



COMPREHENSIVE SCHOOL SAFETY PLAN

2023-2024

In compliance with

California Ed Code §§ 32280 - 32289

1002 Doubletree Road

Oak Park CA 91377

The Oak Park Unified School District (OPUSD) Comprehensive School Safety Plan per California Education Code Section 32281 is developed by a School Site Council (SSC) or a Safety Planning Committee. The Committees are made up of principal/designee, teacher, parent of a child who attends the school, classified employee, others. The plan shall be updated annually as required by EC Section 32281. The plan is to be approved by SSC and OPUSD Superintendent or designee.

Date Plan approved by site SSC - January 23, 2024

Principal- Gia Jantz

Assistant Principal- Samantha Gottlieb

Dean of Students- Alexis Boyadjian

Classified- Debbie Church

Teacher- Tara Lamb

Teacher- Kim Winthrop

Parent- Lisa Hambly

Parent- Geraldine Hernandez-Abisor

Student- Levi Jefferson

Student- Aaron Gister

Student- Amelia Lara

Student- Charlotte Ben

Date submitted to OPUSD District Office - February 2, 2024

Date Reviewed by Superintendent or Designee – February 6, 2024 - Brad Benioff, Director of Student Support and School Safety

Date Copy was provided to Law Enforcement and First Responders - _____

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1. Introduction - Comprehensive School Safety Plan

California *Education Code* Sections 32280-32289 require each school site to annually review and update its school safety plan, which must be developed and written by a School Site Council (SSC) or its designated Safety Planning Committee in collaboration with teachers, classified staff, parents, law enforcement/first responders to ensure they are up-to-date and complete. Plans must be communicated to the public at a public meeting at the school site.

School Safety Plans must include:

1. Assessment of the current status of school crime committed on campus and at school-related functions.
2. An identification of appropriate strategies and programs that provide/maintain a high level of school safety.
3. Child abuse reporting
4. Suspension and expulsion policies and notification of teachers
5. Policies prohibiting discrimination, harassment, intimidation, and bullying
6. School dress code
7. The safe ingress and egress of students and visitor access to campus
8. Ensuring a safe and orderly school learning environment
9. School discipline procedures
10. Anti-Bullying training resources
11. Guidelines for Roles and responsibilities of counselors, mental health, school resource officers, police officers.
12. Disaster preparedness and earthquake emergency procedures: These are included in each school's Emergency Operations Plans (EOP) which is a separate document. The EOP will include procedures for tactical responses related to individuals with guns/active shooters on school campuses or events.
13. Procedures to allow a public agency, including the American Red Cross, to use school buildings, grounds, and equipment for mass care and welfare shelters during an emergency.

1a. Implementation and Review Timeline

MCMS Emergency Drills:

Date	Drill Type	Period/time
8/11/23	Lockdown	2/9:30
9/12/23	Fire Drill	6/1:05
10/19/23	CA Great Shakeout	TBD (morning)

11/9/23	Fire Drill	3/11:05
12/14/23	Fire Drill	7/2:20
1/11/24	Lockdown	unannounced
2/12/24	Fire Drill	unannounced
3/15/24	Fire Drill	unannounced
4/?/24	Fire Drill	unannounced
5/?/24	unannounced	unannounced

August

- first staff meeting: August 7, 2023
- Review discipline and sexual harassment policies and procedure with staff: August 7, 2023
- Train all students on inside lock down procedures: August 10, 2023
- Review school rules, dress code and sexual harassment policy with students: August 10, 2023
- Inform parents about lockdown drills and procedures: August 11, 2023
- Lockdown drill #1: August 11, 2023

September

- Review school rules, discipline and schedules with Campus Supervisors: September 26, 2023
- Conduct monthly fire drill: September 12, 2023

October

- Discuss Comprehensive School Safety Plan (CSSP) with School Safety Committee
- Determine “safe zones” for lockdown and assign support staff to those zones
- Review school rules, discipline, updates and reminders with Campus Supervisors: October 26, 2023
- Earthquake drop, hold, cover drill 1 and evacuation (Great Shakeout): October 19, 2023

November-December

- Train all staff on inside lock down procedures and simulation lockdown in a classroom: November 6, 2023
- Meet with Campus Supervisors: November 28, 2023
- Conduct monthly fire drills: November 9 and December 14, 2023

January-March

- Present Comprehensive School Safety Plan for approval to the School Site Council: January 23, 2024
- Submit CSSP to District Office for review (Jan) January 25, 2024
- Meet with Campus Supervisors Jan 31, 2024, Feb 28, 2024, March 27, 2024
- Conduct outdoor lockdown drill 2: January 11, 2024
- Conduct monthly fire drills: February 12 and March 15, 2024

April- June

- Review/modify Discipline Plan with Leadership Team and School Site Council
- Meet with Campus Supervisors April 10, 2024 and May 1, 2024
- Earthquake drop, hold, cover drill 2 Date: May 9, 2024
- Conduct monthly fire drills Date: April 5, 2024

1b. Campus Safety Board Policy

Board Policy 3515

Campus Security

The Governing Board is committed to providing a school environment that promotes the safety of students, staff, and visitors to school grounds. The Board also recognizes the importance of protecting district property, facilities, and equipment from vandalism and theft.

The Superintendent or designee shall develop campus security procedures, which may be included in the district's comprehensive safety plan and/or site-level safety plans. Such procedures shall be regularly reviewed to reflect changed circumstances and to assess their effectiveness in achieving safe school objectives.

Additionally, the Superintendent or designee shall regularly review current guidance regarding cybersecurity and digital media awareness and incorporate recommended practices into the district's processes and procedures related to the protection of the district's network infrastructure, and the monitoring and response to suspicious and/or threatening digital media content.

Reporting Threats

Any certificated or classified employee, or other school official, whose duties bring the employee or other school official in contact on a regular basis with students in any of grades 6-12, as part of a middle of high school, who are alerted to or observe any threat or perceived threat of a homicidal act, as defined, shall immediately report the threat or perceived threat to law enforcement in accordance with Education Code 49393. (Education Code 49390, 49393)

Threat or perceived threat means any writing or action of a student that creates a reasonable suspicion that the student is preparing to commit a homicidal act related to school or a school activity. This may include possession, use, or depictions of firearms, ammunition, shootings, or targets in association with infliction of physical harm, destruction, or death in a social media post, journal, class note, or other media associated with the student. It may also include a warning by a parent, student, or other individual.

Additionally, anyone who receives or learns of a health or safety threat related to school or a school activity is encouraged to report the threat to a school or district administrator.

Surveillance Systems

In consultation with the district's school site council, safety planning committee, other relevant stakeholders, and staff, the Superintendent or designee shall identify appropriate locations for the placement of surveillance cameras. Cameras shall not be placed in areas where students, staff, or community members have a reasonable expectation of privacy. Any audio capability on the district's surveillance equipment shall be disabled so that sounds are not recorded. (Penal Code 632 prohibits the recording of conversations unless the parties to the conversation may reasonably expect that the communication may be overheard or recorded.)

Prior to the operation of the surveillance system, the Superintendent or designee shall ensure that

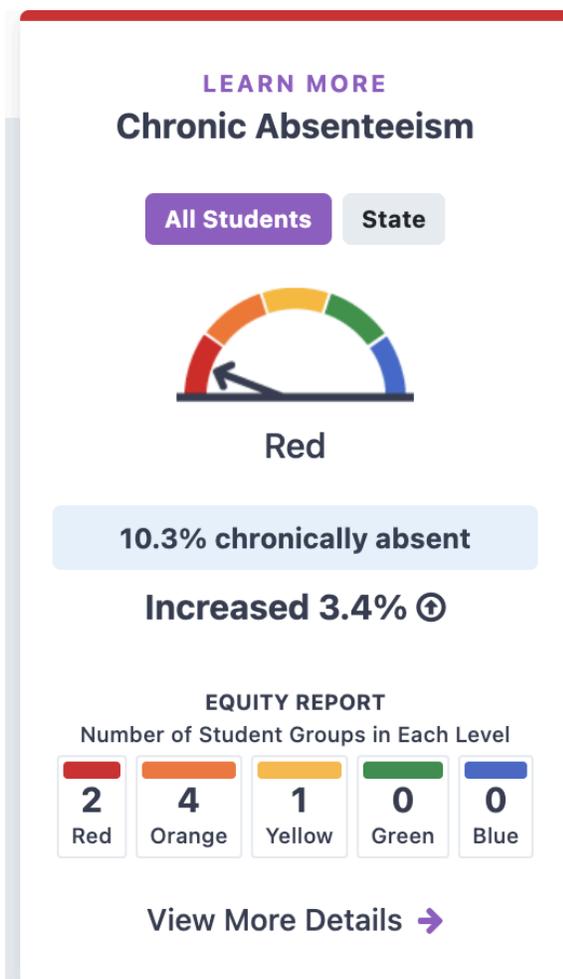
signs are posted at conspicuous and targeted locations around school buildings and grounds.

These signs shall state that the facility uses video surveillance equipment for security purposes and that the equipment may or may not be actively monitored at any time. The Superintendent or designee shall also provide prior written notice to students and parents/guardians about the district's surveillance system, including the locations where surveillance may occur and that the recordings may be used in disciplinary proceedings and/or referred to local law enforcement, as appropriate.

To the extent that any images from the district's surveillance system create a student or personnel record, the Superintendent or designee shall ensure that the images are accessed, retained, and disclosed in accordance with law, Board policy, administrative regulation, and any applicable collective bargaining agreements.

2. Assessment of School Crime

Chronic Absenteeism 2023



Suspension/Expulsion Data 2022

LEARN MORE
Suspension Rate

All Students

State



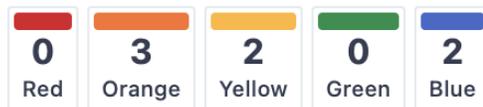
Yellow

1.8% suspended at least one day

Increased 1% ↻

EQUITY REPORT

Number of Student Groups in Each Level



[View More Details →](#)

1. Local Youth Crime Rates
2. Associated data from: CHKS or other surveys.

OPUSD reports all crime to the East Valley Sheriff Department and utilizes the local patrol officers. School district personnel are also notified of any incidents where the police have been called to the school.

CHKS Results will be posted after Feb. 2024

3. Appropriate Programs and Strategies that Provide School Safety

- “Report It”, We Tip anonymous reporting systems
- Counselor: Classroom lessons, Restorative practices, Bullying Reports
- Safe School Ambassadors/WEB mentors

- Positive Behavior Interventions and Supports-Weekly Awards, Monthly
- Behavior/Character Goals, Tickets, Student Store Prizes
- Monthly PBIS MTSS Team Meetings
- Raptor and other systems

4. Child Abuse Reporting Procedures

According to legislation AB1432, all school staff have received annual training on the Mandated Reporting laws for school employees. All school staff members are considered “Mandated Reporters”.

A Mandated Reporter shall make a report whenever, in his or her professional capacity or within the scope of his or her employment, has knowledge of or observes a child who the mandated reporter knows or reasonably suspects has been the victim of child abuse or neglect (Penal Code 11166(a)).

Oak Park Unified School District mandated reporters shall report suspected child abuse or neglect to:

Child Protective Services – 24 hour hotline
 Ventura County (805) 654-3200 or 1-800-754-7600
 L.A. County (800) 540 - 4000
 Or Call East Valley Sheriff’s Department (805) 494-8200

Mandated reporters must then follow up with a written report *Suspected Child Abuse Report SCAR form 8572* which must be faxed or mailed to Child & Family Services **within 36 hours**:

Child & Family Services
 4651 Telephone Road, Suite 300
 Ventura, CA 93003

Send a copy of the report to OPUSD Director of Student Support and School Safety marked “Confidential”.

