**San Ramon Valley Unified School District**

# Comprehensive School Safety Plan

# Dougherty Valley High School

**2017-18**

| Required Members | Additional Members |
|---|---|
| Dave Kravitz | Principal/Designee |
| Dana Pattison | Teacher |
| Debbie Butler | Classified Staff |
| Steve Bried | Parent of Child Attending the School |

Date Adopted by School Site Council: May 2018

## Background

The development of a comprehensive school safety plan is mandated by California Education Code 32281. This mandate, which was established by Senate Bill 187, states that each school's Site Council, or a Safety Planning Committee authorized by the Site Council, shall develop a "safety plan" relevant to the needs and resources of the school. For schools built before 1998, the initial plans were to be adopted by September 1, 1998. For schools built after 1998, the plans are to be developed and adopted prior to the school's opening.

According to the education code, the School Site Council may delegate this responsibility to a School Safety Planning Committee. However, the committee must include the following members and must consult with a representative from a law enforcement agency in the writing and development of the plan:

Principal or designee
Teacher
Parent Whose Child Attends the
School Classified Employee

You are strongly encouraged to consult with staff, parents, students (where appropriate), and the broader community, in the development of the plan.

The plan is to be updated annually and kept on file at both the school site AND the district office, and readily available for inspection by the public.

The plan shall consist of two parts:

**Part 1** – The "Comprehensive School Safety Plan" shall include all components required by Education Code 32281-32282 except for the emergency preparedness components. The Comprehensive School Safety Plan shall be on file, and available for inspection by the public, with the Educational Services Division of the district.

**Part 2** – The "Emergency Preparedness Plan" shall include disaster procedures (routine and emergency), including earthquakes and other manmade or natural disasters.

The Comprehensive School Safety Plan shall include an action plan that clearly identifies policies and procedures that will improve both the safety and climate on campus, and shall include an evaluation component.

## Section I

**State your sites GOALS for the 2016-17 school year. Please remember to have at least one ATTENDANCE and one SCHOOL CONNECTEDNESS goal, as this links directly to the LCAP.**
**For 2017-18 we would like to continue the downward trend of students missing class for excused or unexcused reasons that has been on the decline since 2014. For 2017-18 we would like to increase the percentage of 11th graders who indicate a high response to "School Connectedness" in CHKS. CHKS survey from 2015-16 indicated a 13% reduction in student feelings of school connectedness from 9th to 11th grade at DVHS.**

**Assessment of current status of school crime, safety and climate (provide site specific data and at least 3 years of trend data) For 2017-18 we would like to continue to maintain positive student perceptions of safety at school through proactive approaches such as a fully staffed campus monitor team along with a full time School Resource Officer and four full-time assistant principals. There is very little to no discrepancy in data between student perceptions of safety based on grade level. 84% of 9th graders and 83% of 11th graders report feeling very safe or safe at DVHS.**

**"State your site goals from your 2015-16 comprehensive school safety plan and the status of those goals. Be specific with what the site has accomplished, or not done, regarding each specific goal.**
DVHS has excellent academic and co-curricular programs that foster high achievement and rigor for all students. The unintentional consequence of this pursuit of excellence is a high level of student and staff stress. Our goal from 2015-16 was to reduce student stress. Some of the specific ways we have attempted to address this is incorporating opportunities for students to de-stress prior to finals week. DVHS leadership and student government has hosted week-long stress relief events including hosting stress-relief dogs on campus, yoga, and zumba. We have added Exam Jam prior to finals to allow students the opportunity to study with teachers at school to allow students more structured support to lower test anxiety. Counseling has also continued to encourage students to limit their load of Advanced Placement courses and encouraged students to pursue courses that they are interested in.

## Section II

**Strategies and programs - Board Policies, Procedures and California Education Code that support student and staff safety, and positive school climate**

**These policies, procedures and education codes are to be reviewed at the beginning of every school year with all staff. Dougherty Valley High School commits to:**
sharing the comprehensive school safety plan, the emergency plan, and our action plan, with both site council and all staff members, within the first 4 weeks of school.

**A. Positive School Climate (BP 5137)**

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

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

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

**B. Nondiscrimination/Harassment/Anti-Bullying (BP 5145.3)**

District programs and activities shall be free from discrimination, including harassment, intimidation or bullying with respect to a sex, gender, gender identity or gender expression, ethnic group identification, race, ancestry, national origin, religion, color, physical or mental disability, marital or parental status, age or sexual orientation; the perception of one or

more of such characteristics, or association with a person or group with one or more of these actual or perceived characteristics.

The Governing Board desires to provide a safe school environment that allows all students equal opportunities in admission and access to the district's academic and other educational support program, guidance and counseling programs, athletic programs, testing procedures, and other activities.

The Board prohibits discrimination, harassment, intimidation or bullying of any student by any employee, student or other person in the district. Staff shall be alert and immediately responsive to student conduct which may interfere with another student's ability to participate in or benefit from school services, activities or privileges. Prohibited discrimination, harassment, intimidation or bullying includes physical, verbal, nonverbal or written conduct based on one of the categories listed above that is so severe and pervasive that it affects a student's ability to participate in or benefit from an education program or activity; creates an intimidating, threatening, hostile, or offensive education environment, has the effect of substantially or unreasonably interfering with a student's academic performance, is foreseeably likely to cause a substantial disruption to the educational environment; or otherwise adversely affects a student's educational opportunities.

The Board also prohibits any form of retaliation against any student who files a complaint or report regarding an incident of discrimination, harassment, intimidation, or bullying.

The Superintendent or designee shall provide age-appropriate training and information to the students, parents/guardians, and employees regarding discrimination, harassment, intimidation, and bullying, including but not limited to, the district's nondiscrimination policy, what constitutes prohibited behavior, how to report incidents, and to whom such reports should be made.

The Principal or designee shall develop a plan to provide students with appropriate accommodations when necessary for their protection from threatened or potentially harassing or discriminatory behavior.

Students who engage in discrimination, harassment, intimidation, bullying, or retaliation in violation of the law, Board Policy, or Administrative Regulation shall be subject to appropriate discipline, up to and including counseling, suspension and/or expulsion. An employee who permits or engages in discrimination, harassment, intimidation, bullying, or retaliation shall be subject to disciplinary action, up to and including dismissal.

The Board hereby designates the following position as Coordinator for Nondiscrimination to handle complaints regarding discrimination and inquiries regarding the district's nondiscrimination policies:

Director of Student Services
San Ramon Valley Unified School District
699 Old Orchard Drive
Danville, CA 94526
(925) 552-2923

Any student who feels that he/she is being subjected to discrimination, harassment, intimidation or bullying should immediately contact the Coordinator for Nondiscrimination, the principal or any other staff member. Any student who observes an incident of harassment should report the incident to the Coordinator, principal or other school employee, whether or not the victim files a complaint.

Employees who become aware of an act of discrimination, harassment, intimidation or bullying shall immediately report the incident to the Coordinator for Nondiscrimination or the site designee. The designee for each site will be identified with the Annual Notice of this policy to each employee. In addition, the employee shall immediately intervene when safe to do so.

Upon receiving a complaint of discrimination or harassment, the Coordinator and/or site designee shall immediately investigate the complaint in accordance with site/level grievance procedures specified in AR 5145.7 – Sexual Harassment.

The Coordinator and/or designee shall also advise the victim of any other remedies that may be available. The Coordinator and/or designee shall file a report with the Superintendent or designee and refer the matter to law enforcement where required.

Within 30 days of receiving the district's report, the complainant may appeal to the Board if he/she disagrees with the resolution of the complaint. The Board shall make a decision at its next regular meeting and its decision shall be final.

The Superintendent or designee shall ensure that the student handbook clearly describes the district's nondiscrimination policy, procedures for filing a complaint regarding discrimination, harassment, intimidation or bullying, and the resources that are available to students who feel that they have been the victim of any such behavior. The district's policy shall also be posted on the district web site or any other location that is easily accessible to students.

The Coordinator and/or designee shall distribute this policy annually to all families and staff and provide training to all staff regarding Nondiscrimination/Harassment/Anti-Bullying.

**Legal Reference:**

**EDUCATION CODE**
200-262.4 Prohibition of discrimination on the basis of sex, especially:
221.5 Prohibited sex discrimination
221.7 School-sponsored athletic programs; prohibited sex discrimination
48900.3 Suspension or expulsion for act of hate violence
48900.4 Suspension or expulsion for threats or harassment
48904 Liability of parent/guardian for willful student misconduct
48907 Student exercise of free expression
48950 Freedom of speech
49020-49023 Athletic programs
51006-51007 Equitable access to technological education programs
51500 Prohibited instruction or activity
51501 Prohibited means of instruction
60044 Prohibited instructional materials

**CIVIL CODE**
1714.1 Liability of parents/guardians for willful misconduct of minor

**PENAL CODE**
422.55 Interference with constitutional right or privilege

**CODE OF REGULATIONS, TITLE 5**
4621 District policies and procedures
4622 Notice requirements
4900-4965 Nondiscrimination in elementary and secondary education programs receiving state financial assistance

**UNITED STATES CODE, TITLE 42**
2000d-2000e-17 Title VI & VII Civil Rights Act of 1964 as amended
2000h-2-2000h-6 Title IX, 1972 Education Act Amendments

**CODE OF FEDERAL REGULATIONS, TITLE 34**
100.3 Prohibition of discrimination on basis of race, color or national origin
104.7 Designation of responsible employee for Section 504
106.8 Designation of responsible employee for Title IX
106.9 Notification of nondiscrimination on basis of sex

**COURT DECISIONS**
Flores v. Morgan Hill Unified School District, (2003) 324 F.3d 1130

Management Resources:
OFFICE OF CIVIL RIGHTS PUBLICATIONS
Notice of Non-Discrimination, January, 1999
Racial Incidents and Harassment Against Students at Educational Institutions; Investigative Guidance, 59 FR 47, March, 1994

## C. Child Abuse Reporting Procedures (AR 5141.4)

**Definitions**

Child abuse or neglect includes the following: (Penal Code 11165.5, 11165.6)

1. A physical injury or death inflected by other than accidental means on a child by another person.
2. Sexual abuse of a child, including sexual assault or sexual exploitation, as defined in Penal Code 11165.1.
3. Neglect of a child as defined in Penal Code 11165.2.
4. Willful harming or injuring of a child or the endangering of the person or health of a child as defined in Penal Code 11165.3.
5. Unlawful corporal punishment or injury as defined in Penal Code 11165.4.

