implement consequences.

ELEMENTS OF A GOOD DISCIPLINE PROGRAM

1. The program is focused upon making the entire campus, especially the classroom, a safe, supportive and orderly environment for learning for students and staff.
2. Classroom authority is retained by the classroom teacher. (Administration's role is to support, not to replace.)
3. Rules and procedures are clearly understood by staff and students.
4. All staff members will acknowledge and take appropriate action on any minor or major infraction of the school rules.
5. Rules and procedures comply with State Law and District policies.

6. The program recognizes the responsibilities and the rights of students and staff.
7. Program is structured to keep students in class and engaged in the educational process.
8. Rules are enforced:
 - A. by all staff members at all times.
 - B. strictly, but not rigidly (beware of "automatics").
 - C. in substantial part by adult modeling.
 - D. using techniques that promote the growth of positive self-esteem.
 - E. as close to the source as is possible.
 - F. by keeping parents informed.
9. The discipline program is understood, endorsed, and supported by staff, parents, and students.

PRINCIPAL'S STATEMENT TO PARKSIDE INTERMEDIATE STAFF
EXPECTATIONS IN DEVELOPING & MAINTAINING DISCIPLINE

As Principal of our school, I will expect;

Each teacher to have a defined system of classroom management. A written description of this system, including representative examples of the progressive interventions you intend to employ, will be approved and filed by me. Whenever possible and appropriate, teachers are encouraged to use standards and systems that are consistent with other village/department members.

You can expect

Each administrator to assist and support you in every reasonable way in developing, implementing, and refining that system as needed.

I will expect

That when you refer a student for discipline:

1. The student has been made fully aware of classroom and school rules and knows what rules he/she has violated.

2. Teachers within a village will discuss any continuing behavior problems and schedule a team conference with the student and parents when appropriate.
3. That information will be provided on the referral regarding previous actions you have taken regarding this specific issue.
4. You have exhausted the interventions at your disposal (i.e., you have done everything you can do) and you have followed the guidelines established by the administration and staff on what constitutes an appropriate behavior referral.
5. The behavior was so serious or so blatant as to make immediate removal from the classroom necessary.
6. The written referral will be explicit in stating the offense(s).
7. You will send the student out of class with a referral only if his/her continued presence in the class would disrupt or prevent teaching and/or learning.
8. If necessary, the referral will be delivered to the office at a time convenient to the staff member so that the issue may be handled most efficiently, causing a minimum of lost class time.

You can expect

1. Each administrator to support your position in every reasonable way.
2. A response time on your referral of one, or at most, two days.
3. The availability of an administrator to discuss unresolved referrals after school on any given day.
4. That the administrator will exercise independent judgment regarding disposition of referrals.

I will expect

1. That each teacher will go to the doorway of his/her classroom after each class period as often as possible and assume control of student behavior in the corridors.
2. That each staff member will hold students accountable for their behavior on the school grounds at all times.

You can expect

1. Administrator support, investigation, and follow-through as indicated.

2. A response to referrals from incidents outside the classroom to be the same as to those within.

Angela Addiego
Principal

Daniel Lyttle
Assistant Principal

WHAT TO DO WHEN PROBLEMS APPEAR

Both behavioral and academic problems are present in some of our students. Teachers often ask for guidelines for dealing with these problems. Here they are:

1. Talk to the administrator assigned to your school.
2. Call parents at first sign of concern. Inform the parents of your observations, ask for their ideas, assistance, and support in serving the student. Keep a log of your calls.
3. If possible, talk privately to the student about your concerns.
4. Behavior concerns—look through students' CUM file. Any official suspensions will be in file, also look for teacher comments on report cards. Look for patterns of behavior. We use In-House Suspension whenever possible, as it is preferable to having students at home unattended—and it saves the district money. Serious infractions (fighting, threats, etc.) do result in official suspension.
5. Referrals—please remember if you write a student referral, you are required to call the parents. You are writing the referral and can answer the parents' questions firsthand. Administrators will also call parents, but we can only give secondhand information on the incident.
6. Academic Concerns—Again, look through student CUM. This will contain test scores, report cards, and a student history. You may want to ask the grade level administrator to schedule a Student Study Team (SST). This will involve a meeting with the student, parents, administrators, students' teachers, and perhaps the psychologist

SCHOOL SITE POLICIES

PARKSIDE INTERMEDIATE UNIFORM POLICY:

UNIFORM POLICY

Students are to dress appropriately on campus and at all school activities. All health and safety codes and reasonable standards of dress will be enforced. Students not following these wardrobe guidelines will, at the discretion of the administration, have to immediately change their clothing, parents will be notified and student will serve appropriate school consequence.