4a. Suspected Child Abuse Report Form SCAR



STATE OF CALIFORNIA
BCIA 8572
(Rev. 04/2017)

DEPARTMENT OF JUSTICE
Page 1 of 2

SUSPECTED CHILD ABUSE REPORT (Pursuant to Penal Code section 11166)

[Print Form](#) [Clear Form](#)

To Be Completed by Mandated Child Abuse Reporters
PLEASE PRINT OR TYPE

CASE NAME: _____
CASE NUMBER: _____

A. REPORTING PARTY	NAME OF MANDATED REPORTER		TITLE		MANDATED REPORTER CATEGORY	
	REPORTER'S BUSINESS/AGENCY NAME AND ADDRESS Street City Zip				DID MANDATED REPORTER WITNESS THE INCIDENT? <input type="checkbox"/> YES <input type="checkbox"/> NO	
	REPORTER'S TELEPHONE (DAYTIME)		SIGNATURE		TODAY'S DATE	
B. REPORT NOTIFICATION	<input type="checkbox"/> LAW ENFORCEMENT <input type="checkbox"/> COUNTY PROBATION		AGENCY			
	<input type="checkbox"/> COUNTY WELFARE / CPS (Child Protective Services)		ADDRESS Street City Zip		DATE/TIME OF PHONE CALL	
	OFFICIAL CONTACTED - NAME AND TITLE				TELEPHONE	
C. VICTIM One report per victim	NAME (LAST, FIRST, MIDDLE)			BIRTHDATE OR APPROX. AGE	SEX	ETHNICITY
	ADDRESS Street City Zip			TELEPHONE		
	PRESENT LOCATION OF VICTIM		SCHOOL	CLASS	GRADE	
	PHYSICALLY DISABLED? <input type="checkbox"/> YES <input type="checkbox"/> NO	DEVELOPMENTALLY DISABLED? <input type="checkbox"/> YES <input type="checkbox"/> NO	OTHER DISABILITY (SPECIFY)		PRIMARY LANGUAGE SPOKEN IN HOME	
	IN FOSTER CARE? <input type="checkbox"/> YES <input type="checkbox"/> NO	IF VICTIM WAS IN OUT-OF-HOME CARE AT TIME OF INCIDENT, CHECK TYPE OF CARE: <input type="checkbox"/> DAY CARE <input type="checkbox"/> CHILD CARE CENTER <input type="checkbox"/> FOSTER FAMILY HOME <input type="checkbox"/> FAMILY FRIEND <input type="checkbox"/> GROUP HOME OR INSTITUTION <input type="checkbox"/> RELATIVE'S HOME			TYPE OF ABUSE (CHECK ONE OR MORE): <input type="checkbox"/> PHYSICAL <input type="checkbox"/> MENTAL <input type="checkbox"/> SEXUAL <input type="checkbox"/> NEGLECT <input type="checkbox"/> OTHER (SPECIFY)	
	RELATIONSHIP TO SUSPECT			PHOTOS TAKEN? <input type="checkbox"/> YES <input type="checkbox"/> NO	DID THE INCIDENT RESULT IN THIS VICTIM'S DEATH? <input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> UNK	
VICTIM'S SIBLINGS	NAME		BIRTHDATE	SEX	ETHNICITY	
	1. _____	2. _____	3. _____	4. _____		
D. INVOLVED PARTIES VICTIM'S PARENTS/GUARDIANS	NAME (LAST, FIRST, MIDDLE)		BIRTHDATE OR APPROX. AGE	SEX	ETHNICITY	
	ADDRESS Street City Zip			HOME PHONE	BUSINESS PHONE	
	NAME (LAST, FIRST, MIDDLE)		BIRTHDATE OR APPROX. AGE	SEX	ETHNICITY	
	ADDRESS Street City Zip			HOME PHONE	BUSINESS PHONE	
SUSPECT	SUSPECT'S NAME (LAST, FIRST, MIDDLE)		BIRTHDATE OR APPROX. AGE	SEX	ETHNICITY	
	ADDRESS Street City Zip			TELEPHONE		
	OTHER RELEVANT INFORMATION					
E. INCIDENT INFORMATION	IF NECESSARY, ATTACH EXTRA SHEET(S) OR OTHER FORM(S) AND CHECK THIS BOX <input type="checkbox"/> IF MULTIPLE VICTIMS, INDICATE NUMBER: _____					
	DATE/TIME OF INCIDENT		PLACE OF INCIDENT			
	NARRATIVE DESCRIPTION (What victim(s) said/what the mandated reporter observed/what person accompanying the victim(s) said/similar or past incident's involving the victim(s) or suspect)					

DO NOT submit a copy of this form to the Department of Justice (DOJ). The investigating agency is required under Penal Code section 11169 to submit to DOJ a Child Abuse or Severe Neglect Indexing Form BCIA 8583 if (1) an active investigation was conducted and (2) the incident was determined to be substantiated.

4b. SCAR Form Instructions



SUSPECTED CHILD ABUSE REPORT (Pursuant to Penal Code section 11166)

DEFINITIONS AND GENERAL INSTRUCTIONS FOR COMPLETION OF FORM BCIA 8572

All Penal Code (PC) references are located in Article 2.5 of the California PC. This article is known as the Child Abuse and Neglect Reporting Act (CANRA). The provisions of CANRA may be viewed at: <http://leginfo.legislature.ca.gov/faces/codes.xhtml> (specify "Penal Code" and search for sections 11164-11174.3). A mandated reporter must complete and submit form BCIA 8572 even if some of the requested information is not known. (PC section 11167(a).)

I. MANDATED CHILD ABUSE REPORTERS

Mandated child abuse reporters include all those individuals and entities listed in PC section 11165.7.

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

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

III. REPORTING RESPONSIBILITIES

Any mandated reporter who has knowledge of or observes a child, in his or her professional capacity or within the scope of his or her employment, whom he or she knows or reasonably suspects has been the victim of child abuse or neglect shall report such suspected incident of abuse or neglect to a designated agency immediately or as soon as practically possible by telephone and shall prepare and send a written report thereof *within 36 hours* of receiving the information concerning the incident. (PC section 11166(a).)

No mandated reporter who reports a suspected incident of child abuse or neglect shall be held civilly or criminally liable for any report required or authorized by CANRA. Any other person reporting a known or suspected incident of child abuse or neglect shall not incur civil or criminal liability as a result of any report authorized by CANRA unless it can be proven the report was false and the person knew it was false or made the report with reckless disregard of its truth or falsity. (PC section 11172(a).)

IV. INSTRUCTIONS

SECTION A – REPORTING PARTY: Enter the mandated reporter's name, title, category (from PC section 11165.7), business/agency name and address, daytime telephone number, and today's date. Check yes/no whether the mandated reporter witnessed the incident. The signature area is for either the mandated reporter or, if the report is telephoned in by the mandated reporter, the person taking the telephoned report.

IV. INSTRUCTIONS (continued)

SECTION B – REPORT NOTIFICATION: Complete the name and address of the designated agency notified, the date/time of the phone call, and the name, title, and telephone number of the official contacted.

SECTION C – VICTIM (One Report per Victim): Enter the victim's name, birthdate or approximate age, sex, ethnicity, address, telephone number, present location, and, where applicable, enter the school, class (indicate the teacher's name or room number), and grade. List the primary language spoken in the victim's home. Check the appropriate yes/no box to indicate whether the victim may have a developmental disability or physical disability and specify any other apparent disability. Check the appropriate yes/no box to indicate whether the victim is in foster care, and check the appropriate box to indicate the type of care if the victim was in out-of-home care. Check the appropriate box to indicate the type of abuse. List the victim's relationship to the suspect. Check the appropriate yes/no box to indicate whether photos of the injuries were taken. Check the appropriate box to indicate whether the incident resulted in the victim's death.

SECTION D – INVOLVED PARTIES: Enter the requested information for Victim's Siblings, Victim's Parents/Guardians, and Suspect. Attach extra sheet(s) if needed (provide the requested information for each individual on the attached sheet(s)).

SECTION E – INCIDENT INFORMATION: If multiple victims, indicate the number and submit a form for each victim. Enter date/time and place of the incident. Provide a narrative of the incident. Attach extra sheet(s) if needed.

V. DISTRIBUTION

Reporting Party: After completing form BCIA 8572, retain a copy for your records and submit copies to the designated agency.

Designated Agency: *Within 36 hours* of receipt of form BCIA 8572, the initial designated agency will send a copy of the completed form to the district attorney and any additional designated agencies in compliance with PC sections 11166(j) and 11166(k).

ETHNICITY CODES

1 Alaskan Native	6 Caribbean	11 Guamanian	16 Korean	22 Polynesian	27 White-Armenian
2 American Indian	7 Central American	12 Hawaiian	17 Laotian	23 Samoan	28 White-Central American
3 Asian Indian	8 Chinese	13 Hispanic	18 Mexican	24 South American	29 White-European
4 Black	9 Ethiopian	14 Hmong	19 Other Asian	25 Vietnamese	30 White-Middle Eastern
5 Cambodian	10 Filipino	15 Japanese	21 Other Pacific Islander	26 White	31 White-Romanian

5. Suspension and Expulsion Board Policies

Suspension And Expulsion/Due Process

Definitions

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

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

Notice of Regulations

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

Grounds for Suspension and Expulsion: Grades K-12

Acts for which a student, including a student with disabilities, may be suspended or expelled shall be only those specified as follows and in the sections "Additional Grounds for Suspension and Expulsion: Grades 4-12" and "Additional Grounds for Suspension and Expulsion: Grades 9-12" below:

1. Caused, attempted to cause, or threatened to cause physical injury to another person; willfully used force or violence upon another person, except in self-defense; or committed as an aider or abettor, as adjudged by a juvenile court, a crime of physical violence in which the victim suffered great or serious bodily injury (Education Code 48900(a) and (t))
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))

3. Unlawfully possessed, used, sold, otherwise furnished, or was under the influence of any controlled substance as defined in Health and Safety Code 11053-11059, alcoholic beverage, or intoxicant of any kind (Education Code 48900(c))
4. Unlawfully offered, arranged, or negotiated to sell any controlled substance as defined in Health and Safety Code 11053-11059, alcoholic beverage, or intoxicant of any kind, and then sold, delivered, or otherwise furnished to any person another liquid, substance, or material and represented the same as a controlled substance, alcoholic beverage, or intoxicant (Education Code 48900(d))
5. Committed or attempted to commit robbery or extortion (Education Code 48900(e))
6. Caused or attempted to cause damage to school property or private property (Education Code 48900(f))
7. Stole or attempted to steal school property or private property (Education Code 48900(g))
8. Possessed or used tobacco or products containing tobacco or nicotine products, including, but not limited to, cigars, cigarettes, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets, and betel, except that this restriction shall not prohibit a student from using or possessing prescription products (Education Code 48900(h))

For purposes of this section, “*products containing tobacco or nicotine products*” means a product or device as defined in subdivision (d) of Section 22950.5 of the Business and Professions Code and include electronic cigarettes that can deliver nicotine and non-nicotine vaporized solutions.

“*Possessed or used*” means inhaling, exhaling, burning, or carrying of any lighted or heated cigar, cigarette, pipe, tobacco, or plant product intended for inhalation, whether natural or synthetic, in any manner or form, and includes the use of an electronic smoking device that creates aerosol or vapor or of any oral smoking device for the purpose of circumventing the prohibition of smoking. (Business and Professions Code 22950.5; Education Code 48901)

9. Committed an obscene act or engaged in habitual profanity or vulgarity (Education Code 48900(i))
10. Unlawfully possessed, offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Health and Safety Code 11014.5 (Education Code 48900(j))
11. Knowingly received stolen school property or private property (Education Code 48900(l))
12. Possessed an imitation firearm (Education Code 48900(m))

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

13. Committed or attempted to commit a sexual assault as defined in Penal Code 261, 266c, 286, 287, 288, 289, or former 288a, or committed a sexual battery as defined in Penal Code 243.4 (Education Code 48900(n))
14. Harassed, threatened, or intimidated a student who is a complaining witness or witness in a school disciplinary proceeding for the purpose of preventing that student from being a witness and/or retaliating against that student for being a witness (Education Code 48900(o))
15. Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma (Education Code 48900(p))
16. Engaged in, or attempted to engage in, hazing. (Education Code 48900(q))

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

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

Bullying includes any act of sexual harassment, hate violence, or harassment, threat, or intimidation, as defined in Education Code 48900.2, 48900.3, or 48900.4 and below in the section “Additional Grounds for Suspension and Expulsion: Grades 4-12” that has any of the effects described above on a reasonable student.

Bullying also includes an act of cyber sexual bullying by a student through the dissemination of, or the solicitation or incitement to disseminate, a photograph or other visual recording that depicts a nude, semi-nude, or sexually explicit photograph or other visual recording of an identifiable minor, when such dissemination is to another student or to school personnel by means of an electronic act and has or can be reasonably predicted to have one or more of the effects of bullying described above. Cyber sexual bullying does not include a depiction, portrayal, or image that has any serious literary, artistic, educational, political, or scientific value or that involves athletic events or school-sanctioned activities.

Electronic act means the creation or transmission originated on or off the school site by means of an electronic device, including, but not limited to, a telephone, wireless telephone, or other wireless communication device, computer, or pager, of a

communication including, but not limited to: (Education Code 48900(r))

- a. A message, text, sound, video, or image
- b. A post on a social network Internet web site, including, but not limited to, posting to or creating a burn page or creating a credible impersonation or false profile for the purpose of causing a reasonable student any of the effects of bullying described above.