**Child abuse or neglect does not include:**

1. A mutual affray between minors (Penal Code 11165.6)
2. An injury caused by reasonable and necessary force used by a peace officer acting within the course and scope of his/her employment (Penal Code 11165.6)
3. An injury resulting from the exercise by a teacher, vice principal, principal, or other certificated employee of the same degree of physical control over a student that a parent/guardian would be privileged to exercise, not exceeding the amount of physical control reasonably necessary to maintain order, protect property, protect the health and safety of students, or maintain proper and appropriate conditions conducive to learning. (Education Code 44807)
4. An injury caused by a school employee's use of force that is reasonable and necessary to quell a disturbance threatening physical injury to persons or damage to property, to protect himself/herself, or to obtain weapons or other dangerous objects within the control of the student. (Education Code 49001)
5. Physical pain or discomfort caused by athletic competition or other such recreational activity voluntarily engaged in by the student. (Education Code 49001)

Mandated reporters include, but are not limited to, teachers; instructional aides; teacher's aides or assistants; classified employees; certificated pupil personnel employees; administrative officers or supervisors of child attendance; administrators and employees of a licensed day care facility; Head Start teachers; district police or security officers; licensed nurses or health care providers; and administrators, presenters, and counselors of a child abuse prevention program. (Penal Code 11165.7)

Reasonable suspicion means that it is objectively reasonable for a person to entertain a suspicion, based upon facts that could cause a reasonable person in a like position, drawing when appropriate on his/her training and experience, to suspect child abuse or neglect. However, reasonable suspicion does not require certainty that child abuse or neglect has occurred nor does it require a specific medical indication of child abuse or neglect. (Penal Code 11166)

**Reportable Offenses**

A mandated reporter shall make a report using the procedures provided below whenever, in his/her professional capacity or within the scope of his/her employment, he/she has knowledge of or observes a child whom the mandated reporter knows or reasonably suspects has been the victim of child abuse or neglect. (Penal Code 11166)

Any mandated reporter who has knowledge of or who reasonably suspects that a child is suffering serious emotional damage or is at a substantial risk of suffering serious emotional damage, based on evidence of severe anxiety, depression, withdrawal, or untoward aggressive behavior towards self or others, may make a report to the appropriate agency. (Penal Code 11166.05, 11167)

Any district employee who reasonably believes that he/she has observed the commission of a murder, rape, or lewd or lascivious act by use of force, violence, duress, menace, or fear of immediate and unlawful bodily injury against a victim who is a child under age 14 shall notify a peace officer. (Penal Code 152.3, 288)

**Responsibility for Reporting**

The reporting duties of mandated reporters are individual and cannot be delegated to another person. (Penal Code 11166)

When two or more mandated reporters jointly have knowledge of a known or suspected instance of child abuse or neglect, the report may be made by a member of the team selected by mutual agreement and a single report may be made and signed by the selected member of the reporting team. Any member who has knowledge that the member designated to report has failed to do so shall thereafter make the report. (Penal Code 11166)

No supervisor or administrator shall impede or inhibit a mandated reporter from making a report. (Penal Code 11166)

Any person not identified as a mandated reporter who has knowledge of or observes a child whom he/she knows or reasonably suspects has been a victim of child abuse or neglect may report the known or suspected instance of child abuse or neglect to the appropriate agency. (Penal Code 11166)

**Reporting Procedures**

1. Initial Telephone Report

Immediately or as soon as practicable after knowing or observing suspected child abuse or neglect, a mandated reporter shall make an initial report by telephone to any police department (excluding a school district police/security department), sheriff's department, county probation department if designated by the county to receive such reports, or county welfare department. (Penal Code 11165.9, 11166)

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

2. Written Report

Within 36 hours of knowing or observing the information concerning the incident, the mandated reporter shall then prepare and either send, fax, or electronically submit to the appropriate agency a written follow-up report, which includes a completed Department of Justice form (SS 8572). (Penal Code 11166, 11168)

Reports of suspected child abuse or neglect shall include, if known: (Penal Code 11167)

a. The name, business address, and telephone number of the person making the report and the capacity that makes the person a mandated reporter.
b. The child's name and address, present location, and, where applicable, school, grade, and class.
c. The names, addresses, and telephone numbers of the child's parents/guardians.
d. The name, address, telephone number, and other relevant personal information about the person who might have abused or neglected the child.
e. The information that gave rise to the reasonable suspicion of child abuse or neglect and the source(s) of that information.

The mandated reporter shall make a report even if some of this information is not known or is uncertain to him/her. (Penal Code 11167)

The mandated reporter may give to an investigator from an agency investigating the case, including a licensing agency, any information relevant to an incident of child abuse or neglect or to a report made for serious emotional damage pursuant to Penal Code 11166.05. (Penal Code 11167)

**Release of Child to Peace Officer**

When a child is released to a peace officer and taken into custody as a victim of suspected child abuse or neglect, the Superintendent or designee and/or principal shall not notify the parent/guardian, but rather shall provide the peace officer

with the address and telephone number of the child's parent/guardian. It is the responsibility of the peace officer or agent to notify the parent/guardian of the situation. (Education Code 48906)

**Parent/Guardian Complaints**
Upon request, the Superintendent or designee shall provide parents/guardians with a copy of this administrative regulation which contains procedures for reporting suspected child abuse occurring at a school site to appropriate agencies. For parents/guardians whose primary language is not English, such procedures shall be in their primary language and, when communicating orally regarding those procedures, an interpreter shall be provided.

To file a complaint against a district employee or other person suspected of child abuse or neglect at a school site, parents/guardians may file a report by telephone, in person, or in writing with any appropriate agency identified above under "Reporting Procedures." If a parent/guardian makes a complaint about an employee to any other employee, the employee receiving the information shall notify the parent/guardian of procedures for filing a complaint with the appropriate agency. The employee also is obligated pursuant to Penal Code 11166 to file a report himself/herself using the procedures described for mandated reporters.

In addition, if the child is enrolled in special education, a separate complaint may be filed with the California Department of Education pursuant to 5 CCR 4650.

**Notifications**
The Superintendent or designee shall provide to all new employees who are mandated reporters a statement that informs them of their status as mandated reporters, their reporting obligations under Penal Code 11166, and their confidentiality rights under Penal Code 11167. The district also shall provide these new employees with a copy of Penal Code 11165.7, 11166, and 11167. (Penal Code 11165.7, 11166.5)

Before beginning employment, any person who will be a mandated reporter by virtue of his/her position shall sign a statement indicating that he/she has knowledge of the reporting obligations under Penal Code 11166 and will comply with those provisions. The signed statement shall be retained by the Superintendent or designee. (Penal Code 11166.5)

Employees who work with dependent adults shall be notified of legal responsibilities and reporting procedures pursuant to Welfare and Institutions Code 15630-15637.

**The Superintendent or designee also shall notify all employees that:**

1. A mandated reporter who reports a known or suspected instance of child abuse or neglect shall not be held civilly or criminally liable for making a report and this immunity shall apply even if the mandated reporter acquired the knowledge or reasonable suspicion of child abuse or neglect outside of his/her professional capacity or outside the scope of his/her employment. Any other person making a report shall not incur civil or criminal liability unless it can be proven that he/she knowingly made a false report with reckless disregard of the truth or falsity of the report. (Penal Code 11172)

2. If a mandated reporter fails to report an incident of known or reasonably suspected child abuse or neglect, he/she may be guilty of a crime punishable by a fine and/or imprisonment. (Penal Code 11166)

3. No employee shall be subject to any sanction by the district for making a report. (Penal Code 11166)

**D. Policies Regarding Actions Leading to Suspension and/or Expulsion (AR**

**5144.1) (All statutory references are to the Education Code unless otherwise**

**noted.)** Definitions (Education Code 48925)

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 a class, but without reassignment to another class or program, for the remainder of the class period without sending the student to the principal or principal's designee as provided in Education Code 48910. Removal from a particular class shall not occur more than once every five school days.

4. Behavior management techniques called for in the IEP of a previously identified student with exceptional need(s).

5. Reassignment within the requirements of the IEP of a previously identified student with exceptional need(s).

Expulsion means removal of a student from (1) the immediate supervision and control, or (2) the general supervision, of school personnel, as those terms are used in Section 46300.

Parent means a student's parent, legal guardian, or, for a student with previously identified exceptional need(s), a surrogate parent where one has been appointed.

Day means a calendar day unless otherwise specifically provided.

District means the San Ramon Valley Unified School District.

School day means a day upon which the schools of the district are in session (including during summer school and extended school year for those students with such services in their IEPs) or weekdays during the summer recess.

Student may include a student's parent/guardian or legal counsel or, for a previously identified student with exceptional need(s), a surrogate parent if one has been appointed.

Governing Board means the Governing Board (also known as the Board of Trustees) of the District. "Governing Board" and "Board" are synonymous throughout.

Student with Previously Identified Exceptional Need(s) means a student who meets the requirements of Section 56026 and who, at the time the alleged misconduct occurred, was enrolled in special education.

Superintendent means the District Superintendent of Schools and/or his or her designee.

Principal's Designee means any one or more administrators at the school site specifically designated by the principal, in writing, to assist with disciplinary procedures. If there is not an administrator in addition to the principal at the school site, a certificated person at the school site may be specifically designated by the principal, in writing, as a "principal's primary designee to assist with disciplinary procedures." The principal may designate only one such person at a time as the principal's primary designee for the school year. An additional person meeting the requirements of this subdivision may be designated by the principal, in writing, to act for the purposes of this article when both the principal and the principal's primary designee are absent from the school site. The names of any person or persons designated as a principal's designee and the written designation shall be on file in the principal's office.