UNIFORMS:

Pants/ Bottoms

- Fit to the size of the child. Khaki colored pants. No blue jeans.
- Shorts, skirts, and skorts must also be the same colors (khaki).
- Sweat pants (Not PE clothes/ sweats) can be worn in the same colors (khaki).

Shirts/ Tops

- Polo shirts. No tee shirts. White or forest green (school colors).
- Sweatshirts (Not PE clothes/ shirts) can be worn in the same school colors (white, grey, forest green).

PARKSIDE INTERMEDIATE WARDROBE POLICY:

Students are to dress appropriately on campus and at all school activities. All health and safety codes and reasonable standards of dress will be enforced. Students not following these wardrobe guidelines will, at the discretion of the administration, have to immediately change their clothing, parents will be notified and the student will serve appropriate school consequences.

It is the right and responsibility of all school staff and the administration to report any infractions of the school wardrobe policy and to take appropriate actions necessary to remediate the infraction. Parents will be notified of infractions.

WARDROBE POLICY:

Any article of clothing, jewelry, and manner of hairstyle or makeup which is determined by building administrators to materially and substantially interfere with the educational process is prohibited. This includes but is not limited to:

AR 5132 (a)(1): Shoes must be worn at all times. Sandals must have heel straps. Thongs or backless shoes or sandals are not acceptable.

- Shoes must be worn at all times. No heels or beach style shoes are allowed. No flip flops. Heels higher than two inches are not allowed due to safety reasons.

AR 5132 (a)(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.

- Any clothing or any article that has expressions which are obscene, profane, pornographic, representative of a clear and present danger of illegal behavior, disparaging or demeaning to others such as racial, religious, sexist or ethnic epithets or advocating pain, death, suicide, gang affiliations, violence, or use of drugs, alcohol, or tobacco are not appropriate for school.
- Potentially dangerous jewelry or fashion accessories that are sharp, brittle, or fragile that could cause injury or be used as a weapon. No spiked or studded leather chokers, bracelets, or belts. No safety pins.
- Excessive and distracting jewelry is not permitted. This includes but is not limited to large earrings, chains, watches and rings.
- Makeup and nail polish needs to be minimal and in good taste. Nails cannot be distracting.

AR 5132 (a)(3): Hats, caps and other head coverings shall not be worn indoors, except for documented religious reasons.

- Hats must be worn cap lid forward only. No hairnets, hoods or bandanas allowed. Hats are not worn in schoolrooms or in the front office.
- Glasses other than prescription shall not be worn inside school buildings

AR 5132 (a)(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.

- Apparel with bare midriffs, strapless shoulders and low cut necklines are not allowed. Tank tops, half tee shirts, halter tops, tube tops and fish net shirts are not allowed.

AR 5132 (a)(5): Gym shorts may not be worn in classes other than physical education.

- Unhemmed shorts, short shorts, and bicycle shorts are not acceptable or appropriate for school.

AR 5132 (a)(6): Hair shall be clean and neatly groomed. Hair may not be sprayed by any coloring that would drip when wet.

- Hairstyles that utilize bright, glowing, unnatural colors or extreme, distracting style or form.

AR 5132 (b): 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 35294.1)

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.

- Attire that is worn or altered in such a way as to identify students with non-school clubs, teams, or gangs is not allowed. This includes, but is not limited to, oversized clothing, hanging belts, bandanas, handkerchiefs, suspenders off the shoulders, gang related initials on belt buckles, or clothing that identifies with gang colors such as red or blue.
- Red or blue are not permitted.
- Baggy and sagging pants are not allowed. The pant waist is to rest snugly above or at the hips, supported by a belt. Students may not wear more than one pair of pants.
- Belts, if worn, are to be plain black or brown only, properly sized and fitted to the waist. Only one belt buckle is permitted. No colored or studded belts.
- Shirts and tops must have a collar.
- Collared shirts are preferred. If tee shirts are to be worn they are to be appropriately sized and in gray or green only.
- White tee shirts are not permitted.
- Blue jean and blue jean shorts are not permitted.
- Oversized or excessive jewelry are not permitted. This includes but is not limited to necklaces, watches, earrings, etc.