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

Burn page means an internet web site created for the purpose of causing a reasonable student any of the effects of bullying described above. (Education Code 48900(r))

Credible impersonation means to knowingly and without consent impersonate a student for the purpose of bullying the student and such that the student would reasonably believe, or has reasonably believed, that the student was or is the student who was impersonated. (Education Code 48900(r))

False profile means a profile of a fictitious student or profile using the likeness or attributes of an actual student other than the student who created the false profile. (Education Code 48900(r))

An electronic act is not considered pervasive conduct solely on the basis that it has been transmitted to the internet or is currently posted on the internet. (Education Code 48900(r))

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

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

Additional Grounds for Suspension and Expulsion: Grades 4-12

A student in grades 4-12 shall be subject to suspension or recommendation for expulsion when it is determined that the student:

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

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

48900.2)

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

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

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

Additional Grounds for Suspension and Expulsion: Grades 9-12

Any student in grades 9-12 may be suspended, but not expelled, for disrupting school activities or otherwise willfully defying the valid authority of supervisors, teachers, administrators, other school officials, or other school personnel engaged in the performance of their duties. (Education Code 48900(k))

Suspension from Class by a Teacher

A teacher may suspend a student from class for the remainder of the day and the following day for any of the acts specified in Education Code 48900 and listed as Items #1-19 under "Grounds for Suspension and Expulsion: Grades K-12" above or for disruption or willful defiance at any grade level, including grades K-8. (Education Code 48910)

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

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

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

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

A teacher may also refer a student, for any of the acts specified above in Education Code 48900, to the principal or designee for consideration of a suspension from school. (Education Code 48910)

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

Suspension by Superintendent, Principal or Principal's Designee

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

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

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

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

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

Length of Suspension

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

A student may be suspended from school for not more than 20 school days in any school year. However, if a student enrolls in or is transferred to another regular school, an opportunity school or class, or continuation school or class for the purpose of adjustment, the student may be suspended for not more than 30 school days in a school year. The district may count suspensions

that occur while a student is enrolled in another school district toward the maximum number of days for which the student may be suspended in any school year. (Education Code 48903, 48911, 48912)

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

Due Process Procedures for Suspension

Suspensions shall be imposed in accordance with the following procedures:

1. **Informal Conference:** Suspension shall be preceded by an informal conference conducted by the Superintendent, principal, or designee with the student and, whenever practicable, the teacher, supervisor, or school employee who referred the student to the principal. At the conference, the student shall be informed of the reason for the disciplinary action, including the other means of correction that were attempted before the suspension as required pursuant to Education Code 48900.5, and the evidence against the student, and shall be given the opportunity to present the student version and evidence in the student's defense. (Education Code 48911)

This conference may be omitted if the Superintendent, principal, or designee determines that an emergency situation exists involving a clear and present danger to the lives, safety, or health of students or school personnel. If a student is suspended without this conference, the student, the student's parent/guardian, or if the student is a foster youth, the foster youth's educational rights holder, attorney, and county social worker, or if the student is an Indian child, the Indian child's tribal social worker and, if applicable, county social worker, shall be notified of the student's right to a conference and the right to return to school for the purpose of the conference. The conference shall be held within two school days, unless the student waives the right to it or is physically unable to attend for any reason. In such a case, the conference shall be held as soon as the student is physically able to return to school for the conference. (Education Code 48911)

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

3. **Notice to Parents/Guardians:** At the time of the suspension, a school employee shall make a reasonable effort to contact the parent/guardian, or if the student is a foster youth, the foster youth's educational rights holder, attorney, and county social worker, or if the student is an Indian child, the Indian child's tribal social worker, and, if applicable, the county social worker, in person, by email, or by telephone. Whenever a student is suspended, the parent/guardian, or, if applicable, the foster youth's educational rights holder, attorney, and county social worker, or the Indian child's tribal social worker and, if applicable, the county social worker, shall also be notified in writing of the suspension. (Education Code 48911)

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

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

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

If school officials request to meet with the parent/guardian, a foster youth's educational rights holder, attorney, and county social worker, or an Indian child's tribal social worker, and, if applicable, the county social worker, the notice may state that the law requires such individuals to respond to the request without delay. However, the student shall not be penalized for the failure of the parent/guardian, a foster youth's educational rights holder, attorney, and county social worker, or an Indian child's tribal social worker, and, if applicable, the county social worker, to attend such a conference. The student may not be denied reinstatement solely because such individuals failed to attend the conference. (Education Code 48911)

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

- a. The extension of the original period of suspension is preceded by notice of such extension with an offer to hold a conference concerning the extension, giving the student an opportunity to be heard. This conference may be held in conjunction with a meeting requested by the student or parent/guardian to challenge the original suspension.
- b. The Superintendent or designee determines, following a meeting in which the student and the student's parent/guardian were invited to participate, that the student's presence at the school or at an alternative school would endanger persons or property or threaten to disrupt the instructional process.
- c. If the student involved is a foster youth or Indian child, the Superintendent or designee shall notify the district's educational liaison of the need to invite the foster youth's educational rights holder, attorney and county social worker, or the Indian child's tribal social worker or, if applicable, the county social worker, to attend the meeting. (Education Code 48853.5, 48911, 48918.1)
- d. If the student involved is a homeless child or youth, the Superintendent or designee shall notify the district liaison for homeless students. (Education Code 48918.1)

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

Suspension by the Board

The Board may suspend a student for any of the acts listed under "Grounds for Suspension and Expulsion: Grades K-12," "Additional Grounds for Suspension and Expulsion: Grades 4-12," and "Additional Grounds for Suspension and Expulsion: Grades 9-12" above and within the limits specified under "Suspension by Superintendent, Principal, or 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. 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 a closed session if a public hearing would lead to disclosure of information that would violate a student's right to privacy under Education Code 49073-49079. (Education Code 35146, 48912)

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

On-Campus Suspension

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

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

At the time a student is assigned to an on-campus suspension classroom, the principal or designee shall notify the student's parent/guardian, or if the student is a foster youth, the foster youth's educational rights holder, attorney, and county social worker, or, if the student is an Indian child, the Indian child's tribal social worker and, if applicable, county social worker, in person, by email, or by telephone. When the assignment is for longer than one class period, this

notification shall be made in writing. (Education Code 48911.1)

Superintendent or, Principal's Authority to Recommend Expulsion

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

1. Causing serious physical injury to another person, except in self-defense
2. Possession of any knife or other dangerous object of no reasonable use to the student
3. Unlawful possession of any controlled substance as listed in Health and Safety Code 11053-11059, except for: The first offense for the possession of not more than one ounce of marijuana, other than concentrated cannabis (b) the student's possession of over-the-counter medication or other medication prescribed by a physician.
4. Robbery or extortion
5. Assault or battery, as defined in Penal Code 240 and 242, upon any school employee

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

Student's Right to Expulsion Hearing

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

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

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

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

the first day of the next school year. (Education Code 48918(a))

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

Stipulated Expulsion

After a determination that a student has committed an offense for which the student may be expelled, the Superintendent, principal, or designee shall offer the student, the student's parent/guardian, or, when applicable, other person holding the right to make educational decisions for the student, the option to waive a hearing and stipulate to the expulsion or to a suspension of the expulsion under certain conditions.

The offer shall be made only after written notice of the expulsion hearing pursuant to Education Code 48918

The stipulation agreement shall be in writing and shall be signed by the student, the student's parent/guardian, or, when applicable, the person holding the right to make educational decisions for the student. The stipulation agreement shall include notice of all the rights that the student is waiving, including the waiving of the right to have a full hearing, to appeal the expulsion to the County Board of Education, and to consult legal counsel.

A stipulated expulsion agreed to by the student, the student's parent/guardian, or, when applicable, the person holding the right to make educational decisions for the student, shall be effective upon approval by the Board.

Rights of Complaining Witness

1. 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, the Superintendent or designee shall give the complaining witness a copy of the district's suspension and expulsion policy and regulation and shall advise the witness of the right to: (Education Code 48918.5) Receive five days' notice of the scheduled testimony at the hearing.

2. Have up to two adult support persons present at the hearing at the time the witness testifies.
3. Have a closed hearing during the time the witness testifies.

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

Written Notice of the Expulsion Hearing

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

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

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

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

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

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

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

Additional Notice of Expulsion Hearing for Foster Youth, Homeless Students, and Indian Children

Pursuant to CA Welf & Inst Code § 224.1 (2017) (a) As used in this division, unless the context requires otherwise, the terms “Indian,” “Indian child,” “Indian child’s tribe,” “Indian custodian,” “Indian tribe,” “reservation,” and “tribal court” shall be defined as provided in Section 1903 of the Indian Child Welfare Act (25 U.S.C. Sec. 1901 et seq.).

If the student facing expulsion is a foster student or Indian child, the Superintendent or designee shall also send notice of the hearing to the foster youth's educational rights holder, attorney, and county social worker, or the Indian child's tribal social worker and, if applicable, county social worker, at least 10 calendar days prior to the hearing. (Education Code 48918.1)

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

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

Conduct of Expulsion Hearing

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

Whether the expulsion hearing is held in closed or public session, the Board may meet in closed session to deliberate and determine whether the student should be expelled. If the Board admits any other person to this closed session, the parent/guardian, the student, and the counsel of the student also shall be allowed to attend the closed session. (Education Code 48918(c)) If a hearing that involves a charge of sexual assault or sexual battery is to be conducted in public, a complaining witness shall have the right to testify 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, a videotaped deposition or contemporaneous examination in another place communicated to the hearing room by closed-circuit television. (Education Code 48918(c))

- 2. Record of Hearing:** A record of the hearing shall be made and may be maintained by any means, including electronic recording, as long as a reasonably accurate and complete written transcription of the proceedings can be made. (Education Code 48918(g))
- 3. Subpoenas:** Before commencing a student expulsion hearing, the Board may issue subpoenas, at the request of either the student or the Superintendent or designee, for the personal appearance at the hearing of any person who actually witnessed the action that gave rise to the recommendation for expulsion. After the hearing has commenced, the Board or the hearing officer or administrative panel may issue such subpoenas at the request of the student or the County Superintendent of Schools or designee. All subpoenas shall be issued in accordance with Code of Civil Procedure 1985-1985.2 and enforced in accordance with Government Code 11455.20. (Education Code 48918(i)) Any objection raised by the student or the Superintendent or designee to the issuance of subpoenas may be considered by the Board in closed session, or in open session if so requested by the student, before the meeting. The Board's decision in response to such an objection shall be final and binding. (Education Code 48918(i))

If the Board determines, or if the hearing officer or administrative panel finds and submits to the Board, that a witness would be subject to unreasonable risk of harm by testifying at the hearing, a subpoena shall not be issued to compel the personal attendance of that witness at the hearing. However, that witness may be compelled to testify by means of a sworn declaration as described in Item #6 below. (Education Code 48918(i))

4. Presentation of Evidence: Technical rules of evidence shall not apply to the expulsion hearing, but relevant evidence may be admitted and used as proof only if it is the kind of evidence on which reasonable persons can rely in the conduct of serious affairs. The decision of the Board to expel shall be supported by substantial evidence that the student committed any of the acts pursuant to Education Code 48900 and listed in "Grounds for Suspension and Expulsion: Grades K-12," "Additional Grounds for Suspension and Expulsion: Grades 4-12," and "Additional Grounds for Suspension and Expulsion: Grades 9-12" above. (Education Code 48918(h))

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

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

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

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

nonthreatening environment.