**Notice of Regulations**

At the beginning of each school year, the principal of each school shall ensure that all students and parents/guardians are notified in writing of all school rules related to discipline, suspension, and expulsion. Transfer students and their parents/guardians shall be notified at the time of enrollment. (Education Code 35291.5)

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

**Grounds for Suspension or Expulsion**

1. A student shall not be suspended from school or recommended for expulsion, unless the superintendent of the school district or the principal, or his/her designee, of the school in which the student is enrolled, determines that the student has:

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

    B. Possessed, sold, or otherwise furnished any firearm, knife, explosive, or other dangerous object, unless, in the case of possession of an object of this type, the student has obtained written permission to possess the item from a certificated school employee, which is concurred in by the principal or the designee of the principal. "Firearm means any device designed to be used as a weapon from which is expelled through a barrel a projectile by the force of any explosion or other form of combustion." (Penal Code 16520(a).

    C. Unlawfully possessed, used, sold, or otherwise furnished, or been under the influence of, any controlled substance, listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code, an alcoholic beverage, or an intoxicant of any kind. Students who possess over the counter medications for use by the student for medical purposes or medications prescribed for the student by a doctor are not subject to expulsion.

    D. Unlawfully offered, arranged, or negotiated to sell any controlled substance, listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code, an alcoholic beverage, or an intoxicant of any kind, and either sold, delivered, or otherwise furnished to any person another liquid, substance, or material and represented the liquid, substance, or material as a controlled substance, alcoholic beverage, or intoxicant.

    E. Committed or attempted to commit robbery or extortion.

    F. Caused or attempted to cause damage to school property or private property.

    G. Stole or attempted to steal school property or private property.

    H. Possessed or used tobacco, or any products containing tobacco or nicotine products, including but not limited to, cigarettes, electronic cigarettes, cigars, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets, and betel. However, this section does not prohibit use or possession by a student of his or her own prescription products.

    I. Committed an obscene act or engaged in habitual profanity or vulgarity.

    J. Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell any drug paraphernalia, defined in Section 11014.5 of the Health and Safety Code.

    K. Disrupted school activities or otherwise willfully defied the valid authority of supervisors, teachers, administrators, school officials, or other school personnel engaged in the performance of their duties.

    L. Knowingly received stolen school property or private property.

    M. Possessed an imitation firearm. As used here, "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.

    N. Committed or attempted to commit a sexual assault, as defined in Sections 261, 266c, 286, 288, 288a, or 289 of the Penal Code, or committed a sexual battery as defined in Section 243.4 of the Penal Code.

    O. Harassed, threatened, or intimidated a student witness in a disciplinary proceeding for purposes of either preventing that student from being a witness or retaliating against the student for being a witness, or both.

P. Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma.

Q. Engaged in, or attempted to engage in, hazing. For purposes of this subdivision, "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.

R. Engaged in an act of bullying, including, but not limited to, bullying committed by means of an electronic act, directed specifically toward a pupil or school personnel.

1. "Bullying" means any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act, and including one or more acts committed by a student or group of students, directed toward one or more students that has or can be reasonably predicted to have the effect of one or more of the following:

    a. Placing a student or students in fear of harm to that student's or those students' person or property.
    b. Causing a student to experience a substantially detrimental effect on his or her physical or mental health.
    c. Causing a student to experience substantial interference with his or her academic performance.
    d. Causing a student to experience substantial interference with his or her ability to participate in or benefit from the services, activities, or privileges provided by a school.

2. "Electronic Act" means the transmission 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 any of the following:

    a. a message, text, sound, or image.
    b. a post on a social network Internet Web site including, but not limited to:
        i. Posting to or creating a burn page. "Burn page" means an Internet Web site created for the purpose of having one or more of the effects listed in paragraph 1 above.
        ii. Creating a credible impersonation of another actual student for the purpose of having one or more of the effects listed in paragraph 1 above. "Credible impersonation" means to knowingly and without consent impersonate a student for the purposes of bullying that student and such that another student would reasonably believe, or has reasonably believed, that the student was or is the student who was impersonated.
        iii. Creating a false profile for the purpose of having one or more of the effects listed in paragraph 1 above. "False profile" means a profile of a fictitious student or a profile using the likeness or attributes of an actual student other than the student who created the false profile.

3. A pupil who severely or pervasively engages in such electronic acts may be punished if such an act causes a student to fear harm to his or her person or property, causes substantial harm to a student's physical or mental health, causes substantial interference with a student's ability to participate in or benefit from school services, activities, or privileges. An electronic act does not constitute pervasive conduct solely on the basis that it has been transmitted on the Internet or is currently posted on the Internet. A pupil who aids or abets, as defined in Section 31 of the Penal Code, the infliction or attempted infliction of physical injury to another person may be subject to suspension, but not expulsion, pursuant to this section, except that a pupil who has been adjudged by a juvenile court to have committed, as an aider and abettor, a crime of physical violence in which the victim suffered great bodily injury or serious bodily injury shall be subject to discipline pursuant to subdivision (a).

**Additional Grounds for Suspension or Expulsion**

- Ed Code 48900.2

Committed sexual harassment as defined in Section 212.5. The sexual harassment must be considered by a reasonable person of the same gender as the victim to be sufficiently severe or pervasive to have a negative impact upon the individual's academic performance or to create an intimidating, hostile, or offensive educational environment. This section shall not apply to students enrolled in kindergarten and grades 1-3, inclusive.

- Ed Code 48900.3
Caused, attempted to cause, threatened to cause, or participated in an act of hate violence, as defined in subdivision (e) of Section 233. This section shall not apply to students enrolled in kindergarten and grades 1-3, inclusive.

- Ed Code 48900.4
Intentionally engaged in harassment, threats, or intimidation, directed against school 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 district personnel or students by creating an intimidating or hostile educational environment. This section shall not apply to students enrolled in kindergarten and grades 1-3, inclusive.

- Ed Code 48900.7
Made terroristic threats against school officials or school property, or both. "Terroristic threat" shall include any statement, whether written or oral, by a person who willfully threatens to commit a crime which will result in death, great bodily injury to another person, or property damage in excess of $1,000, with the specific intent that the statement is to be taken as a threat, even if there is no intent of actually carrying it out, which, on its face, and under the circumstances in which it is made, is so unequivocal, unconditional, immediate and specific, as to convey to the person threatened, a gravity of purpose, and an immediate prospect of execution of the threat, and thereby causes that person reasonably to be in sustained fear for his or her own safety or for his or her immediate family's safety, or for the protection of school district property, or the personal property of the person threatened, or his or her immediate family.

3. Disruptive Acts

The following are examples of misconduct deemed to constitute a violation of Education Code 48900 (k) and Grounds for Suspension or Expulsion, K. Examples include, but are not limited to:

A. Verbal abuse and/or defiance of a supervisor, teacher, administrator or other district employee engaged in the performance of his or her duties.

B. Disruptive behavior on campus, in the classroom, at a student activity, on a school bus, or at a club or other school or district supervised activity.

C. Gambling.

D. Hazing.

E. Immoral behavior, possession/possession for sale of pornographic materials.

F. Leaving school or being in a restricted area without permission of school authority.

G. Violation of a governmental statute, ordinance or regulation.

H. Violation of the dress code, closed campus, or any other Governing Board policy or school regulation.

I. Hate-motivated act.

J. Engaging in any form of obscene, libelous, or slanderous communication.

K. Challenging, provoking, or engaging in fighting.

L. Sexual harassment.

M. Creating or posting to a burn page.

N. Creating a false electronic profile for ill intent.

4. Hate-motivated Acts

   A. “Hate-motivated act” is defined as any act causing or attempting to cause physical injury, emotional suffering, or property damage through intimidation, harassment, bigoted slurs or epithets, vandalism, force, or threat of force motivated in part or in whole by hostility toward the victim's real or perceived race, color, religion, ancestry, national origin, disability, gender, or sexual orientation.

   B. Hate-motivated acts include, but are not limited to, criminal acts that are statutory violations and (1) posting or circulating demeaning jokes, leaflets, or caricatures; (2) defacing, removing, or destroying posted materials, announcements, or memorials, and the like; (3) distributing or posting hate group literature and/or posters; or (4) using bigoted insults, taunts, or slurs..

5. Electronic Signaling Devices (Ed Code 48901.5)

   No student shall possess or use any electronic signaling device that operates through the transmission or receipt of radio waves, including, but not limited to, paging and signaling equipment, while on campus, while attending any school-sponsored activity, or while under the supervision and control of district employee(s). No student is prohibited from possessing or using an electronic signaling device that is determined by a licensed physician and surgeon to be essential for the health of a student and use of which is limited for purposes related to the health of the student. Unlawful possession of an electronic signaling device may be grounds for suspension if the student is notified in advance that possession is prohibited.

6. Alternatives to suspension or expulsion shall be imposed, wherever practicable, against any student who is truant, tardy, or otherwise absent from school activities.

7. Students may be suspended or expelled only for acts which are related to school activity or attendance occurring in a school under the jurisdiction of the district or occurring within any other school district at any time, including but not limited to any of the following: 1) while on school grounds; 2) while going to or coming from school; 3) during the lunch period whether on or off campus; or 4) during, or while going to or coming from a school-sponsored activity.

8. Imposition of Suspension (Ed Code 48900.5)

   Suspension shall be imposed only when other means of correction fail to bring about proper conduct. However, a student, including an individual with previously identified exceptional need(s), may be suspended upon the first offense if the principal or superintendent determines that the student violated subdivision A, B, C, D, or E of Grounds for Suspension or Expulsion or upon a first offense for any of the reasons enumerated in Grounds for Suspension or Expulsion if the superintendent, principal or designee determines that the student's presence causes a danger to persons.

**Suspension**

1. Suspension by a Teacher

   A. A teacher may suspend a student from his/her class for the day of the suspension and the day following for any act enumerated in Grounds for Suspension or Expulsion.

   B. The teacher shall immediately report the suspension to the principal of the school and send the student to the principal or designee for appropriate action. As soon as possible, the teacher shall meet with the principal or designee and the student to state the reason for the suspension and to give the student an opportunity to explain his/her version of the incident.