FREE DRESS REGULATIONS:

School functions and non-uniform day dress is to be appropriate and adherence to the Wardrobe Policy remains in effect at all times. All students must adhere to the above mentioned Wardrobe Policy at all times with the following exceptions.

- Students will be permitted to wear tee shirts and jeans on designated Free Dress Days.

POSSIBLE CONSEQUENCES:

Consequences for failure to adhere to the proscribed wardrobe policy include but are not limited to the following:

- Informal talk.
- Parent conference.
- Parent involvement.
- Change of clothes.

Additional consequences for continued wardrobe infractions may be considered an act of defiance and will be handled according to California Education Code regulations.

PARKSIDE INTERMEDIATE GRADUATION POLICY:

GRADUATION

Participation in the Parkside Intermediate School graduation exercise and activities is an honor and a privilege. Students who participate in these exercises are those who have met the minimum standards of scholarship and citizenship expected of the students at the seventh and eighth grade.

Eighth grade graduation is held during the last week of school. A graduation dance follows the ceremony. Graduating eighth graders will have an activity day the week of graduation. Each graduate will receive **2** tickets for entrance to the ceremony. **No one will be admitted to the graduation ceremony without a ticket.**

Graduation (Full Privileges):

- Students will matriculate to high school.
- Students will graduate on stage.
- Students will participate in all graduation events (Grad Dance, Great America).
- The Parkside Administration will notify families at the end of the third quarter of graduation status pending fourth quarter progress.

Promotion (Limited Privileges):

- Students will matriculate to high school.
- Students may graduate on stage pending Administrative approval.
- Limited or no participation in graduation events (Grad Dance, Great America).
- The Parkside Administration will notify families at the end of the third quarter of graduation status pending fourth quarter progress.

Privileges that may be revoked: 500 Day, Great America, Graduation on Stage and Participation in ceremony, and Grad Dance.

Matriculation (No Privileges):

- Students will move onto high school **WITHOUT** academic promotion.
- Student will **NOT** graduate on stage.
- Student will have no graduation event privileges (Grad Dance, Great America).
- The Parkside Administration will notify families at the end of the third quarter of graduation status pending fourth quarter progress.

Retention:

- Student will repeat the eighth grade.
- Student will **NOT** matriculate to the high school.
- Student will have no privileges afforded to matriculating eighth grade students.
- Student must go through Student Study Team and Administrative approval.
- The Parkside Administration will notify families at the end of the third quarter of graduation status pending fourth quarter progress.
- Criteria that will support Graduation Committee and Student Study Team decisions:

SPBSD-School Emergency Response Comprehensive Safety Plan Template

1. San Bruno Park School District Promotion Policy,
2. Student Academic Performance: Eighth grade GPA average of 1.5 on a 4.0 scale,
3. School Behavior and Attendance/ Suspensions, Saturday School, Detentions, Office Referrals.
4. Modified Programs: English Language Learners or Special Education

Emergency Procedures

**SEE ATTACHED EMERGENCY
RESPONSE PLAN**

SAN BRUNO PARK SCHOOL DISTRICT

PARKSIDE INTERMEDIATE

COMPREHENSIVE SCHOOLS SAFETY PLAN:

School Site Council Evaluation and Public Hearing Certification

2010 - 2011 UPDATE

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

California law also requires notice for public input prior to the adoption of the Comprehensive School Safety Plan. Notice for public comment was provided on May 17, 2010 at Parkside Intermediate School. Notice was provided by the School Site Council Agenda.

Parkside Intermediate's "school site council" has evaluated our Comprehensive School Safety Plan and has determined the following:

The plan has been properly implemented and no amendments are needed.

Signatures of Parkside Intermediate's Site Council Members

Signature Date

Signature Date

Signature Date

Signature Date

Signature Date

Signature Date

Signature Date

Signature Date

Signature Date

Signature Date

Signature Date