- i. The district shall provide a room separate from the hearing room for the use of the complaining witness before and during breaks in testimony.
- ii. 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 the complaining witness may leave the hearing room.
- iii. 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 normal school hours, if there is no good cause to take the testimony during other hours
 - c. Permit one of the support persons to accompany the complaining witness to the witness stand

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

Alternative Expulsion Hearing: Hearing Officer or Administrative Panel

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

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

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

return to the classroom instructional program from which the student's expulsion referral was made. The decision to not recommend expulsion shall be final. (Education Code 48918(e))

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

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

Final Action by the Board

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

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

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

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

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

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

Written Notice to Expel

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

1. The specific offense committed by the student for any of the causes for suspension or expulsion listed above under "Grounds for Suspension and Expulsion: Grades K-12," "Additional Grounds for Suspension and Expulsion: Grades 4-12," or "Additional Grounds for Suspension and Expulsion: Grades 9-12" (Education Code 48900.8)
2. The fact that a description of readmission procedures will be made available to the student and parent/guardian (Education Code 48916)
3. Notice of the right to appeal the expulsion to the County Board (Education Code 48918).
4. Notice of the alternative educational placement to be provided to the student during the time of expulsion (Education Code 48918)
5. Notice of the student's or parent/guardian's obligation to inform any new district in which the student seeks to enroll of the student's status with the expelling district, pursuant to Education Code 48915.1 (Education Code 48918)

Decision to Suspend Expulsion Order

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

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

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

1. The Board may, as a condition of the suspension of enforcement, assign the student to a school, class, or program appropriate for the student's rehabilitation. This rehabilitation program may provide for the involvement of the student's parent/guardian in the student's education. However, a parent/guardian's refusal to participate in the rehabilitation program shall not be considered in the Board's determination as to whether the student has satisfactorily completed the rehabilitation program. (Education Code 48917)

2. During the period when enforcement of the expulsion order is suspended, the student shall be on probationary status. (Education Code 48917)
3. The suspension of the enforcement of an expulsion order may be revoked by the Board if the student commits any of the acts listed under "Grounds for Suspension and Expulsion: Grades K-12," "Additional Grounds for Suspension and Expulsion: Grades 4-12," or "Additional Grounds for Suspension and Expulsion: Grades 9-12" above or violates any of the district's rules and regulations governing student conduct. (Education Code 48917)
4. When the suspension of enforcement of an expulsion order is revoked, a student may be expelled under the terms of the original expulsion order. (Education Code 48917)
5. Upon satisfactory completion of the rehabilitation assignment, the Board shall reinstate the student in a district school. Upon reinstatement, the Board may order the expunging of any or all records of the expulsion proceedings. (Education Code 48917)
6. The Superintendent or designee shall send written notice of any decision to suspend the enforcement of an expulsion order during a period of probation to the student or parent/guardian. The notice shall inform the parent/guardian of the right to appeal the expulsion to the County Board, the alternative educational placement to be provided to the student during the period of expulsion, and the student's or parent/guardian's obligation to inform any new district in which the student seeks to enroll of the student's status with the expelling district, pursuant to Education Code 48915.1(b). (Education Code 48918(j))
7. Suspension of the enforcement of an expulsion order shall not affect the time period and requirements for the filing of an appeal of the expulsion order with the County Board. (Education Code 48917)

Appeal

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

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

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 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 of any student acts involving the possession, sale, or furnishing of firearms, explosives, or other dangerous weapons in violation of Education Code 48915(c)(1) or (5) or Penal Code 626.9 and 626.10. (Education Code 48902)

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

Placement During Expulsion

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

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

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

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

Readmission After Expulsion

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

1. The Superintendent or designee shall hold a conference with the student's parent/guardian, or other person holding the right to make educational decisions for the student, 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 the student's parent/guardian or other person holding the right to make educational decisions for the student shall be asked to indicate in writing their willingness to comply with these regulations.
2. The Superintendent or designee shall transmit to the Board a recommendation regarding readmission. The Board shall consider this recommendation in closed session. If a written request for open session is received from the student's parent/guardian or other person holding the right to make educational decisions for the student, or adult student, it shall

be honored to the extent that privacy rights of other students are not violated.

3. If the readmission is granted, the Superintendent or designee shall notify the student and the student's parent/guardian, or other person holding the right to make educational decisions for the student, by registered mail, of the Board's decision regarding readmission.
4. The Board may deny readmission only if it finds that the student has not satisfied the conditions of the rehabilitation plan or that the student continues to pose a danger to campus safety or to other district students or employees. (Education Code 48916)
5. If the Board denies the readmission of a student, the Board shall determine either to continue the student's placement in the alternative educational program initially selected or to place the student in another program that serves expelled students, including placement in a county community school.
6. The Board shall provide written notice to the expelled student and the student's parent/guardian or other person holding the right to make educational decisions for the student, 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.

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

Maintenance of Records

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

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

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

Adopted: 5-15-84

Amended: 5-6-97; 2-2-99; 2-20-02; 9-17-02; 6-17-03, 11-05, 11-08, 3-10, 3-12, 7-12, 11-12, 4-14, 4-21-15, 4-17-18, 2-19-19, 10-28-20, 9-12-23

[AR5144.1 Suspension And Expulsion_Due Process](#)

5a. Expulsion Guidelines

Must Recommend Expulsion (Mandatory Expulsion)	Must Recommend Expulsion (Expulsion Discretionary)	May Recommend Expulsion (Expulsion Discretionary)
<p>Act must be committed at school or school activity. EC section 48915(c)</p> <ol style="list-style-type: none"> 1. Firearm <ol style="list-style-type: none"> a. Possessing firearm when a district employee verified firearm possession and when student did not have permission from a certificated employee which is concurred with by the principal or designee. b. Selling or otherwise furnishing a firearm. 2. Brandishing a knife at another person. 3. Unlawfully selling a controlled substance listed in Health & Safety Code Section 11053 et. seq. 4. Committing or attempting to commit a sexual assault as defined in subdivision (n) of EC 48900 or committing sexual battery as defined in subdivision (n) of 48900. 5. Possession of an explosive 	<p>Act must be committed at school or school activity. EC Section 48915(a) states that an administrator shall recommend expulsion for the following violations [except for subsections (c) and (e)] unless the administrator finds that expulsion is inappropriate due to a particular circumstance.</p> <ol style="list-style-type: none"> 1. Causing serious physical injury to another person, except in self-defense. EC Section 48915 (a)(1). 2. Possession of any knife, explosive, or other dangerous object of no reasonable use to the pupil. EC Section 48915(a)(2). 3. Possession and/or use of any substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code, except for the first offense for possession of not more than one avoirdupois ounce of marijuana other than concentrated cannabis. 4. Robbery or extortion. EC Section 48915(a)(4). 5. Assault or battery, or threat of, on a school employee. <p>The recommendation for expulsion shall be based on one or both of the following:</p> <ol style="list-style-type: none"> 1. Other means of correction are not feasible or have repeatedly failed to bring about proper conduct. 2. Due to the nature of the act, the presence of the pupil causes a continuing danger to the physical safety of the pupil or others [see Section 48915 (b)]. 	<p>Acts committed at school or school activity or on the way to and from school or school activity. EC 48900</p> <ol style="list-style-type: none"> a1. Caused, attempted to cause, or threatened to cause physical injury <ol style="list-style-type: none"> 2 Willfully used force or violence upon the person of another, except in self-defense b Possessed, sold, or otherwise furnished a firearm, knife, explosive, or other dangerous object c Unlawfully possessed, used, sold, or otherwise furnished or been under the influence of a controlled substance d Unlawfully offered, arranged, or negotiated to sell a controlled substance e Committed or attempted to commit a robbery or extortion f Caused or attempted to cause damage to school or private property g Stole or attempted to steal school property or private property h Possessed or used tobacco, or products containing tobacco I Committed an obscene act or engaged in habitual profanity or vulgarity J Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell drug paraphernalia * k Disrupted school activities (*cannot suspend students grade 3 & below for “k” - cannot expel student in any grade level for “k”) l Knowingly received stolen school property or private property m Possessed an imitation firearm n Committed or attempted to commit a sexual assault <ol style="list-style-type: none"> o Harassed, threatened, or intimidated a pupil who is a complaining witness or a witness in a school disciplinary proceeding p Unlawfully offered, arranged, negotiated to sell or sold the prescription drug Soma q Engaged in, or attempted to engage in hazing

		<p>r Engaged in an act of bullying t A Pupil who aids or abets the infliction or attempted infliction of physical injury to another person</p> <p>48900.2 Pupil has committed sexual harassment 48900.3 Pupil caused, attempted to cause, threatened to cause or participated in an act of hate violence 48900.4 Pupil has intentionally engaged in harassment, threats, or intimidation directed against school personnel or pupil that is sufficiently severe or pervasive to have the actual and reasonably anticipated effect of materially disrupting classwork, creating substantial disorder and invading the rights of either school personnel or pupils by creating an intimidating or hostile environment 48900.7 Pupil has made terroristic threats against school officials or school property, or both</p> <p>The recommendation for expulsion shall be based on one or both of the following:</p> <ol style="list-style-type: none"> 1. Other means of correction are not feasible or have repeatedly failed to bring about proper conduct. 2. Due to the nature of the act, the presence of the pupil causes a continuing danger to the physical safety of the pupil or others [see Section 48915 (b)]
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5b. Notification of Teachers

[Board Policy 4112.9, 4212.9, 4312.9 \(a\)](#)

Employee Notifications

The Governing Board believes that providing clear communications to staff is essential to establishing a professional, positive work environment and enhancing their job performance. The Superintendent or designee shall provide district employees all notifications required by law and any other notifications the Superintendent or designee believes will promote staff knowledge of the district's policies, programs, activities, and operations.

When required by law, Board policy, or administrative regulation, district employees shall be asked to sign an acknowledgment indicating receipt of the notification. Such acknowledgments shall be retained in each employee's personnel file.

Provisions of Board Policies of Teacher Notification to Teachers/Staff with regards to safety and security:

When/Whom to Notify: To principal, counselor who directly supervises or reports on student's behavior or progress, and teacher and other administrators who directly supervise or report on student's behavior or progress when principal believes needs the information for the protection of self or others when working with student, when Superintendent or designee receives written notification that minor student has committed a felony or misdemeanor involving specified offenses

Education or Other Legal Code: Welfare and Institutions Code 827

Board Policy/Administrative Regulation #: AR 4158/4258/4358

Subject: Limited exception to juvenile court record confidentiality to ensure rehabilitation of juvenile criminal offenders and protect students and staff

When/Whom to Notify: To teacher, when a student engages in or is reasonably suspected of specified acts

Education or Other Legal Code: Education Code 49079

Board Policy/Administrative Regulation #: AR 4158/4258/4358

Subject: Student has committed specified act that constitutes ground for suspension or expulsion

When/Whom to Notify: To teacher of a student who is suspended or expelled, when Superintendent or designee receives transfer student's record regarding acts that resulted in suspension or expulsion

Education or Other Legal Code: Education Code 48201

Board Policy/Administrative Regulation #: AR 4158/4258/4358

Subject: Student has committed specified act that constitutes ground for suspension or expulsion

[E 4112.9 4219.9 4319.9 Employee Notifications](#)

6. Nondiscrimination and Harassment Policies

6a. Sexual Harassment Policy

[Board Policy 4119.11, 4219.11, 4319.11](#)

Sexual Harassment

The following administrative regulation shall apply to all allegations of sexual harassment involving employees, interns, volunteers, and job applicants, but shall not be used to resolve any complaint by or against a student.

Definitions

Sexual harassment includes, but is not limited to, unwelcome sexual advances, unwanted requests for sexual favors, or other unwanted verbal, visual, or physical conduct of a sexual nature, regardless of whether or not the conduct is motivated by sexual desire. Conduct is considered to be sexual harassment when made against another person of the same or opposite sex in the work or educational setting under any of the following conditions: (Education Code 212.5; Government Code 12940; 2 CCR 11034)

1. Submission to the conduct is made explicitly or implicitly a term or condition of the individual's employment
2. Submission to or rejection of the conduct is used as the basis for an employment decision affecting the individual.
3. The conduct has the purpose or effect of having a negative impact upon the individual's work performance or of creating an intimidating, hostile, or offensive work environment.
4. Submission to or rejection of the conduct is used as the basis for any decision affecting the individual regarding benefits, services, honors, programs, or activities available at or through the district.