   C. If the disciplinary action requires the student's presence at school, the student shall be under appropriate supervision of a certificated staff qualified to teach the student’s grade level.

D. A student suspended from a class shall not be placed in another regular class during the period of suspension. If the student is assigned to more than one class per day, the suspension shall apply only to other regular classes scheduled at the same time as the class from which the student was suspended.

E. As soon as possible, the teacher shall ask the parent/guardian of the student to attend a parent-teacher conference regarding the suspension. Whenever practicable, a school counselor or psychologist shall attend the conference. A school administrator shall attend the conference if the teacher or the parent/guardian so requests.

F. The student shall not be returned to the class from which he/she was suspended during the period of the suspension without the concurrence of the teacher of the class and the principal.

G. A teacher may also refer a student, for any of the acts enumerated in Grounds for Suspension or Expulsion, to the principal or designee for consideration of a suspension from school.

2. Suspensions by a Teacher and Parental Attendance

A. A teacher who suspends a student for committing an obscene act, engaging in habitual profanity or vulgarity, disrupting school activities or otherwise willfully defying the valid authority of the teacher or other school personnel, may require the parent to attend a portion of a school day in his or her child's classroom. The attendance of the parent shall be limited to the class from which the student was suspended. (Ed Code 48900.1)

B. If a teacher imposes the parental attendance requirement as stated in Education Code 48900.1, the principal shall send a written notice to the parent or guardian stating that their attendance is pursuant to law. The written notice may specify that the parent's attendance be on the day on which the student is scheduled to return to class, or within a reasonable period of time thereafter.

C. The teacher shall apply this policy uniformly to all students within the classroom.

D. After completing the visit and before leaving school premises, the parent/guardian also shall meet with the principal or designee.

E. The principal shall contact, by telephone, any parent/guardian who fails to respond to the request to attend school pursuant to this section. The purpose of this contact is to emphasize the need for parental cooperation and to ascertain any reason for not attending.

F. Only a parent/guardian who actually lives with the student is affected by this law.

G. Reinstatement of a suspended student shall not be contingent upon compliance with this provision by the student's parent or guardian.

3. Suspensions by a Principal/Designee or Superintendent (Ed Code 48911)

A. Authority to Suspend (Ed Code 48900.5)

To the extent possible, staff shall use disciplinary strategies that keep students in school and participating in the instructional programs. Disciplinary strategies may include but are not limited to, in school suspension, after school detention, counseling, community service, or parent conferences. A student, including an individual with previously identified exceptional need(s), may be suspended upon the first offense if the principal or superintendent determines that the student violated subdivision A, B, C, D, or E of Grounds for Suspension or Expulsion or upon a first offense for any of the reasons enumerated in Grounds for Suspension or Expulsion if the principal of superintendent determines that the student's presence causes a danger to persons.

B. Immediate Suspension (Ed Code 48915 (c))

The principal or superintendent shall immediately suspend, and recommend for expulsion, a student that he or she determines has committed any of the following acts:

1. Possessing, selling, or otherwise furnishing a firearm. This subdivision does not apply to an act of possessing a firearm if the student had obtained prior written permission to possess the firearm from a certificated school employee, and permission was concurred by the principal or the principal's designee. This subdivision applies to an act of possessing a firearm only if the possession is verified by an employee of the school district. The act of possessing an imitation firearm, as defined herein, is not an offense for which suspension or expulsion is mandatory pursuant to this subdivision, but is an offense for which suspension or expulsion may be imposed.

2. Brandishing a knife at another person. "Knife" means any dirk, dagger, or other weapon with a fixed, sharpened blade fitted primarily for stabbing, a weapon with a blade fitted primarily for stabbing, a weapon with a blade longer than 31/2 inches, a folding knife with a blade that locks into place, or a razor with an unguarded blade. (Ed Code 48915(g).)

3. Unlawfully selling a controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code.

4. Committing or attempting to commit a sexual assault or committing a sexual battery, as defined in Education Code Section 48900 (n).

5. Possession of an explosive. As used in this section, the term “explosive” means “destructive device” as described in Section 921 of Title 18 of the United States Code.

C. Pre-Suspension Conference

Suspension by the principal or designee shall be preceded by an informal conference conducted by the principal, designee or district superintendent between the student, and whenever practicable, the teacher or employee who referred the student to the principal, designee or superintendent. At the conference, the student shall be informed of the reason(s) for the disciplinary action and the evidence against him/her and shall be given the opportunity to present his/her version of the incident and evidence in his or her defense.

**Notification of Parent/Guardian**

At the time of suspension, a school employee shall make a reasonable effort to contact the student's parent/guardian in person or by telephone. If a student is suspended from school, the parent or guardian shall be notified in writing of the suspension

D. Report

The principal or designee shall report the suspension of a student, including the cause thereof, to the Governing Board or district superintendent by sending a copy of the suspension notice to the Educational Services Division.

E. Parent's Conference

No penalties shall be imposed on a student for failure of the student’s parent/guardian to attend a conference with school officials. Reinstatement of the suspended student shall not be contingent upon attendance by the student's parent/guardian at a conference.

F. Emergency Suspension

A principal, the principal's designee, or the superintendent may suspend a student without affording the student an opportunity for a conference only if the principal, the principal's designee, or the superintendent determines that an emergency situation exists. "Emergency situation," as used in this section, means a situation determined by the principal, principal's designee or the superintendent to constitute a clear and present danger to the life, safety, or health of students or school personnel. If a student is suspended without a conference prior to suspension, both the parent and the student shall be notified of the student' s right to a conference, and the student's right to return to school for the purpose of a conference. The conference shall be held within two (2) school days, unless

the student waives this right or is physically unable to attend for any reason, including, but not limited to incarceration or hospitalization. The conference shall then be held as soon as the student is physically able to return to school for the conference.

G. Length of Suspension

The principal of the school, the principal's designee, or the superintendent may suspend a student from the school for any of the reasons enumerated in Grounds for Suspension or Expulsion for no more than five (5) consecutive school days.

H. Suspension Meeting (Ed Code 48914)

Upon the parent's request, the superintendent or designee may meet with the parent of a suspended student to discuss the causes, the duration, the school policy involved, and other matters pertinent to the suspension.

I. Notification of Law Enforcement Agencies (Ed Code 48902)

1. The principal or the principal's designee shall, prior to the suspension of any student, notify the appropriate law enforcement authorities of any acts of the student which may violate Section 245 of the Penal Code (relating to assault with a deadly weapon or force likely to produce great bodily injury).

2. The principal or designee shall, within one school day after suspension of any student, notify by telephone or other appropriate method the appropriate law enforcement authorities of any act of the student which may violate subdivision 1 (C) or 1 (D) noted in Grounds for Suspension or Expulsion.

3. The principal or designee shall notify appropriate law enforcement authorities of any acts of a student that may involve the possession or sale of narcotics or of a controlled substance or a violation of Penal Code Section 626.9 or 626.10 (relating to possession of weapons on campus), even if the student has not been suspended or expelled.

4. A principal or designee reporting a known or suspected act described above is not civilly or criminally liable for the report unless it is proven that the report was false and that the person making the report knew it was false or made the report with reckless disregard for the truth.

J. Extension of Suspension (Ed Code 48911(g))

In a case where expulsion from any school or suspension for the balance of the semester from continuation school is being processed by Governing Board, the superintendent or other person designated by the superintendent in writing may extend the suspension until such time as the Governing Board has rendered a decision in the action.

If a student or the student's parent has requested a meeting to discuss the original suspension, the superintendent may determine at that meeting whether to extend the suspension.

An extension may be imposed only if the superintendent or designee has determined, following a meeting in which the student and the student's parent are invited to participate, that the presence of the student at the school or in an alternative school placement would cause a danger to persons or property or a threat of disrupting the instructional process.

If student is a foster child, the district superintendent or designee shall invite the student’s attorney and an appropriate representative of the county child welfare agency to that meeting.

a. Student with Previously Identified Exceptional Need(s)

When a suspension is extended pending the processing of an expulsion recommendation for a student with previously identified exceptional need(s), the student must be provided with educational services allowing him

or her to make progress on his or her individual IEP goals and in the general curriculum, beginning no later than the 11th day of consecutive removal from his or her regular program.

An expulsion recommendation may only be processed for a student with previously identified exceptional need(s) after the determination by the IEP team that the behavior was not a manifestation of the student's disability nor the direct result of the district's failure to implement the student's agreed upon individual education program, pursuant to the IDEA.

If a student is a foster child, the district shall invite the pupil's attorney and an appropriate representative of the county child welfare agency to participate in the IEP meeting where that manifestation determination is to be made. That invitation may be made by the most cost-effective method possible, including but not limited to electronic mail or telephone call.

K. Maximum Number of Days of Suspension (Ed Code 48903)

Except as expressly provided in Section 3 (K) 1 and 2, above, or 4, below, (Suspension by Governing Board), the total number of days for which a student may be suspended from school shall not exceed 20 school days in any school year, unless for purposes of adjustment, a student enrolls in or is transferred to another regular school, an opportunity school or class, or a continuation education school or class, in which case the total number of school days for which the student may be suspended shall not exceed 30 school days in any school year.

For purposes of this section, the district may count suspensions that occur while student is enrolled in another school district toward the maximum number of days for which a pupil may be suspended in any school year.

4. Suspension by the Governing Board (Ed Code 48912)

A. Length of Suspension
The Governing Board may suspend a student from school for any of the acts enumerated in Grounds for Suspension or Expulsion for any number of school days within the limits prescribed in 3 (L), above.

B. Suspension from Continuation School (Ed Code 48912.5)
The Board may suspend a student enrolled in a continuation school or class for a period not longer than the remainder of the semester if any of the acts enumerated in Grounds for Suspension or Expulsion occurred.

C. Closed Session
The Governing Board of the district shall, unless a request has been made to the contrary, hold closed sessions when the Board is considering the suspension of, disciplinary action against, or any other action except expulsion in connection with, any student, if a public hearing upon that question would lead to the giving out of information concerning a student which would be in violation of Article 5 (commencing with Section 49073) of Chapter 6.5.