For purposes of applying the complaint procedures specified in Title IX of the Education Amendments of 1972, sexual harassment is defined as any of the following forms of conduct that occurs in an education program or activity in which a district school exercises substantial control over the context and respondent: (34 CFR 106.30, 106.44)

1. A district employee conditioning the provision of a district aid, benefit, or service on the person's participation in unwelcome sexual conduct
2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the district's education program or activity
3. Sexual assault, dating violence, domestic violence, or stalking as defined in 20 USC 1092

or 34 USC 12291

Examples of Sexual Harassment

Examples of actions that might constitute sexual harassment under state or federal law in accordance with the definitions above, in the work or educational setting, whether committed by a supervisor, a co-worker, or a non-employee, include, but are not limited to:

1. Unwelcome verbal conduct such as sexual flirtations or propositions; graphic comments about an individual's body; overly personal conversations or pressure for sexual activity; sexual jokes or stories; unwelcome sexual slurs, epithets, threats, innuendoes, derogatory comments, sexually degrading descriptions, or the spreading of sexual rumors
2. Unwelcome visual conduct such as drawings, pictures, graffiti, or gestures; sexually explicit emails; displaying sexually suggestive objects
3. Unwelcome physical conduct such as massaging, grabbing, fondling, stroking, or brushing the body; touching an individual's body or clothes in a sexual way; cornering, blocking, leaning over, or impeding normal movements

Title IX Coordinator/Compliance Officer

The district designates the following individual(s) as the responsible employee(s) to coordinate its efforts to comply with Title IX of the Education Amendments of 1972, in accordance with AR 4119.12/4219.12/4319.12 - Title IX Sexual Harassment Complaint Procedures, as well as to oversee, investigate and resolve sexual harassment complaints under AR 4030 - Nondiscrimination in Employment. The Title IX Coordinator(s) may be contacted at:

Assistant Superintendent, Human Resources
5801 Conifer Street
Oak Park, CA 91377
818-735-3200
smcgugan@opusd.org

Training

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

A supervisory employee is any employee having the authority, in the interest of the district, to hire, transfer, suspend, lay off, promote, discharge, assign, reward, or discipline other employees, or the responsibility to direct them, adjust their grievances, or effectively recommend such action, when the exercise of the authority is not of a merely routine or clerical nature, but requires the use of independent judgment. (Government Code 12926)

Such training may be completed by employees individually or as part of a group presentation, may be completed in shorter segments as long as the applicable hourly requirement is met, and may be provided in conjunction with other training provided to the employees. The training shall be presented by trainers or educators with knowledge and expertise in the prevention of harassment, discrimination, and retaliation. (Government Code 12950.1)

The district's sexual harassment training and education program shall include, but is not limited to, the following: (Government Code 12950.1; 2 CCR 11024)

1. Information and practical guidance regarding federal and state laws concerning the prohibition, prevention, and correction of sexual harassment
2. The types of conduct that constitute sexual harassment
3. Remedies available for victims in civil actions, and potential employer/individual exposure/liability
4. Strategies to prevent harassment in the workplace
5. Supervisors' obligation to report sexual harassment, discrimination, and retaliation of which they become aware
6. Practical examples which illustrate sexual harassment, discrimination, and retaliation using training modalities such as role plays, case studies, and group discussions, based on factual scenarios taken from case law, news and media accounts, and hypotheticals based on workplace situations and other sources
7. The limited confidentiality of the complaint process
8. Resources for victims of unlawful harassment, such as to whom they should report any alleged harassment
9. Steps necessary to take appropriate remedial measures to correct harassing behavior, which includes the district's obligation to conduct an effective workplace investigation of a harassment complaint
10. What to do if the supervisor is personally accused of harassment
11. The essential elements of the district's anti-harassment policy, and how to use the policy if a harassment complaint is filed

Employees shall receive a copy of the district's sexual harassment policy and administrative regulations, which they shall read and acknowledge that they have received.

12. Information, including practical examples, of harassment based on gender identity, gender expression, and sexual orientation
13. Prevention of abusive conduct, including a review of the definition and elements of abusive conduct pursuant to Government Code 12950.1, the negative effects that abusive

conduct has on the victim and other in the workplace, the detrimental consequences of this conduct on employee productivity and morale, and that a single act does not constitute abusive conduct unless the act is severe or egregious

The Superintendent or designee shall retain for at least two years the records of any training provided to supervisory employees. Such records shall include the names of trained employees, date of the training, the type of training, and the name of the training provider. (2 CCR 11024)

Notifications

The Superintendent or designee shall notify employees that the district does not discriminate on the basis of sex as required by Title IX, that the Title IX nondiscrimination requirement extends to employment, and that inquiries about the application of Title IX to the district may be referred to the district's Title IX Coordinator and/or to the Assistant Secretary for Civil Rights, U.S. Department of Education. (34 CFR 106.8)

The district shall notify employees, bargaining units, and applicants for employment of the name or title, office address, email address, and telephone number of the district's Title IX Coordinator. (34 CFR 106.8)

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

1. Be displayed in a prominent location in the main administrative building, district office, or other area of the school where notices of district rules, regulations, procedures, and standards of conduct are posted (Education Code 231.5)
2. Be provided to every district employee at the beginning of the first quarter or semester of the school year or whenever a new employee is hired (Education Code 231.5)
3. Appear in any school or district publication that sets forth the school's or district's comprehensive rules, regulations, procedures, and standards of conduct (Education Code 231.5)
4. Be posted, along with the name or title and contact information of the Title IX Coordinator, in a prominent location on the district's web site (34 CFR 106.8)
5. Be included, along with the name or title and contact information of the Title IX Coordinator, in any handbook provided to employees or employee organizations (34 CFR 106.8)

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

1. The illegality of sexual harassment
2. The definition of sexual harassment under applicable state and federal law

3. A description of sexual harassment, with examples
4. The district's complaint process available to the employee
5. The legal remedies and complaint process available through DFEH and the Equal Employment Opportunity Commission (EEOC)
6. Directions on how to contact DFEH and the EEOC
7. The protection against retaliation provided by 2 CCR 11021 for opposing harassment prohibited by law or for filing a complaint with or otherwise participating in an investigation, proceeding, or hearing conducted by DFEH and the EEOC

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

Complaint Procedures

All complaints and allegations of sexual harassment by and against employees shall be investigated and resolved in accordance with law and district procedures. The Title IX Coordinator shall review the allegations to determine the applicable procedure for responding to the complaint. All complaints that meet the definition of sexual harassment under Title IX shall be investigated and resolved in accordance with AR 4119.12/4219.12/4319.12 - Title IX Sexual Harassment Complaint Procedures. Other sexual harassment complaints shall be investigated and resolved pursuant to AR 4030 - Nondiscrimination in Employment.

If sexual harassment is found following an investigation, the Title IX Coordinator, or designee in consultation with the Coordinator, shall take prompt action to stop the sexual harassment, prevent recurrence, and address any continuing effects.

Assistant Superintendent Human Resources
5801 Conifer Dr.
Oak Park, CA 91377
818-735-3207

6b. Bullying Board Policy

[Board Policy 5131.2\(a\)](#)

[Online Bullying Prevention Training Programs can be accessed on the CDE bullying Publication and Resources web page at: https://www.cde.ca.gov/ls/ss/se/bullyres.asp](https://www.cde.ca.gov/ls/ss/se/bullyres.asp)

Bullying

Bullying

This policy shall apply to all acts constituting bullying related to school activity or to school attendance occurring within a district school, to acts which occur off campus or outside of school-related or school-sponsored activities but which may have an impact or create a hostile environment at school, and to all acts of the Governing Board and the Superintendent in enacting policies and procedures that govern the district.

The Board recognizes the harmful effects of bullying on student well-being, student learning, and school attendance and desires to provide a welcoming, safe, and supportive school environment that protects students from physical, mental, and emotional harm. No individual or group shall, through physical, written, verbal, visual, or other means, harass, sexually harass, threaten, intimidate, cyberbully, cause bodily injury to, or commit hate violence against any student or school personnel, or retaliate against them for filing a complaint or participating in the complaint resolution process.

The Superintendent or designee shall develop strategies for addressing bullying in district schools with the involvement of students, parents/guardians, and staff. As appropriate, the Superintendent or designee may also collaborate with social services, mental health services, law enforcement, courts, and other agencies and community organizations in the development and implementation of effective strategies to promote safety in schools and the community.

Such strategies shall be incorporated into the comprehensive safety plan and, to the extent possible, into the local control and accountability plan and other applicable district and school plans.

Any complaint of bullying shall be investigated and, if determined to be discriminatory, resolved in accordance with law and the district's uniform complaint procedures specified in AR 1312.3. If, during the investigation, it is determined that a complaint is about nondiscriminatory bullying, the principal or designee shall inform the complainant and shall take all necessary actions to resolve the complaint.

If the Superintendent or designee believes it is in the best interest of a student who has been the victim of an act of bullying, as defined in Education Code 48900, the Superintendent or designee shall advise the student's parents/guardians that the student may transfer to another school. If the parents/guardians of a student who has been the victim of an act of bullying requests a transfer for

the student pursuant to Education Code 46600, the Superintendent or designee shall allow the transfer in accordance with law and district policy on intradistrict or interdistrict transfer, as applicable.

District families are encouraged to model respectful behavior, contribute to a safe and supportive learning environment, and monitor potential causes of bullying.

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

Adopted: 8-21-12

Amended: 4-13, 2-17-15, 9-15-15, 6-12-18, 10-15-19, 3-17-20, 1-23-24

6c. Hate Motivated Behavior Board Policy

[Board Policy 5145.9](#)

Hate-Motivated Behavior The Governing Board is committed to providing a safe learning environment that protects students from discrimination, harassment, intimidation, bullying, and other behavior motivated by a person's hostility towards another person's real or perceived ethnicity, national origin, immigrant status, sex, gender, sexual orientation religious belief, age, disability, or any other physical or cultural characteristic. The Superintendent or designee shall design strategies to promote harmonious relationships among students, prevent incidents of hate-motivated behavior, and address such incidents if they occur.

The Superintendent or designee shall collaborate with regional programs and community organizations to promote safe environments for youth. Such collaborative efforts shall focus on ensuring an efficient use of district and community resources, developing effective prevention strategies and response plans, providing assistance to students affected by hate-motivated behavior, and/or educating students who have perpetrated hate-motivated acts.

The district shall provide students with age-appropriate instruction that includes the development of social-emotional learning, promotes their understanding of and respect for human rights, diversity, and acceptance in a multicultural society, and provides strategies to manage conflicts constructively.

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

The Superintendent or designee shall ensure that the rules prohibiting hate-motivated behavior and procedures for reporting a hate-motivated incident are provided to students and parents/guardians. The Superintendent or designee shall provide staff with training on recognizing and preventing hate-motivated behavior and on effectively enforcing rules for appropriate student conduct.

Complaint Process A student or parent/guardian who believes the student is a victim of hate-motivated behavior is strongly encouraged to report the incident to a teacher, the principal, or other staff member. Any staff member who is notified that hate-motivated behavior has occurred, observes such behavior, or otherwise becomes aware of an incident shall immediately contact the principal or the compliance officer responsible for coordinating the district's response to complaints and complying with state and federal civil rights laws. As appropriate, he/she shall also contact law enforcement.

All complaints of hate-motivated behavior shall be investigated and, if determined to be discriminatory, shall be resolved in accordance with law and the district's uniform complaint procedures specified in AR 1312.3 - Uniform Complaint Procedures. If, during the investigation, it is determined that a complaint is about nondiscriminatory behavior, the principal or designee shall inform the complainant and shall take all necessary actions to resolve the complaint.

7. School-wide Dress Code

Medea Creek Students Dress for Success! The manner of student dress is a matter to be determined primarily by the students' parents. The District expects students will attend school wearing clothing which is both neat and clean and which is appropriate to the weather and to the activities being conducted in school. MCMS believes that dress and grooming influence the way that we behave.

Under no circumstance shall the dress or appearance of a student be such that it endangers the health and safety of the student or others or such that it has a disruptive effect upon the orderly operation of the school.

Medea Creek Dress Code:

1. Students must wear clothing including both a shirt with pants or skirt, or the equivalent (i.e. dresses, leggings, or shorts) and shoes, (for example, sneakers, sandals,
2. Clothing must cover the chest, back, buttocks, and torso (e.g., private parts.) Tops must have two straps.
3. Clothing must opaquely cover private parts and any undergarments at all times (see-through clothing, mesh, or transparent materials do not meet this requirement).
4. Clothing may not depict, advertise or advocate the use of firearms, alcohol, tobacco, marijuana, or other controlled substances.
5. Clothing may not use or depict hate speech targeting groups based on, including but not limited to, disability, race, gender, ethnicity, nationality, immigration status, religion, sexual orientation, household income, gender identity, gender expression, or cultural observance.
6. Students may not wear clothing or accessories that feature offensive images or language including profanity, hate speech, pornography, vulgarities, or defamatory language as determined by the school principal or their administrative designee.
7. Clothing must be suitable for all scheduled classroom activities including physical

- education, science labs, shop classes, field trips and other activities where unique hazards or specialized attire or safety gear is required.
8. Hats and other headwear must allow the face to be visible to staff. Masks are not allowed with the exception of those required for health and safety reasons.
 9. Students must wear shoes with backs, including sandals. All shoes must be hard-soled.
No slippers or flip-flops.
 10. Attire or grooming depicting or advocating violence, criminal activity, gang-related activity including attire, logos, or colors identified by VCSD, LASD, or LAPD as gang-affiliated are prohibited.
 11. The principal and staff of the school may establish reasonable additional regulations regarding student appearance and attire to be required of students who voluntarily engage in extracurricular or other special activities, including school dances and curricular trips, as examples. and curricular trips, as examples.

[BP 5132 Dress And Grooming](#)

8. Safe Ingress and Egress Procedures

8a. Safe routes to school (pedestrian, vehicle, bicycle, traffic safety)

School and district staff are dedicated to ensuring the safety of students, staff and parents/guardians going to and from school.

Designated emergency exit routes are defined in the Emergency Operations Plan. In case an accident, fire, earthquake or other emergency affects our regular evacuation routes, school staff is responsible for directing students to a safe, alternative exit route. Students must remain on campus, under staff supervision. In case of emergency, students must be retained until they can be released to either a parent or an authorized emergency contact.

Emergency scenarios that students need to be prepared for:

- Walking to school: Students should continue walking to school.
- Walking home: Students should continue walking home
- In the neighborhood: Students should return home or go to a pre-designated alternate home.
- Waiting for a bus: Students should return home or go to a pre-designated alternate home.
- On a school bus on the way to a field trip: The driver will return to the school when it is safe.
- During a field trip: The teacher will find safe shelter at that location until it is safe to return to the school.
- On a school bus returning to school from a field trip: the driver will continue to school when it is safe to do so.

Medea Creek Middle School Traffic Flow & Safety

Every year and at just about every school, traffic at drop-off and pick-up times are large problems. There have been many ideas and efforts to alleviate traffic at MCMS, but the following suggestions could make a tremendous difference in reducing the traffic lines and keeping our students safe going to and from school.

1. Follow the traffic pattern: the MCMS parking lot drop off and pick up should be curbside in front of the gym only. Dropping off in the middle of the parking lot causes delays to cars behind and is dangerous for students crossing in between cars. Always pull forward as far as you can and keep moving forward as spaces open in front of you.
2. Leave 5 minutes early in the morning/ Wait 5 minutes in the afternoon: The campus is open starting at 7:30am and there is little traffic until 8:05. Picking up just a little later is

also a good idea. Remember that the last bell rings at 2:40 and it takes at least 5 minutes for students to get to the parking lot.

3. Use an alternate drop-off/pick-up area: Dropping off or picking up along Hollytree is underutilized as is along Doubletree north of the church. There is a long sidewalk eastbound on Hollytree, which allows a drop off that leads directly to the crossing guard and allows the driver to go directly back to Kanan road!
4. Carpool/ride a bike/walk to school: If it is feasible, find neighbors who can walk, ride or carpool together. Remember that it is the law for students to wear bike helmets!
5. Do not use parking spaces: Some school employees have schedules differing from the bell schedule. It is important for the smooth functioning of the school that they are able to access their parking space. Please do not assume that because a space is open, that the employee does not need it. ALL PARKING SPOTS IN THE MCMS LOT ARE DESIGNATED FOR STAFF. PLEASE PARK ALONG THE CURB IN FRONT OF THE GYM OR ON DOUBLETREE RD.
6. Do not park, block or drive through residential complex lots: It is illegal to use the private access driveways, stop or park, or to block the entrances. CHP has been ticketing in these complex areas. These areas are also our neighbors, please be considerate.

Safety:

1. Do not walk across Doubletree other than at the crosswalk with the crossing guard. We have had numerous close calls with students walking across mid-street. Cars cannot see a student, and the student cannot see the cars.
2. Do not use cell phones while driving through the lots. There are too many students and other cars to allow for distractions.
3. Please drive very slowly through the lots. Please be patient.
4. Drop off students curbside only, not in the middle of the lot.

In all, please be patient, respect other drivers and always be focused on the safety of our students!

Map of Medea Creek Middle School Campus and surrounding neighborhood.





School Entrance located on Hollytree Drive leading to the uphill driveway.



Uphill driveway when entering Medea Creek Middle School from Hollytree Drive.



Numbered staff parking spaces. Please DO NOT park in these spaces.



**Straight arrow for thru-traffic single lane ONLY.
Right arrow to Flagpole morning/afternoon drop off / pick up.**



Flagpole morning/afternoon drop off / pick up.



Morning/Afternoon drop off & pick up lane. Left lane is for thru-traffic ONLY.

Reminder: Always pull forward as far as you can and keep moving forward as spaces open in front of you.



School Exit (Right turn ONLY) leading to the Doubletree Road.



**ShadowRidge Condos entrance across from campus exit.
No U-Turns allowed from 7:45-8:45 AM and 2:15-3:15 PM on
School days.**

Alternate Drop off / Pick up zones



- 1. Church parking lot entrance/exit on Double Tree Road - Alternate Morning/Afternoon Drop off & Pick up zone.**



2. Stairs located on Hollytree Drive - Alternate Morning/Afternoon Drop off & Pick up zone.



3. Northeast corner of Double Tree Road and Hollytree Drive - Alternate Morning/Afternoon Drop off & Pick up zone.

8b. Visitor Access to School Campus

All visitors to MCMS must sign in and out through the raptor system in the main office.

9. Ensuring a Safe and Orderly Environment

Program and Practices promoting a safe and orderly environment conducive to learning

Stay At Home Sick:

- A morning temperature of 99.0 degrees or greater
- Fever-free for 24 hours before returning to school
- Vomit-free for 24 hours before returning to school
- When you have diarrhea
- Severe coughing, green nasal discharge or severe ear aches
- Severe sore throat with trouble swallowing.

Attendance/Truancy letters are automatically generated and mailed home once a student misses 3 or more school days without having reported a valid excuse (“Unexcused”) as defined under the law, OR, because of mounting and excessive absences, even with a valid excuse. Students may not be allowed to make-up work missed by truancy. **Chronically Absent** is defined by law as a student who misses 10% or more of school, even with a valid excuse.

II. Once a student is designated a truant (or chronically absent) state law requires schools, districts, counties, and courts to intervene to ensure that parents and pupils receive certain services to assist them in complying with attendance laws.

A. Attendance letter(s) will be sent home, alerting the student and family that there is an attendance issue; MCMS will contact and counsel the student and family.

B. Should absences continue, student and parent will be contacted for a **School Attendance Review Team (SART)** meeting held at the Oak Park Unified School District Office with the Assistant Superintendent and a panel of OPUSD personnel to examine the issues preventing the student from attending school on a daily basis.

C. Beyond SART, students and families can be referred to the **School Attendance Review Board (SARB.)** SARBs are employed nationwide to investigate and enforce compulsory school compliance through age 18. SARBs are often composed of law enforcement and/or a representative from the District Attorney’s Office, school administrators and various community members. The panel reviews each case and has the authority to issue citations and/or monetary fines to parents and students, require community service or court appearances, as examples.

D. TRUANT students (skipping class/school unbeknownst to their parent/guardian) are subject

to making up the missed school

BALLOONS

We request that students and parents not bring balloons on campus due to the fact that it can be dangerous for students with latex allergies and other types of balloons (such as Mylar) are known to be hazardous for our environment. Mylar balloons should not be released into the sky due to the damage they cause to power lines. For students with latex allergies, they are dangerous. When latex balloons pop, the powder they emit, especially in crowded hallways or classrooms, can cause a serious allergic reaction.

BULLYING/CYBERBULLYING

Medea Creek Middle School is committed to providing a safe and respectful learning environment that protects students from discrimination, harassment, intimidation, bullying, and other behavior motivated by a person's hostility towards another person's real or perceived ethnicity, national origin, immigrant status, sex, gender, sexual orientation, religious belief, age, disability, or any other physical or cultural characteristic. MCMS does not tolerate any type of harassment, speech, violence, or acts that cause a hostile environment. As such, consequences and/or disciplinary means are instituted for any such behavior. Importantly, school staff prioritizes the protection and healing of the targets of such acts.

Acceptable Use Agreement (AUA):

Each MCMS student (and parent/guardian) accepts and signs an OPUSD Acceptable Use Agreement (AUA) for regulating electronic devices and technology pertaining to school.

9a. Site Discipline Procedures

DISCIPLINE

At all times, the safety of students and staff and the maintenance of an orderly school environment shall be priorities in determining appropriate discipline. When misconduct occurs, staff shall attempt to identify the causes of the student's behavior and implement appropriate discipline. When choosing between different disciplinary strategies, staff shall consider the effect of each option on the student's health, well-being, and opportunity to learn.

The Oak Park Unified School District supports a "Progressive Discipline Policy" and associated practice because this approach provides a logical, escalating sequence to consequences while informing students and parents at the earliest level where rehabilitation might be employed. An exception for implementing progressive discipline will be for more serious offenses, which require immediate suspension and mandatory expulsion by law.

A. RESPECT FOR PEOPLE, PROPERTY, AND LEARNING

- **Protecting Personal and Public Property** - Students should protect their own property by keeping their backpacks with them or in their locker rather than leaving them sitting around. Never share your locker combinations or I.D. number in order to protect your privacy and property. Don't bring valuables to school.
- **Cheating and Plagiarism** - Using the work of other people rather than doing your own work deprives you of the chance to actually learn the material you are expected to learn. Show respect for the work of authors and researchers by not copying their information.

Learn to cite their work properly if you want to use it as an example. Cheating on an exam, copying the work of another student or from the Internet, or giving your work to another student may result in a zero grade being assigned and the student being placed on a contract. Additional discipline will be assigned as specified in the discipline chart. Discipline policies will apply to both parties involved in cheating.

- **Peer Relationships** - Students should be aware of acceptable behavior on campus or at any school activity or trip. We depend on the good judgment of the student. Overt physical contact such as kissing, prolonged hugging, or sitting in laps is not permitted. Students failing to use good judgment will be warned and parents notified.

- **Harassment** - (REPEATED name-calling, bullying, rumors, unkind behavior) will not be tolerated.

RACIAL HARASSMENT

Racial harassment is an incident or a series of incidents intended or likely to intimidate, offend or harm any individual or group because of their [perceived or actual] ethnic origin, color, race, religion, or nationality, and a racist incident is any incident that is perceived to be racist by the victim or any other person (MacPherson Report 1999).

Such behavior may include:

- Derogatory name-calling.
- Verbal threats, insults, and racist jokes.
- Display of racially offensive material.
- Slurs or symbols (verbal, nonverbal, or written).
- Exclusion from normal conversation or activities.
- Physical attack.
- Encouraging others to commit any such acts.

HEALING, JUSTICE, AND PROTECTION

MCMS prioritizes the protection and healing of the targets of any act of harassment, hate, bullying, hostility or violence (as referenced above). Administrators, teachers, and school counselors, among others, are responsible for providing a safe place to learn for each and every student and provide a system of support to those who are targets of any act of harassment, bullying, violence, or hostility.

SEXUAL HARASSMENT - Sexual harassment is unwelcomed sexual attention. It is attention of a sexual nature that is not wanted by the person receiving it. *The issue is the impact of the attention and not the intent.* Even if the one conferring the attention is unaware that the attention is unwelcome, it may be offensive. (Behavior resulting from mutual attraction is not a form of sexual harassment, because both parties welcome the interaction.) It is sexual harassment when:

- A person in a position of power coerces, or attempts to coerce, a subordinate or a student into providing sexual favors. (The subordinate or student may not feel at liberty to say "no" due to the imbalance of power); an individual behaves (or group of individuals behave) in a manner that is sexual in nature that creates a hostile, offensive, or intimidating work or learning environment. (This behavior may occur between people with unequal power, as well as between peers.)
- Unwelcome leering, sexual flirtations, or propositions. 2. Unwelcome sexual slurs, epithets, threats, verbal abuse, derogatory comments, or sexually degrading descriptions.
- Graphic verbal comments about an individual's body, or overly personal conversation.

- Sexual jokes, stories, drawings, pictures, or gestures.
- Spreading sexual rumors.
- Teasing or sexual remarks about students enrolled in a predominantly single-sex class.
- Touching an individual's body or clothes in a sexual way.
- Purposefully limiting a student's access to education tools.
- Cornering or blocking of normal movements.
- Displaying, passing around sexually suggestive objects in the education environment.
- Any act of retaliation against an individual who reports a violation of the district's sexual harassment policy or who participates in the investigation of a sexual harassment complaint. Pupils participating in harassment will be referred to MCMS administration for disciplinary action. Continuing or severe harassment of a sexual or other nature may be reported as a "hate crime" to law enforcement authorities.

DRUGS/MEDICATION

A. Prescription and Non-Prescription Medication, Vitamins and Supplements:

All prescription or "over-the-counter" medicine, including cough drops and inhalers, must be stored in the Health Office. It is a violation of law for students to carry any medicine on campus. If the student needs to take medication during the school day, parents should return a completed Medicine Release form allowing the school to administer the medication. Please get forms from the Office or the District website (under departments, health services, forms). Students needing to use inhalers will inform their teacher and be released to the Office. According to the law, the school may not dispense nonprescription medicine unless parent permission, doctor's authorization, and the medicines are provided appropriately to the School Office. All medication forms must be renewed annually.