D. Notice to Parents of Closed Session
Before calling a closed session to consider these matters, the Governing Board shall, in writing, by registered or certified mail or by personal service, notify the student and the student's parent or guardian, or the student if the student is an adult, of the intent of the Governing Board to call and hold a closed session. Unless the student or the student's parent shall, in writing, within 48 hours after receipt of the written notice of the Governing Board's intention, request that the hearing be held as a public meeting, the hearing to consider these matters shall be conducted by the Governing Board in closed session. If a written request is served upon the Clerk or Secretary of the Governing Board, the meeting shall be public, except that any discussion at that meeting, which may be in conflict with the right to privacy of any student other than the student requesting the public meeting, shall be in closed session.

5. Completion of Student Work Assignments (Ed Code 48913)

The teacher of any class from which a student is suspended will require the suspended student to complete any assignments and tests missed during the suspension.

6. Community Service Alternative (Ed Code 48900.6)

   As part of, or instead of other disciplinary action, except in instances where suspension is required by the Education Code, the Governing Board, the superintendent, the principal or the principal's designee may require the student to perform community service on school grounds, or with written permission of the parent or guardian of the student, off school grounds, during the student's non-school hours. Community service may include, but is not limited to, work performed on school grounds in the areas of outdoor beautification, community or campus betterment, and teacher or youth assistance programs or such work performed in the community. This section may apply if a recommended expulsion is not implemented or is, itself, suspended by stipulation or administrative action.

7. Involuntary Transfer to Continuation Schools (Ed Code 48432.5)

   A. A student who commits an action enumerated in Grounds for Suspension or Expulsion, or has been habitually truant or irregular in attendance from instruction upon which he or she is lawfully required to attend, may be involuntarily transferred to continuation school.

   B. Involuntary transfer to a continuation school shall be imposed only when other means fail to bring about student improvement, provided that a student may be involuntarily transferred the first time he or she commits an act enumerated in Grounds for Suspension or Expulsion if the principal determines that the student's presence causes a danger to persons or property or threatens to disrupt the instructional process.

   C. Before implementing the transfer, the district shall send the student and parent or guardian written notice of the opportunity to request a meeting with the superintendent's designee prior to the transfer.

   D. At the meeting, the student or the student's parents or guardian shall be informed of the specific facts and reasons for the proposed transfer and will have the opportunity to inspect all documents relied upon, question any evidence and witnesses presented, and present evidence on the student's behalf.

   E. None of the persons involved in making the final decision to make an involuntary transfer to a continuation school may be on the staff of the school in which the student is currently enrolled at the time the decision is made. The district's decision to transfer shall be in writing, stating the facts and reasons for the decision, and sent to the student and the student's parents or guardian. It shall indicate the process for review pursuant to 7 (F) below.

   F. Involuntary transfers to a continuation school will be reviewed annually by the superintendent or designee upon student request. The review will take place in a meeting where the student and/or student's parent or guardian may present information supporting the request to return to a regular program.

8. Exclusion from District Property/Activities
   During the period of a suspension, the student shall not enter, or come onto, any district property or grounds, and shall not attend any district or school sponsored activities or events.

**Expulsion**

1. Recommendation for Expulsion (Ed Code 48900, 48915)

   A. Mandatory Recommendation (Ed Code 48915 (c))
   A principal or the superintendent shall immediately suspend, and shall recommend the expulsion of a student that he or she determines has committed any of the following acts:

      1. Possessing, selling, or otherwise furnishing a firearm. This subdivision does not apply to an act of possessing a firearm if the student had obtained prior written permission to possess the firearm from a certificated school employee, and permission was concurred in by the principal or the principal's designee. This subdivision applies to an act of possessing a firearm only if the possession is verified by an employee of a school district.

The act of possessing an imitation firearm, as defined above, is not an offense for which expulsion is mandatory, but is an offense for which expulsion may be pursued, per Section 1(c) below.

2. Brandishing a knife at another person. (See definition of "knife" in Immediate Suspension, 3 (B)(3)).

3. Unlawfully selling a controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code.

4. Committing or attempting to commit a sexual assault or committing a sexual battery, as defined in Education Code Section 48900(n).

5. Possession of an explosive. (See definition of “explosive” in immediate suspension, 3(B)(5))

B. Mandatory Recommendation Unless Inappropriate (Ed Code 48915 (a))
A principal or the superintendent shall recommend a student's expulsion for any of the following acts, unless the principal or superintendent finds that expulsion should not be recommended under the circumstances or that an alternative means of correction could address the conduct:

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

2. Possession of any knife, explosive, or other dangerous object of no reasonable use to the student (See definition of "knife" in Immediate Suspension, 3 (B))

3. Unlawful possession of any controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code, except for either of the following: (i) the first offense of the possession of not more than one avoirdupois ounce of marijuana, other than concentrated cannabis; (ii) the possession of over-the-counter medication for use by the student for medical purposes or medication prescribed for the student by a physician

4. Robbery or extortion.

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

C. Discretionary Recommendation (Ed Codes 48900, 48900.2, 48900.3, 48900.4)

Except as provided in Recommendation for Expulsion, 1 (A) or (B), the principal or superintendent may recommend a student's expulsion for the student's commission of any of the acts set forth in Grounds for Suspension or Expulsion.

2. Governing Board Action on Expulsion Recommendation

A. Mandatory Expulsion (Ed Code 48915 (d))
The Governing Board shall order a student expelled upon finding that the student committed an act listed in Recommendation for Expulsion, 1 (A).

B. Discretionary Expulsion (Ed Code 48915 (b), (e) )
The Governing Board may order a student expelled upon finding that the student committed an act listed in Recommendation for Expulsion, 1 (B) or Grounds for Suspension or Expulsion, but not also listed in Recommendation for Expulsion 1 (A), and a finding of either of the following:

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 student causes a continuing danger to the physical safety of the student or others.

3. Procedures for Student Expulsion

A. The student and the student's parent or guardian shall be entitled to a hearing to determine whether the student should be expelled.

B. Timing of expulsion hearing:

1. An expulsion hearing should be held within 30 school days after the date the principal or superintendent determines that the student has committed any of the acts enumerated in Grounds for Suspension or Expulsion unless the student or the student's parent or guardian requests, in writing, that the hearing be postponed.

2. The student shall be entitled to at least one postponement of the hearing for a period of not more than 30 calendar days. Any additional postponement may be granted at the discretion of the Governing Board.

3. If compliance by the Governing Board with the time requirements for conducting the expulsion hearing is impracticable during the regular school year, the superintendent or designee may, for good cause, extend the time period for holding the expulsion hearing for an additional five (5) school days. Reasons for the extension of time for the hearing shall be included as part of the record at the time the expulsion hearing is conducted.

   Upon commencement of the hearing, all matters shall be pursued and conducted with reasonable difference and shall be concluded without unnecessary delay. If compliance by the Governing Board with the time requirements for conducting the expulsion hearing is impracticable due to a summer recess of Governing Board meetings of more than two weeks, the days of the recess period shall not be counted as school days. The days not counted for this purpose shall not exceed 20 school days, unless the student requests postponement. The hearing shall in any event be held within 20 school days of the commencement of the regular school year.

C. Written Notice to Parent/Guardian of Expulsion Hearing

Written notice of the hearing shall be forwarded to the student and the student's parent/guardian at least 10 calendar days prior to the date of the hearing. The notice shall include:

1. The date and place of the hearing.

2. A statement of the specific facts and charges upon which the proposed expulsion is based.

3. A copy of the disciplinary rules of the district that relate to the alleged violation.

4. Notice that the student or the student's parent/guardian has the right to appear in person or to employ and be represented by counsel or by non attorney advisor, to inspect and obtain copies of all documents to be used at the hearing, to confront and question all witnesses who testify at the hearing, to question all other evidence presented, and to present oral and documentary evidence on the student's behalf, including witnesses.

5. Notice of parent's and student's obligation to notify other school districts upon enrollment, of expulsion from the SRVUSD.

6. If the decision to recommend the expulsion of a foster child is discretionary, the Governing Board shall provide notice of the expulsion hearing to the student’s attorney and an appropriate representative of the county child welfare agency at least 10 calendar days before the date of hearing. The notice may be made using the most cost-effective method possible, which may include, but is not limited to electronic mail or telephone call.

7. If the decision to recommend the expulsion of a foster child is mandatory, the Governing Board may provide notice of the expulsion hearing to the student’s attorney and an appropriate representative of the county child welfare agency at least 10 calendar days before the date of hearing. The notice may be made using the most cost-effective method possible, which may include, but is not limited to electronic mail or telephone call.

D. Student's Right to Waive Hearing

The student and the student's parent shall be afforded the opportunity, at their discretion, to waive any and all of their due process rights relative to an expulsion recommendation, including, but not limited to, the right to a hearing to determine whether the student committed the offense(s) with which he/she has been charged. If the student and/or the student's parent requests a waiver of any of their rights, the consequences of such a waiver shall be thoroughly explained to them by the district, along with notification of their right to consult counsel regarding such a waiver, prior to entering into a waiver agreement.

E. Expulsion Hearing Before Governing Board of Education

The Governing Board shall conduct a hearing to consider the expulsion of a student in a session closed to the public, unless the student or the student's parent/guardian requests in writing, at least five days prior to the date of the hearing, that the hearing be at a public meeting. Regardless of whether the expulsion hearing is conducted in a closed or public session, the Governing Board may meet in closed session for the purpose of deliberating and determining if the student should be expelled. If the Governing Board admits any other person to the closed deliberation session, the parent/guardian of the student, the student, and the counsel for the student shall also be allowed to attend the closed deliberations.

F. Alternative to Governing Board Hearing

1. In lieu of a hearing before the Governing Board, the Governing Board may appoint an impartial Administrative Hearing Panel of three or more certificated persons, none of whom shall be members of the Governing Board or employed on the staff of the school in which the student is enrolled. The hearing shall be conducted in accordance with all of the procedures established in this section.

2. If an alternative to a Governing Board hearing is used, within three school days following the hearing, the Administrative Hearing Panel shall determine whether to recommend the expulsion of a student to the Governing Board. If the decision is not to recommend expulsion, the expulsion proceedings shall be terminated and the student shall be immediately reinstated and permitted to return to a classroom instructional program, any other instructional program, a rehabilitation program, or any combination of these programs. Placement in one or more of these programs shall be made by the superintendent or designee after consultation with school district personnel, including the student's teacher(s), and the student's parent/guardian. The decision not to recommend expulsion shall be final.

3. If the Administrative Hearing Panel recommends expulsion, findings of fact (which are to be based solely on the evidence adduced at the hearing and not based solely on hearsay evidence) in support of the recommendation shall be prepared and submitted to the Governing Board. The Governing Board shall make a determination to accept, accept with modifications, or reject the Administrative Hearing Panel's findings. Such action shall be based upon a review of the findings of fact and recommendations submitted by the panel and/or upon the result of any supplementary hearing that the Governing Board may order.

G. Record of the Hearing

A record of the hearing shall be made. The record may be maintained by any means, including electronic recording, so long as a reasonably accurate and complete written transcription of the proceedings can be made.

H. Evidence at the Hearing

1. Technical rules of evidence shall not apply to the hearing, but relevant evidence may be admitted and given probative effect only if it is the kind of evidence upon which reasonable persons are accustomed to rely in the conduct of serious affairs.

2. No decision to expel shall be based solely upon hearsay evidence. Where the Governing Board or the hearing officer or Administrative Hearing Panel may, upon a finding that good cause exists, determines that the disclosure of the identity of a witness and the testimony of that witness at the hearing would subject the witness to an unreasonable risk of harm. Upon this determination, the testimony of the witness may be presented at the hearing in the form of sworn declarations which shall be examined only by the Governing Board or the hearing officer or Administrative Hearing Panel. Copies of these sworn declarations which are

edited in such a manner as to delete the name and identity of the witness shall be made available to the student, student's parent or guardian, and student's counsel or non-attorney advisor.

3. If the student, parent, or representative of the student fails to object at the hearing that these rules are not being properly followed, or that any other law or requirement of due process is not being followed, the objections shall be deemed waived.

I. Subpoena Power

1. Before the hearing has commenced, the Governing Board may issue subpoenas at the request of either the superintendent or the student, for the personal appearance of percipient witnesses at the hearing. After the hearing has commenced, the Governing Board or the hearing officer or Administrative Hearing Panel may, upon request of either the County Superintendent of Schools or the superintendent's designee or the student, issue subpoenas. All subpoenas shall be issued in accordance with Sections 1985, 1985.1, and 1985.2 of the Code of Civil Procedure. Enforcement of subpoenas shall be done in accordance with Section 11455.20 of the Government Code.

2. Any objection raised by the superintendent or the student to the issuance of subpoenas may be considered by the Governing Board in closed session, or in open session, if so requested by the student before the meeting. Any decision by the Governing Board in response to an objection to the issuance of subpoenas shall be final and binding.

3. If the Governing Board, hearing officer, or Administrative Hearing Panel determines, in accordance with the procedure set forth in 3 (H) of this subsection, that a percipient witness would be subject to an 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 provided for in 3 (H) (2) of this subsection.

4. Service of process shall be extended to all parts of the state and shall be served in accordance with Section 1987 of the Code of Civil Procedure. All witnesses appearing pursuant to subpoena, other than the parties or officers or employees of the state or any political subdivision thereof, shall receive fees, and all witnesses appearing pursuant to subpoena, except the parties, shall receive mileage in the same amount and under the same circumstances as prescribed for witnesses in civil actions in a superior court. Fees and mileage shall be paid by the party at whose request the witness is subpoenaed.

J. Special Procedures for Expulsion Hearings With Sexual Assault/Battery Allegations

1. A complaining witness must be given five days' notice prior to being called to testify and is entitled to have up to two adult support persons, including, but not limited to, a parent guardian or legal counsel present during his/her testimony. Prior to a complaining witness testifying, support persons will be admonished that the hearing is confidential. These provisions do not preclude the hearing chairperson from removing a support person if the hearing chairperson finds that the person is disrupting the hearing. If one or both of the support persons is also a witness, the provisions of Penal Code Section 868.5 must be followed.

2. A complaining witness has the right to have his or her testimony heard in closed session when testifying at a public hearing would threaten serious psychological harm to the complaining witness and there are no alternative procedures to avoid the threat and harm, including but not limited to, videotaped deposition or contemporaneous examination in another place communicated to the hearing room by means of closed-circuit television.

3. Evidence of specific instances of a complaining witness prior sexual conduct is to be presumed inadmissible and shall not be heard absent a determination by the hearing chairperson that extraordinary circumstances exist requiring that specific instances of a complaining witness prior sexual conduct be heard. Before the hearing chairperson makes such a determination, the complaining witness must be provided notice and an opportunity to present opposition to the introduction of the evidence. In the hearing on the admissibility of the evidence, the complaining witness shall be entitled to be represented by a parent, guardian, legal

counselor or other support person. Reputation or opinion evidence regarding the sexual behavior of the complaining witness is not admissible for any purpose.

4. At the time the expulsion is recommended, the complaining witness shall be provided with a copy of the applicable disciplinary rules and advised of his or her right to (1) receive five days' notice of the complaining witness' scheduled testimony at the hearing; (2) have up to two adult support persons of his or her choosing present at the hearing at the time he/she testifies; and (3) to have the hearing closed during the time he/she testifies.

5. The expulsion hearing may be postponed for one school day in order to accommodate the special physical, mental, or emotional needs of a students who is a complaining witness.

6. The district shall provide a non-threatening environment for a complaining witness during the expulsion hearing. The district is required to have a separate room available for the witness during breaks.

7. Whenever any allegation is made of sexual battery/assault, complaining witnesses and accused students are to be advised immediately to refrain from personal or telephone contact with each other during the pendency of any expulsion process.

4. Board of Education

   A. Final action to expel a student shall be taken only by the Board in a public session.

   B. The decision of the Board whether to expel the student shall be made within 10 school days following the conclusion of the hearing, unless the student or student's parent or guardian requests in writing that the decision be postponed.

   C. The decision of the Governing Board to expel a student shall be based upon substantial evidence, relevant to the charges and showing that the student committed any of the acts enumerated in Grounds for Suspension or Expulsion, adduced at the expulsion hearing(s).

5. The Governing Board shall maintain a non-privileged, discloseable, appropriately redacted, public record of each expulsion, including the cause therefore.

6. Recordation in Student's Record
   The expulsion order and the causes therefore shall be recorded in the student's mandatory interim record and shall be forwarded, upon receipt of a request, to a school in which the student subsequently enrolls.

7. Written Notice of Expulsion Decision
   Written notice of any decision to expel or to suspend the enforcement of an expulsion order during a period of probation shall be sent by the superintendent or designee to the student or parent or guardian and shall be accompanied by all of the following:

   A. Notice of the right to appeal the expulsion to the Contra Costa County Board of Education.

   B. Notice of the parent or student's obligation under subdivision (b) of Section 48915.1, upon the student's enrollment in a new school district, to inform that district of the expulsion.

   C. A description of the procedure for requesting readmission.

   D. Notice of the education alternative placement to be provided to the student during the period of expulsion.

8. Rehabilitation Plan

According to Section 48916(b), the governing board shall recommend a plan of rehabilitation for the student at the time of the expulsion order which may include, but not limited to, periodic review and assessment at the time of review for readmission. The plan may also include recommendations for. 1) improved academic performance; 2) tutoring; 3) special education assessments; 4) job training; 5) counseling; 6) employment: 7) community service; or 8) other rehabilitative programs.

9. Suspension of Expulsion During Period of Probation (Ed Code 48917)

   A. Order of Probation

      The Governing Board, upon voting to expel a student, may suspend the enforcement of the expulsion order for a period of not more than one calendar year and may, as a condition of the suspension of enforcement, assign the student to a school, class, or program that is deemed appropriate for the rehabilitation of the student. The rehabilitation program to which the student is assigned may provide for the involvement of the student's parent in his or her child's education in ways that are specified in the rehabilitation program. A parent's refusal to participate in the rehabilitation program shall not be considered in the Governing Board's determination as to whether the student has satisfactorily completed the rehabilitation program. During the period of the suspension of the expulsion order, the student shall be deemed to be on probationary status.

   B. Revocation of Probation
      The Governing Board may revoke the suspension of an expulsion order under this section if the student commits any of the acts enumerated in Grounds for Suspension or Expulsion or violates any of the district's rules and regulations governing student conduct. When the Governing Board revokes the suspension of an expulsion order, the student may be expelled under the terms of the original expulsion order without additional hearing before the Governing Board.

   C. Reinstatement After Successful Probation Period
      Upon satisfactory completion of the rehabilitation assignment, the Governing Board shall reinstate the student in a school of the district and the Governing Board may also order the expunging of any or all records of the expulsion proceedings.

   D. Appeal Timelines Not Affected
      A decision of the Governing Board to suspend an expulsion order does not affect the time period and requirements for the filing of an appeal of the expulsion order with the Contra Costa County Board of Education. Any appeal shall be filed within 30 days of the original vote of the Governing Board.

10. Educational Program Requirements for Expelled Students
    [Note: this section is operative only to the extent funds are appropriated by the State Legislature (48916.1(a)).]

    A. Referral to Alternate Program of Study
       After ordering the expulsion of a student, the Governing Board shall refer the student to a program of study that meets all of the following conditions:

       1. Appropriately prepared to accommodate students who exhibit discipline problems.

       2. Not provided at a comprehensive middle, or senior high school, or at any elementary school.

       3. Not housed at the school site attended by the student at the time of suspension.

       4. If the expelled student is from a kindergarten through 6th grade program, that student's educational program shall not be combined or merged with alternative educational programs offered to students in grade 7-12.