B. Drugs, Tobacco, and Alcohol:

Drug, tobacco, or alcohol (or any "look-alikes" of these three items) products are not to be brought on to the campus at any time by any person except under prior special arrangement, with written permission of the school. Any student under the influence of or in possession of these items is in violation of law and school rules. The consequences are severe for every type of violation and will be discussed with students at the beginning of each school year. There are no "harmless or minor offenses." The discipline section of this handbook specifies the range of school consequences, including suspension and recommendations for expulsion, that will be used for every violation involving these items. Law enforcement authorities will be called to investigate violations of law; notification of parents may only occur after an arrest has been made as the school cooperates in every way with the proper authorities.

C. Drug Dog Searches:

In our continuous effort to foster a safe learning environment, MCMS randomly and periodically hosts drug dog searches of material property only on campus.

GENDER IDENTITY AND NON DISCRIMINATION

Per Education Code section 221.5(f), pupils shall be permitted to participate in sex-segregated school programs and activities, including athletic teams and competitions, and use facilities consistent with their gender identity, irrespective of the gender listed on the pupil's records.

Oak Park Unified School District's Administrative Regulation AR 5145.3(g)(4) states: A student shall be permitted to participate in accordance with his/her gender identity in other circumstances

where students are separated by gender, such as for class discussions, yearbook pictures, and field trips.

We respect a student's right to be identified by their preferred name and gender as required under California Education Code 49070 and OPUSD Administrative Regulation 5145.3(f). Requests to change name and gender designations and records may be made by the student and/or parent to either the student's principal or counselor. Gender identity support plans are available upon request to school staff.

Medea Report It

MRI is an anonymous way for students and parents to let school officials know about important student safety concerns, including: violence, bullying of all kinds, threats, vandalism, weapons or drugs. It can be accessed from the counseling section of the MCMS website. Serious, life-threatening situations (suicide threats, etc.) should be reported to Ventura County Crisis Team (805) 371-8375 or, for other EMERGENCIES, CALL 911.

9b. Discipline Board Policy

[Board Policy 5144](#)

Discipline

The Governing Board is committed to providing a safe, supportive, and positive school environment which is conducive to student learning and achievement and desires to prepare students for responsible citizenship by fostering self-discipline and personal responsibility. The Board believes that high expectations for student behavior, use of effective school and classroom management strategies, provision of appropriate intervention and support, and parent/guardian involvement can minimize the need for disciplinary measures that exclude students from instruction as a means for correcting student misbehavior.

The Superintendent or designee shall develop effective, age-appropriate strategies for maintaining a positive school climate and correcting student misbehavior at district schools. The strategies shall focus on providing students with needed supports; communicating clear, appropriate, and consistent expectations and consequences for student conduct; and ensuring equity and continuous improvement in the implementation of district discipline policies and practices.

In addition, the Superintendent or designee's strategies for correcting student misconduct shall reflect the Board's preference for the use of positive interventions and alternative disciplinary measures over exclusionary discipline measures.

Disciplinary measures that may result in loss of instructional time or cause students to be disengaged from school, such as detention, suspension, and expulsion, shall be imposed only when required or permitted by law or when other means of correction have been documented to have failed. (Education Code 48900.5)

School personnel and volunteers shall not allow any disciplinary action taken against a student to

result in the denial or delay of a school meal. (Education Code 49557.5)

Seclusion and behavioral restraint are prohibited as a means of discipline and shall not be used to correct student behavior except as permitted pursuant to Education Code 49005.4 and in accordance with district regulations. (Education Code 49005.2)

The Superintendent or designee shall create a model discipline matrix that lists violations and the consequences for each as allowed by law.

The administrative staff at each school may develop disciplinary rules to meet the school's particular needs consistent with law, Board policy, and district regulations. The Board, at an open meeting, shall review the approved school discipline rules for consistency with Board policy and state law. Site-level disciplinary rules shall be included in the district's comprehensive safety plan. (Education Code 32282, 35291.5)

The Oak Park Unified School District supports a “Progressive Discipline Policy” and associated practice because this approach provides a logical, escalating sequence to consequences while informing students and parents at the earliest level where rehabilitation might be employed. An exception for implementing progressive discipline will be for more serious offenses, which require immediate suspension and mandatory expulsion by law.

At all times, the safety of students and staff and the maintenance of an orderly school environment shall be priorities in determining appropriate discipline. When misconduct occurs, staff shall attempt to identify the causes of the student's behavior and implement appropriate discipline. When choosing between different disciplinary strategies, staff shall consider the effect of each option on the student's health, well-being, and opportunity to learn.

Staff shall enforce disciplinary rules fairly, consistently, and in accordance with the district's nondiscrimination policies.

The Superintendent or designee shall provide professional development as necessary to assist staff in developing the skills needed to effectively and equitably implement the disciplinary strategies adopted for district schools, including, but not limited to, knowledge of school and classroom management skills, effective accountability and positive intervention techniques, and the tools to form strong, cooperative relationships with parents/guardians.

District goals for improving school climate, based on suspension and expulsion rates, surveys of students, staff, and parents/guardians regarding their sense of school safety and connectedness to the school community, and other local measures, shall be included in the district's local control and accountability plan, as required by law.

[AR5144 Discipline](#)

9c. Opioid Overdose Protocols (7-12)

Opioid Overdose Protocol - OPUSD

The district has elected to make emergency naloxone hydrochloride or another opioid antagonist available at all schools to provide emergency medical aid to persons suffering, or reasonably believed to be suffering, from an opioid overdose. The District Nurse obtained a prescription for naloxone hydrochloride or another opioid antagonist for each school from an authorized physician.

Naloxone Accessibility:

2 doses have been distributed to all sites. Including an additional 2 doses at the football field of OPHS. These are kept in an identifiable box in the Main Office or Health Office of each site.

Designated personnel have volunteered and received training from the District Nurse. Overdose training was provided to all front office staff and additional volunteers at each site. All volunteers watched an 11-minute training video that included a six-point checklist on how to recognize when a person is overdosing and demonstrated how to dispense naloxone and provide post-overdose care.

The video was produced by the California Department of Public Health (CDPH) Safe and Active Communities Branch as part of a comprehensive strategy to address opioid misuse and prevent overdose deaths.

The designated personnel may administer such medication when a school nurse or physician is unavailable, and shall only administer the medication by nasal spray or auto-injector. (Education Code 49414.3) the steps to follow for administering:

Recognize

Respond- call 9111

Reverse

Recover

If the medication is used, the school nurse, or district administrator, shall restock the medication as soon as reasonably possible, but no later than two weeks after it is used. In addition, the medication shall be restocked before its expiration date.

10. Guidelines for roles and responsibilities of : Mental health professionals, school counselors, community intervention professionals, school resource officers, police officers on campus:

10a. Comprehensive Counseling Plan

[OPUSD Counseling Services Plan](#)

Each of the schools in the Oak Park Unified School District have access to school psychologists and school counselors. Each of these professionals have designated roles and responsibilities.

- **School Psychologists** - While school psychologists have the primary function of assessing students for special education, they also help support the social-emotional health of our students. They are often called to assist with risk/threat assessments.
- **School Counselors** - School Counselors provide both group and one-on-one counseling for our students. They make presentations in our classrooms on topics such as emotional regulation and peer acceptance. They also help to triage situations when a student/students are in an emotionally vulnerable situation. Students may be referred to a counselor by a teacher or an administrator. At the secondary school level, students may drop in to their counselor's office to discuss their needs and/or challenges.
- **School Social Workers** - Social workers are not assigned to OPUSD schools, but are connected through Ventura County Behavioral Health. They are available to assist site based counselors and administrators in providing information on community resources to students. Social workers also provide more intensive social-emotional counseling services to our students when the school counselors are unable to provide the services needed by the students.
- **School Resource Officers** - OPUSD does not have school Resource Officers, however, we have a very close partnership with the Ventura County Sheriff's Department and in need access local Resource Officers stations in neighboring school districts.

10b. MTSS/PBIS/SEL/Wellness Teams

MCMS has one full time wellness counselor. The wellness counselor facilitates groups (such as an organizational skills, study skills, etc.), plans and implements wellness activities (such as vision board creation, tea time, bracelet making, yoga) and meets with students on a regular and as needed basis. The wellness counselor is also involved with student attendance, risk assessments, mentoring opportunities and education for families on middle school issues.

11. Disaster Procedures, Routines & Emergency Operations Plan (EOP)

a. Active Assailant plans
b. Threat Assessment Procedures
c. Bomb Threat Procedures
a. Special Assistants plans
b. Reunification Plans - Communication to parents

Please refer to the school site Emergency Operations Plan (EOP) for more detailed information which is incorporated by this reference. The EOP is updated yearly.

Emergency Operations Plan (EOP) addresses all types of emergencies including but not limited to earthquakes, fire/evacuation, bomb, bioterrorism, hazmat, flood power failure and tactical responses to active assailants on campus. The EOP is reviewed by each site annually including the staff "Emergency Operation Assignments". Staff are assigned to emergency response teams at the beginning of each school year. Assignments and staff contact information are updated annually. There are designated staff who are responsible for adaptations for students with special needs.

Staff members are trained in emergency response and management procedures that are reviewed yearly. School sites hold regular mandatory fire/evacuation, drop cover and hold and lockdown drills. Drill documentation is kept at each site and is shared with Risk Management. Risk Management maintains training and drill documentation for all school sites.

Each site has one or more Automated External Defibrillator(s) (AED's) and Bleeding Control Kits. Designated staff receive CPR and First Aid training and instruction on how to use the AEDs and the Bleeding Control Kits equipment.

The campus has the following emergency supplies: Red Emergency Backpacks, Lockdown kits and cases of water. A designated safety storage container houses school wide emergency supplies including First Aid, Search and Rescue, Incident Command, and Sanitation supplies. These supplies are inventoried and re-supplied each year as needed. Each school office keeps an updated copy of the Emergency Operation Plan, school roster, to assist staff during emergencies. School sites have access to food and other supplies on campus.

The OPUSD has an emergency communications system designed to allow schools to report their status during an emergency via computer, radio, cell phone and the district's internal phone system.

Schools have hand-held radios for on-campus communications. Campus staff use a district-wide radio system to connect school sites to the district office. The District participates in and has communication capabilities with the Ventura County Sheriff and Ventura County Fire stations through satellite phones, data link, radio, and telephone.

Pursuant to Education Code 32282, the Oak Park Unified School District grants the use of school buildings, grounds, and equipment to public agencies, including the American Red Cross, for mass care and welfare shelters during disasters or other emergencies.

11a. Active Assailant Plans

Note: All sites have “Knox Block” key lockers for 1st responders to have access to master keys to the school site. Locations are at the front of each office and at a back gate location. Locations are known to Sheriff and Fire Departments. Additionally, a briefcase is located in each office to be given to first responders in the case of an emergency. In each briefcase, copies of site maps, marked utilities, and master keys with wristbands.

LOCKDOWN is initiated to isolate students and school staff from danger when there is a crisis inside the building and movement within the school might put students and staff in jeopardy.

LOCKDOWN is used to prevent intruders from entering occupied areas of the building. The concept of **LOCKDOWN** is no one in, no one out. All exterior doors are locked, and students and staff must remain in the classrooms or designated locations at all times. Teachers and other school staff are responsible for accounting for students and ensuring that no one leaves the safe area.

LOCKDOWN is not normally preceded with an announcement. This **ACTION** is considered appropriate for, but not limited to, the following types of emergencies:

↔ Gunfire ↔ Rabid animal at large ↔ Extreme violence outside the classroom

LOCKDOWN differs from **SHELTER-IN-PLACE** because it does not involve shutting down the HVAC systems and does not allow for the free movement within the building.

ANNOUNCEMENT:

- Make an announcement in person directly or over the public address system:

EXAMPLE:

“Attention please. We have an emergency situation and must implement **LOCKDOWN** procedures. Students go immediately to the nearest classroom. Teachers lock classroom doors and keep all students inside the classroom until further notice. Do not open the door until notified by an administrator or law enforcement. Silence ALL cell phones.”

PRINCIPAL/ SITE ADMINISTRATOR ACTIONS:

- Make the announcement. Instruct teachers and staff to immediately lock doors and remain in the classroom or secured area until further instructions are provided.
- Call 911. Provide location, status of campus, all available details of situation.
- Make sweep on the entire campus, moving all students into the nearest classroom, bathroom, or office space.
- When clearance is received from appropriate agencies, give the ALL CLEAR instruction to indicate that it is safe to unlock the doors and return to the normal class routine.
- Send home with students a brief written description of the emergency, how it was handled and, if appropriate, what steps are being taken in the aftermath.