       Notwithstanding this subsection, with respect to a student expelled for a violation of any of the acts listed in Grounds for Suspension or Expulsion, 1. E through 1.0, pursuant to the procedure in Governing Board Action on Expulsion Recommendation, 2. B, if the County Superintendent of Schools certifies that an alternative program of study is not available at a site away from a comprehensive middle, or senior high school, or an elementary school,

and that the only option for placement is at another comprehensive middle, or senior high school, or another elementary school, the student may be referred to a program of study that is provided at a comprehensive middle, , or senior high school, or at an elementary school.

B. Provision of Educational Program During Period of Expulsion

1. At the time an expulsion is ordered, the Governing Board shall ensure that an educational program is provided to the expelled student for the period of the expulsion.

2. Any educational program provided pursuant to this section shall not be situated within or on the grounds of the school from which the student was expelled.

3. The district may offer the student who is subject to the expulsion order independent study in order to satisfy the requirement of 10, B. 1. The parent and the student shall provide the written consent for placement in independent study. The district or the County Superintendent of Schools shall notify the expelled student of the option of classroom instructional pursuant to paragraph (7) of subdivision (c) of Section 51747.

4. The program provided pursuant to this section is the only program required to be provided to expelled students as determined by the Governing Board.

5. Students expelled for the acts enumerated in Section 48915(a) or (c) cannot be permitted to enroll in any other school or school district during the period of expulsion except for: a) a county community school; b) a juvenile court school; or c) a community day school. (Ed Code 48915.2)

11. Readmission After Expulsion

A. Duration of Expulsion (Ed Code 48916)

An expulsion order shall remain in effect until the Governing Board orders the readmission of a student. At the time an expulsion of a student is ordered for an act other than those described in Recommendation for Expulsion 1 (A), the governing Board shall set a date, not later than the last day of the semester following the semester in which the expulsion occurred, when the student shall be reviewed for readmission to a school maintained by the District or to the school the student last attended. For a student who has been expelled pursuant to Recommendation for Expulsion 1 (A), the Governing Board shall set a date of one year from the date the expulsion occurred, when the student shall be reviewed for readmission to a school maintained by the District, except that the Governing Board may set an earlier date for review for readmission on a case-by-case basis.

The Board is required to expel from school, for at least one year, any student bringing a firearm to school. The Board or superintendent may modify any such expulsion on a case-by-case basis (Public Law 103-882 Gun-Free Schools Act, Part F, Section 14601. GUN-FREE REQUIREMENTS)

B. Procedure for Readmission

1. On or after the date established by the Governing Board when the student may apply for readmission to the district, the student may submit a request for readmission to the superintendent or designee. The request must be in writing. If a rehabilitation plan was recommended, the student should describe his/her compliance with the plan.

2. The superintendent or designee will review the request, and accompanying information, and may request additional information as needed. The superintendent or designee also may schedule a conference with the student and the student's parent to review the request for readmission.

3. The superintendent or designee shall present the student's request for readmission to an Administrative Hearing Panel which shall be formed in the same manner as an Administrative Hearing Panel formed to preside over expulsion hearings.

4. The Administrative Hearing Panel shall conduct a hearing within 10 days of District’s receipt of the request for readmission to decide to readmit or not to readmit. The hearing shall be conducted according to the provisions of Education Code 48918. The Administrative Hearing Panel shall decide to readmit the student

unless they make a finding that the student has not met the conditions of the rehabilitation plan or continues to pose a danger to campus safety or to other students or employees of the district.

5. If the Administrative Hearing Panel decides to readmit the student, the student shall be immediately reinstated to an instructional program, rehabilitation program, or combination thereof.

6. If the Administrative Hearing Panel denies the student's request for readmission, the superintendent or designee shall inform the student, in writing, of the decision, the reasons therefor, and of the student's right to appeal the panel's decision to the Governing Board. The superintendent or designee shall also inform the student that an appeal must be in writing and must be submitted to the district office within two weeks of the date of the Administrative Hearing Panel's decision

7. The appeal will be heard at the next Governing Board school meeting following receipt of the appeal, unless the next Governing Board meeting is within three (3) school days of receipt of the student's appeal. In such case, the appeal will be heard at the first subsequent Governing Board meeting.

8. On appeal, the Governing Board will meet with the student, parent, and the superintendent and/or designee in closed session. The Governing Board will review all written materials related to the request for readmission. The student or the parent may explain why the student should be readmitted, and the superintendent or designee may explain why readmission was denied by the Administrative Hearing Panel.

9. The Governing Board shall make a decision no later than the first Governing Board meeting following the Governing Board meeting at which the appeal was heard. The Governing Board shall notify the student of its decision in writing with in two school days, providing all information outlined in Section B (11) below. The Governing Board’s decision regarding the appeal is final. The Governing Board shall readmit the student unless the Board makes a finding that the student has not met the conditions of the rehabilitation plan or continues to pose a danger to campus safety or to other students or employees of the district.

10. If the Governing Board denies the readmission of an expelled student pursuant to Procedure for Readmission B (9), the Governing Board shall make a determination either to continue the placement of the student in the alternative educational program initially selected for the student during the period of the expulsion order or to place the student in another program that may include, but need not be limited to, serving expelled students, including placement in a county community school.

11. The Governing Board shall provide written notice to the expelled student and the student's parent describing the reasons for denying the student readmittance into the regular district program. The written notice shall also include the determination of the educational program for the expelled student pursuant to Procedure for Readmission B (10). The expelled student shall enroll in that educational program unless the parent of the student elects to enroll the student in another school district, in which case student or parent/guardian must notify the other school district of the expulsion pursuant to 48915.1 (b).

12. Appeal to the County Board of Education (Ed Code 48919)

    If a student is expelled from school, the student or the student's parent may, within 30 days following the decision of the Governing Board to expel, file an appeal to the Contra Costa County Board of Education which shall hold a hearing thereon and render its decision. The Contra Costa County Board of Education shall hold the hearing within 20 school days following the filing of a formal request under this section and shall render a decision within three (3) school days of the hearing, unless the student requests a postponement.

    The period within which an appeal is to be filed shall be determined from the date the Governing Board votes to expel even if enforcement of the expulsion is suspended and the student is placed on probation. A student who fails to appeal the original action of the Governing Board within the prescribed time may not subsequently appeal a decision of the Governing Board to revoke probation and impose the original order of expulsion.

13. Community Service Alternative (Ed Code 48900.6)

As an alternative to discipline, including expulsion, the Governing Board, the superintendent, the principal or designee may require the student to perform community service on school grounds or in the community during non-school hours. "Community service" may include, but is not limited to; work performed on school grounds or in the community in the areas of outdoor beautification, campus betterment, and teacher, peer or youth assistance programs. The section does not apply if expulsion is required by the law.

14. Graduating Students

    A student who has been recommended to the Governing Board for expulsion may not participate in his/her graduation ceremony or graduation-related activities scheduled prior to the completion of the expulsion process, without the prior approval of the superintendent. The superintendent may deny the student's participation only upon first determining that the presence of the student at the ceremony or related activities would cause a danger to person or property or be disruptive.

15. Notification of Subsequent School District (Ed Code 48915.1 (b))

    When a student is expelled from the district for an offense other than those listed in subdivision (a) of Section 48915, the student's parent, or the student if emancipated or legally of age, shall inform any subsequent school district, upon enrollment, of the student's status with the district. If this information is not provided to the subsequent school district and the subsequent district later determines the student was expelled from this district, the lack of compliance with this section shall be recorded and discussed in the hearing required for enrollment.

16. When a student has been expelled by another school district and seeks enrollment in the San Ramon Valley Unified School District, the student's parent, or the student if emancipated or legally of age, shall inform San Ramon Valley Unified School District, upon enrollment, of the student's status with the previous district. If this information is not provided to the San Ramon Valley Unified School District, and San Ramon Valley Unified School District later determines the student was expelled from his or her previous district, the lack of compliance with this section shall be recorded and discussed in a hearing required for enrollment.

**Regulation Approved:** January 17, 1995
**Revised:** August 19, 1997
**Revised:** February 12, 2002
**Revised:** September 24, 2013

**E. Procedures to Notify Teachers of Students with Suspensions or Expulsions (EC 49079)**

At the beginning of the school year, all teachers are provided with a list of their enrolled students who have one or more suspensions. This list includes student suspensions for the current year plus the previous three years. The following procedure is used in notifying teachers of the suspension history:

1. Suspension lists are printed and kept in the Principal's Office.
2. Teachers are advised about the confidential nature of the data.
3. All sheets and suspension reports are kept and filed in the school office and teachers may view them if they so choose.

Teachers will be notified of enrolled students who have one or more suspensions, except tobacco related suspensions as enumerated in Ed Code 49079. (a) A school district shall inform the teacher of each pupil who has engaged in, or is reasonably suspected to have engaged in, any of the acts described in any of the subdivisions, except subdivision (h), of Section 48900 or in Section 48900.2, 48900.3, 48900.4, or 48900.7 that the pupil engaged in, or is reasonably suspected to have engaged in, those acts. The district shall provide the information to the teacher based upon any records that the district maintains in its ordinary course of business, or receives from a law enforcement agency, regarding a pupil described in this section.

**F. Sexual Harassment Policy (BP 5145.7)**

It is the policy of the Governing Board of the San Ramon Valley Unified School District to provide an educational and work environment free of unwelcome sexual advances, requests for sexual favors, and other verbal visual or physical conduct or communications constituting sexual harassment, as defined by Education Code 212.5 and otherwise prohibited by state and federal statutes.

Prohibited sexual harassment includes, but is not limited to, unwelcome sexual advances, requests for sexual favors, and other verbal, visual, or physical conduct of a sexual nature, made by someone from or in the work or educational setting, under any of the following conditions (Education Code 212.5):

a. Submission to the conduct is explicitly or implicitly made a term or a condition of an individual's employment, academic status, or progress.

b. Submission to, or rejection of, the conduct by the individual is used as the basis of employment or academic decisions affecting the individual.

c. The conduct has the purpose or effect of having a negative impact upon the individual's work or academic performance, or of creating an intimidating, hostile, or offensive work or educational environment.

d. Submission to, or rejection of the conduct by the individual is used as the basis for any decision affecting the individual regarding benefits and services, honors, programs, or activities available at or through the educational institution.

Other types of conduct which are prohibited in the district and which may constitute sexual harassment include:

*Verbal or written conduct:* making derogatory comments, including epithets, slurs, jokes, etc.; sexual propositions or flirtations, graphic commentary about an individual's body; sexually degrading words used to describe an individual; suggestive or obscene letters, notes or invitations; spreading sexual rumors.

*Visual conduct:* leering; making sexual gestures; displaying sexually suggestive objects, pictures, books, magazines, etc.

*Physical conduct:* inappropriate touching or impeding one's movement.

Every student, employee or applicant has the right to be free from harassment from adults and/or from students in the work or educational setting. The district prohibits retaliatory behavior against any complainant or any participant in the complaint process. Each complaint of sexual harassment shall be promptly investigated in a way that respects the privacy of all parties concerned.

A copy of this policy on sexual harassment shall be l) displayed in a prominent location at school sites and work sites, 2) provided as part of the orientation for new students at the beginning of each term as applicable, 3) provided for employees annually at the beginning of the school year and for each new employee, and 4) included in publications that set forth the comprehensive rules, procedures and standards of conduct of the school or district.. In-service regarding this policy and administrative procedure will be provided to all staff periodically as appropriate and annual review will be encouraged as part of student and staff orientation activities.

**Complaint Procedure:**

**Step I - Informal Resolution:**
It is desirable that problems and complaints of alleged sexual harassment be resolved promptly and equitably. If possible, such problems and complaints should be resolved in an informal manner. Students and employees are encouraged, but not required, to inform the offender directly that his/her conduct is unwelcome or offensive and must stop.

**Step II: Verbal or Written Complaint:**
Students should follow complaint procedures designated in Administrative Regulation 5145.7, *Sexual Harassment, Students.* A student should initiate a complaint to a teacher or administrator verbally or in written form. The complaint should include information regarding the name(s) of the person(s) who engaged in offensive conduct, the description of the offensive conduct (i.e. when and where the conduct occurred, the number of times it occurred, any informal attempts at resolution),

and the names of any witnesses. Administrative Regulation 5145.7 may be obtained from the school principal or the Superintendent.

Employees or applicants for employment who feel that they have been sexually harassed should contact their supervisor, principal, other district administrator or the Superintendent in order to obtain procedures for reporting a complaint. Complaints of sexual harassment against a district employee may be filed in accordance with AR 1312, *Complaints Against School Personnel.* Complaints alleging that a specific action, procedure or practice sexually discriminates, can be filed in accordance with AR 4031, *Complaints Concerning Discrimination in Employment.*

Any supervisor who receives a sexual harassment complaint shall notify the Superintendent or designee, who shall ensure uniform application of this policy and that the complaint is appropriately investigated.

**G. Dress Code**

PERSONAL APPEARANCE/DRESS CODE
Simple & Reasonable Guidelines:
Senate Bill 310 addresses Sun-Protective Clothing For Outdoor Activities; it went into effect on January 1, 2002. SB 310 requires each school site to allow pupils to wear sun-protective clothing, including hats, while outdoors during the school day. SB 310 also allows each school site to set a policy related to the type of sun-protective clothing that is permitted.
School Districts should be aware that dress code policies adopted pursuant to this bill may still prohibit students from wearing specific clothing and hats if the apparel is determined by the district or school site to be gang-related or otherwise inappropriate.
All students are expected to be suitably groomed and to wear clothing that is neat, clean, and appropriate and reflects good taste and modesty at school and evening events. If at any time a student's dress or grooming is considered disruptive or inappropriate to the education program, teachers and/or administration may send students to the office to change into school appropriate attire or be sent home with parent permission to change. Repeated violations may result in disciplinary action.
In accordance with the above stated philosophy, the following dress regulations are in force:
1. Shoes must be worn at all times (no slippers).
2. Clothing, jewelry and personal items (backpacks, binders, fanny packs, gym bags, water bottles, etc.) shall be free of writing, pictures or any insignia which are crude, vulgar, profane or sexually suggestive, which bear drug, alcohol or tobacco company advertising, promotions and likenesses, or which advocate racial, ethnic or religious prejudice.
3. Clothes shall be in a good state of repair and sufficient to conceal undergarments at all times. See through or fishnet fabrics, tube tops, halter tops, off the shoulder or low-cut tops, bare midriffs, muscle shirts, bathing suits, jeans/shorts/skirts that rest below the hip and spiked clothing are prohibited. Revised 9/10/07 Shorts and Skirts must be minimum 12" from the bottom of the waistband to the edge of the garment, or leggings/biker shorts must be worn underneath.
4. Underwear must be covered. No sagging or dragging pants.
5. Student involvement in gangs or gang related activities is strictly prohibited. Student involvement in gangs may be considered gross disobedience or misconduct. Gang affiliated items such as, hair nets, "grill" teeth, bandanas, gang colors, jewelry, emblems, clothing, badge, symbols, signs or other things which are viewed as evidence of membership or affiliation in any gang is prohibited. Gang related gestures such as handshakes or use of speech are prohibited.

**H Rules and Procedures – Discipline (BP 5144)**

The Governing Board desires to prepare youth for responsible citizenship by fostering self-discipline and personal responsibility. The Board perceives that good planning, a good understanding of each child, and parent involvement can minimize the need for discipline. Teachers shall use positive conflict resolution techniques and avoid unnecessary confrontations. When misconduct occurs, staff shall make every effort to identify and correct the causes of the student's behavior.

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

Staff shall enforce disciplinary rules fairly and consistently, without regard to race, creed, color or sex.

In order to maintain safe and orderly environments, the Board shall give employees all reasonable support with respect to student discipline. If a disciplinary strategy is ineffective, another strategy shall be employed. Continually disruptive students may be assigned to alternative programs or removed from school.

A safe and positive learning environment is essential for the optimum development of each student and for quality education. Schools are expected to provide an orderly, caring and nondiscriminatory learning environment in which all students feel comfortable and take pride in their school and in their personal achievements. To achieve this goal, staff is expected to teach students the meaning of equality, human dignity, and mutual respect, and to employ learning strategies that foster positive interactions among students from diverse backgrounds. School personnel must prevent and protect against behavior which threatens the safety of individuals or property, or which disrupts learning. School and district personnel shall model positive behavior and attitudes that are respectful of all individuals.

The administrative team will investigate every reported incident thoroughly. Please contact an assistant principal to report an incident or if you have discipline questions.

## Section III A

Action plan for 2017-18: (School Safety, Climate and Character Development Matrix)

| **Program, Curriculum, Other Efforts** (Please include an overview of how the program, curriculum, and/or other effort is specifically utilized at your site, by whom, the frequency, and if it is done with fidelity, how the site ensures that fidelity) | **Target Population** (school-wide, specific grade level(s), parents, etc.) | **Specific Character Trait(s)** (check all that apply) | | | | | | **Person(s) Responsible** (for implementation and evaluation) | **Evaluation Method** (For each program, curriculum, etc., please document what evidence will be gathered and analyzed by the site in order to determine if the desired outcomes have been achieved?) |
|---|---|---|---|---|---|---|---|---|---|
| | | Citizenship* | Empathy | Fairness | Respect | Responsibility | Trustworthiness | | |
| Consistent review of attendance with individualized behavior contracts linked to incentives and also to consequences. | school-wide | X | | | | X | | Admin and TSA | Evaluate the number of tardies and cuts over time, including teacher feedback on follow-up on associated discipline. |
| Partner with PTSA to develop cultural initiative on campus to continue to the work of bringing parents and students to dialogue with teachers about specific cultural differences and the impact that this has on the DVHS experience. This work has been started with the "Challenging the Asian Narrative" cohort in 16/17. | school-wide | | X | X | X | | | STRIVE Equity | Interview parents, teachers, and students involved. |
| Identify individuals who need behavior and academic intervention. Interventions to include but not limited to counseling referrals, tutoring, admin intervention, SST meetings. | school-wide | X | | | X | X | X | Admin and Counseling | Raw Data of interventions identified and provided |
| Ongoing review of discipline data to ensure that no inequities exist in our enforcement of school rules and application of punishments. | school-wide | | X | X | X | X | | Admin Team | Year to year data review |
| Launch digital citizenship through "Common Sense Media" focus during Access and authentically throughout class time. | school-wide | X | | | | | X | Climate Committee | Comparison of school climate survey and CHKS data for year to year changes. |

**Below are the internal working definitions of the 6 character traits. Sites may post and discuss definitions that are age/developmentally appropriate.**

**Citizenship** – Citizenship is taking responsibility for yourself and your community, in order to make it a better place.
**Empathy** – Empathy is putting yourself in someone else's place and trying to understand how he/she may be feeling (through caring, understanding, kindness and respect).
**Fairness** – Fairness is treating others equitably, consistently, and without bias.
**Respect** – Respect is being considerate of property, people, and yourself.
**Responsibility** – Responsibility is being accountable for your words, actions, and attitudes and being an advocated for yourself.
**Trustworthiness** – Trustworthiness is acting in a dependable and loyal way, including telling the truth, being honest, being reliable, and keeping your word.

## Reporting

Dougherty Valley High School

Date Adopted by School Site Council: TBD

**State your sites GOALS for the 2016-17 school year. Please remember to have at least one ATTENDANCE and one SCHOOL CONNECTEDNESS goal, as this links directly to the LCAP.**
For 2017-18 we would like to continue the downward trend of students missing class for excused or unexcused reasons that has been on the decline since 2014. For 2017-18 we would like to increase the percentage of 11th graders who indicate a high response to "School Connectedness" in CHKS. CHKS survey from 2015-16 indicated a 13% reduction in student feelings of school connectedness from 9th to 11th grade at DVHS.

Continue to utilize teacher collaboration effectively to develop California State Standards aligned curriculum, analyze student assessment data, and improve student learning opportunities.

Use the district RTI model, combined with culturally responsive teaching strategies in order to provide individualized learning opportunities to all students, with a particular focus on our low performing subgroups.

The school will continue to improve campus community spirit while decreasing student stress in order to develop a more positive campus morale.

Maintain Technology Plan