STAFF ACTIONS:

- If it is safe to clear the hallways, bathrooms and open areas, direct students to the closest safe classroom.
- Immediately lock doors and instruct students to lie down on the floor.
- Close any shades and/or blinds if it appears safe to do so.
- Remain quiet and calm in the classroom or secured area until further instructions are provided by the principal or law enforcement.
- RUN - Have an escape route and plan in mind. Do not attempt to move wounded people.
- HIDE - In an area out of the shooter's range, block entry doors with chairs.
- FIGHT - As a last resort fight. Improvised weapons (fire extinguisher, shovel, etc)

STUDENT ACTIONS:

- Move quickly and quietly to the closest safe classroom.
- If rooms are locked, immediately hide in the closest safe zone: bathroom, janitorial closet, office area, library. Lock the door or move furniture or trash can to bar access to the room. Remain quiet until further instructions are provided by the principal or police.

11b. Threat Assessment Procedures

OPUSD Threat Assessment Procedure - Quick Reference

What is a threat?

- A direct threat of physical harm or grave danger by a student (or a group of students) to another;
- An indirect threat of physical harm or grave danger by a student (or a group of students) to another;
- A threat or knowledge of bringing a weapon to school;
- A general threat of physical harm or grave danger towards school, staff, school site, or community

Categories of threat and response

Imminent Risk: The individual or situation appears to pose an immediate risk of violence towards self or other that requires immediate containment or action to prevent violence from occurring. The individual is known to have the present desire and capacity to conduct a violent act.

Response:

1. Immediate law enforcement or Crisis Intervention (hospitalization) notification: CALL 911 if necessary.
2. Notify school administration/leadership
3. Initiate lock-down procedures if appropriate
4. Notify district and school staff
5. Contact parents of the student(s) of concern
6. Provide direct supervision of student(s) until law enforcement or parents assume custody.
7. Follow district policies for notifying families and community and potential victims.
8. Initiate interventions to stabilize the situation as needed.
9. Continue to gather information and develop a management plan.

High Risk: The individual or situation appears to pose a risk of violence or serious harm to self or others. The behaviors exhibited may indicate the person is considering a planned act of violence, has planned to harm self or others, or other concerning behaviors or communications that indicate an interest and/or intention to commit violence.

Response:

1. May require immediate law enforcement or Crisis Intervention (hospitalization).
2. Notify school administration/leadership
3. Notify district and appropriate staff.
4. Provide direct supervision of the person until any immediate concerns are addressed.
5. Contact parent/guardian of student(s) of concern.
6. Follow district policies for notifying families and community and potential victims.
7. Initiate interventions to stabilize the situation as needed.
8. Continue to gather information and develop a management plan.

Moderate Risk: The individual or situation does not appear to pose a risk of violence or serious harm to self or others at this time; however, the behaviors exhibited indicate a need for intervention.

Response:

1. Communicate information to school administration/leadership and if appropriate the district office.
2. Contact parent/guardian of student(s) of concern.
3. Determine school and/or community-based referrals for the person of concern.
4. Determine if law enforcement notification is required.
5. Develop a management plan: may include SST (or IEP/504 if applicable)

6. Consideration of behavioral, academic, mental health, conflicts, or health issues for intervention.
7. Ongoing monitoring

Low Risk: The reported concerning behavior has been investigated and assessed as benign. The individual or situation does not appear to pose a risk of violence or serious harm to self or others, and any exhibited issues or concerns can be addressed using existing support structures.

Response:

1. Notify appropriate staff.
2. Ongoing monitoring.

OPUSD Threat Assessment Procedures - Quick Reference

Actions steps

1. Threat becomes highest priority.
2. Secure safety and security of all students. Refer to School Safety Plans.
3. Notify/Inform parents of aggressor
 - a. Nature of threat
 - b. Need for assessment
 - c. Potential for involvement of law enforcement
 - d. Whether belongings were searched and items found
4. Collect and document information, including OPUSD Threat Assessment Packet.
5. Threat Assessment Team* decides level of risk and if law enforcement contact is indicated.
6. Meet with parents of aggressor to discuss:
 - a. Actions taken
 - b. Outcome of investigation
 - c. Determination of level of risk
 - d. Law enforcement contacts (if any)
 - e. Review and sign threat assessment action/safety plan
7. Contact or meet with parents of target. While acknowledging privacy rules, based on Duty to Warn provide following:
 - a. Name of aggressor
 - b. Nature of threat
 - c. Actions taken (within FERPA allowances)
 - d. Determination of level of risk
 - e. Law enforcement contacts (if any)
 - f. Plan moving forward
 - g. Opportunity to ask questions

8. Follow up and documentation

- a. Notification of appropriate faculty and staff.
- b. Update case manager for any students involved on IEP plan
- c. Submit incident report and plan to District Office
- d. Place copy of plan in cumulative file.

* Threat Assessment Team is team of multidisciplinary personnel able to help assess the situation, determine threat level, and to carry out responses.

11c. Bomb Threats

BOMB THREAT PROCEDURES

This quick reference checklist is designed to help employees and decision makers of commercial facilities, schools, etc. respond to a bomb threat in an orderly and controlled manner with the first responders and other stakeholders.

Most bomb threats are received by phone. Bomb threats are serious until proven otherwise. Act quickly, but remain calm and obtain information with the checklist on the reverse of this card.

If a bomb threat is received by phone:

1. Remain calm. Keep the caller on the line for as long as possible. DO NOT HANG UP, even if the caller does.
2. Listen carefully. Be polite and show interest.
3. Try to keep the caller talking to learn more information.
4. If possible, write a note to a colleague to call the authorities or, as soon as the caller hangs up, immediately notify them yourself.
5. If your phone has a display, copy the number and/or letters on the window display.
6. Complete the Bomb Threat Checklist immediately. Write down as much detail as you can remember. Try to get exact words.
7. Immediately upon termination of call, DO NOT HANG UP, but from a different phone, contact authorities immediately with information and await instructions.

If a bomb threat is received by handwritten note:

- Call _____
- Handle note as minimally as possible.

If a bomb threat is received by e-mail:

- Call _____
- Do not delete the message.

Signs of a suspicious package:

- No return address
- Excessive postage
- Stains
- Strange odor
- Strange sounds
- Unexpected delivery
- Poorly handwritten
- Misspelled words
- Incorrect titles
- Foreign postage
- Restrictive notes

** Refer to your local bomb threat emergency response plan for evacuation criteria*

DO NOT:

- Use two-way radios or cellular phone. Radio signals have the potential to detonate a bomb.
- Touch or move a suspicious package.

WHO TO CONTACT (Select One)

- 911
- Follow your local guidelines

For more information about this form contact the Office for Bombing Prevention at: OBP@cisa.dhs.gov



BOMB THREAT CHECKLIST

DATE:

TIME:

TIME CALLER HUNG UP:

PHONE NUMBER WHERE CALL RECEIVED:

Ask Caller:

- Where is the bomb located? (building, floor, room, etc.) _____
- When will it go off? _____
- What does it look like? _____
- What kind of bomb is it? _____
- What will make it explode? _____
- Did you place the bomb? Yes No _____
- Why? _____
- What is your name? _____

Exact Words of Threat:

Information About Caller:

- Where is the caller located? (background/level of noise) _____
- Estimated age: _____
- Is voice familiar? If so, who does it sound like? _____
- Other points: _____

Caller's Voice	Background Sounds	Threat Language
<input type="checkbox"/> Female	<input type="checkbox"/> Animal noises	<input type="checkbox"/> Incoherent
<input type="checkbox"/> Male	<input type="checkbox"/> House noises	<input type="checkbox"/> Message read
<input type="checkbox"/> Accent	<input type="checkbox"/> Kitchen noises	<input type="checkbox"/> Taped message
<input type="checkbox"/> Angry	<input type="checkbox"/> Street noises	<input type="checkbox"/> Irrational
<input type="checkbox"/> Calm	<input type="checkbox"/> Booth	<input type="checkbox"/> Profane
<input type="checkbox"/> Clearing throat	<input type="checkbox"/> PA system	<input type="checkbox"/> Well-spoken
<input type="checkbox"/> Coughing	<input type="checkbox"/> Conversation	
<input type="checkbox"/> Cracking Voice	<input type="checkbox"/> Music	
<input type="checkbox"/> Crying	<input type="checkbox"/> Motor	
<input type="checkbox"/> Deep	<input type="checkbox"/> Clear	
<input type="checkbox"/> Deep breathing	<input type="checkbox"/> Static	
<input type="checkbox"/> Disguised	<input type="checkbox"/> Office machinery	
<input type="checkbox"/> Distinct	<input type="checkbox"/> Factory machinery	
<input type="checkbox"/> Excited	<input type="checkbox"/> Local	
<input type="checkbox"/> Laughter	<input type="checkbox"/> Long distance	
<input type="checkbox"/> Lisp		
<input type="checkbox"/> Loud		
<input type="checkbox"/> Nasal		
<input type="checkbox"/> Normal		
<input type="checkbox"/> Ragged		
<input type="checkbox"/> Rapid		
<input type="checkbox"/> Raspy		
<input type="checkbox"/> Slow		
<input type="checkbox"/> Slurred		
<input type="checkbox"/> Soft		
<input type="checkbox"/> Stutter		

Other Information:

Bomb Threat Protocols:

Any employee or other school official who receives a bomb threat shall immediately call 911 and report the threat or perceived threat to law enforcement. The employee shall also report the threat to the site administration, Principal, Superintendent and/or district designee.

If a phone call is received:

1. Keep the caller on the line as long as possible.
2. Take notice of as much as possible:
 - Caller's gender
 - Age
 - Distinctive features of voice or speech (i.e. accent)
 - Background noises (music, traffic, other voices)
3. Do not hang up even if the caller does; keep the telephone's display if available.

If threat is in writing:

1. Handle the letter or note as minimally as possible.
2. Rewrite the threat exactly as it is on another sheet of paper.
3. Note the date, time and location of the document found.
4. Note the circumstances of the discovery of the document.
5. If small enough, place note/letter in a bag or envelope.

If threat is electronic:

1. Leave the message open.
2. Print, screenshot, photograph, or copy the message and subject line.
3. Note the date/time of the message and when it was found/seen.

If a suspicious package is found:

1. Do not touch, tamper with, or move the item.
2. Initiate any evacuation procedures.
3. Notify law enforcement, school administration, Superintendent and designee.
4. Assess and ensure the area is secured.
5. Make sure any two-way radios are shut off as they may trigger a device.
6. Do not assume there is only one device, law enforcement/fire should conduct further searches.

IN ALL BOMB THREAT INCIDENTS:

1. **Call 911** - Any threat is considered serious.
 - Follow any directions from law enforcement or the fire department.
2. **Contact site administration.**
 - Determine if evacuation or shelter in place is necessary.
3. **Contact district office**

4. Enact Emergency Operation Plan

CLASSIFICATION OF THREAT RISK LEVELS

Low Level of Threat: A threat that poses a minimal risk to the victim and public safety.

- Threat is vague and indirect.
- Information contained within the threat is inconsistent, implausible or lacks detail.
- Threat lacks realism.
- Content of the threat suggests the person is unlikely to carry it out.
- Threat is made by young child (under 9 or 10) and there is laughter in the background.
- The caller is definitely known and has called numerous times.

Medium Level of Threat: A threat that could be carried out, although it may not appear entirely realistic.

- Threat is more direct and more concrete than a low-level threat.
- Wording in the threat suggests that the threatener has given some thought to how the act will be carried out.
- There may be a general indication of a possible place and time (though these signs still fall well short of a detailed plan).
- There is no strong indication that the threatener has taken preparatory steps, although there may be some veiled reference or ambiguous or inconclusive evidence pointing to that possibility—an allusion to a book or movie that shows the planning of a violent act, or a vague, general statement about the availability of weapons.
- There may be a specific statement seeking to convey that the threat is not empty: “I’m serious!” or “I really mean this!”

High Level of Threat: A threat that appears to pose an imminent and serious danger to the safety of others.

- Threat is direct, specific and plausible. For example, “This is John Smith, I’m fed up with Mr. Jones yelling at me. There’s a bomb under his desk.”
- Threat suggests concrete steps have been taken toward carrying it out, for example, statements indicating that the threatener has acquired or practiced with a weapon or has had the intended victim under surveillance.

11d. Special Assistance Needs

As the needs change constantly, a list and plan that is continuously updated in the Health Office.