



MT. DIABLO UNIFIED SCHOOL DISTRICT

COMPREHENSIVE SCHOOL SITE SAFETY PLAN

Mt. Diablo Adult Education

Loma Vista Center including Central Food Services,
After School Program and Bridge Program

Joanne Durkee, Director

Nellie Meyer, Ed.D., Superintendent

Lawrence Schoenke, Interim General Counsel

Bryan Richards, Chief Financial Officer, Fiscal Services

Julie Braun Martin, Assistant Superintendent, Personnel

Kerri M. Mills, Ed.D, Assistant Superintendent, Pupil Services and Special Education

Rose Lock, Assistant Superintendent, Student Achievement and School Support

2013-2014

Plan Developed by:

<u>Name</u>	<u>Position</u>
Joanne Durkee	Director, Mt. Diablo Adult and Career Education
Vittoria Abbate-Maghsoudi	Assistant Director
Sharon Brockman, PhD.	Vice Principal
Sandra Stanford	Administrative Secretary
Lynn Shaw	Office Manager
Paige Endo	Coordinator, ESL
Barbara Leal	Coordinator, CTE
Karen Lingenfelter	Coordinator, AWD
Tricia Ouellette	Coordinator, HS/ABE/ASE & GED
Sharon Reposa	Coordinator, PE
Tim Grayson	Mayor, City of Concord, CA
Patrick Murray	Officer, Concord P.D.

Public Hearing Date May 19, 2014

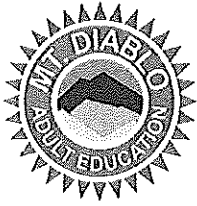
COMPREHENSIVE SCHOOL SITE SAFETY PLAN MEMBERSHIP

Mt. Diablo Adult Education-Loma Vista

School Site Council or Delegated School Safety Planning Committee Members (A)	Principal or designee (B)	Classified Employee (C)	Classroom Teacher (D)	Parent (E)	Law Enforcement (F)	Other school staff (G)	Community Representative (H)	Student (I)	Other (specify) (J)
1. Joanne Durkee	X								
2. Vittoria Abbate-Maghsoudi	X								
3. Sharon Brockman	X								
4. Sandra Stanford		X							
5. Lynn Shaw		X							
6. Paige Endo						X			
7. Barbara Leal						X			
8. Karen Lingenfelter			X			X			
9. Tricia Ouellette						X			
10. Sharon Reposa			X			X			
11. Carole Board						X			
12. Samantha Espinosa (Bridge)						X			
13. Tim Grayson, Mayor of Concord							X		
14. Patrick Murray, Officer Concord PD					X				
15. John Williams						X			

SECTION 2

MISSION STATEMENT



MT. DIABLO ADULT EDUCATION SAFETY MISSION AND VISION

Mission

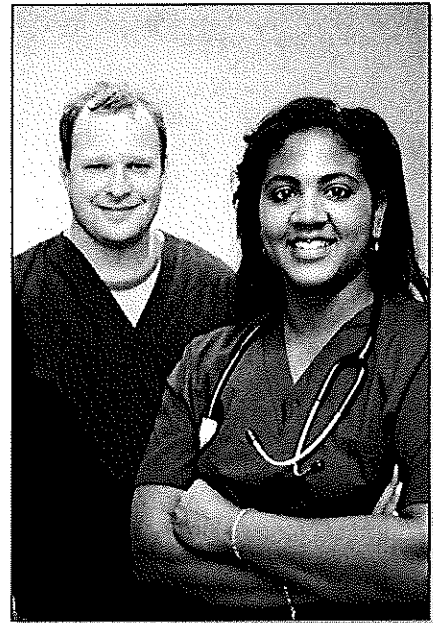
Mt. Diablo Adult education provides lifelong **learning opportunities** for adults of all ages and abilities **to achieve** their education, employment, community and personal **goals** in a safe environment.



Vision

Mt. Diablo Adult Education is **committed to** accessible high **quality education** in a safe, positive and **supportive learning environment** that leads to student success.

Mt. Diablo Adult Education values and is committed to **partnerships and collaborations** to better serve the diverse Mt. Diablo Unified School District community.



SECTION 3

DATA SUMMARY

**c STUDENT DATA SUMMARY
CAMPUS SAFETY OVERVIEW
MT. DIABLO ADULT EDUCATION**

	07-08	09-10	10-11	11-12	12-13
	TOTAL	LVAC	LVAC	LVAC	LVAC
CRIME	TOTAL	TOTAL	TOTAL	TOTAL	TOTAL
Assault	1	1	2	4	2
Battery	0				
Assault with a deadly weapon	0			1	
Unlawful fighting	1			1	1
Homicide	0				
Sex Offense	0		2		
Robbery	0				
Extortion	0				
Chemical Substances	0				
Weapons	1				
Destructive Devices	0				
Arson	0	1	1		
Burglary	0		3		1
Theft	20	8	12	8	1
Vandalism	12	6	1	3	1
Other	7	9	4	13	7
Auto Damage	22	7	13	5	7
Harassment	1	5			1
Lost Property	1				
Suspicious Person	9	4	2	2	4
			1		
Medical Emergencies					
Students	37	12	20	13	16
Staff	11	12	2	7	2
Classified	3	8	2	4	
Certificated	8	5		3	
Accidents that require investigation as to cause					
Students	2	4			2
Staff					
Classified	1				
Certificated	1	1			

Source Documents: Incident Reports and Worker's Compensation Forms, Statistics received from Concord Police Department and BART (Concord Station statistics).

Conclusions from Data: Reports of theft and auto damage continue to decrease which appears to correlate to the addition of lighting in the parking lots and campus-wide cameras. Security camera upgrading is to be scheduled in 2014.

This form would be used in K-12 based programs. It is not used in Adult Education.

STUDENT DATA SUMMARY

Data Source	2008-2009	2009-2010	2010-2011
Suspensions (number of incidents)			
▪ Violence			
▪ Tobacco			
▪ Drugs/Alcohol			
▪ Weapons			
Expulsions			
Attendance (percentage)			
SART # of Referrals			
SARB # of referrals			
SARB # referred to Court			
SST (number of referrals)			
Coordinated Care Team (number of referrals)			
Positive Behavior Team Referrals			
Site Safety Surveys			
Vandalism Reports			
Other, i.e., surveys, CHKS			

Conclusions from Data:

Conclusions from Parent, Teacher and Student Input:

An assessment of the current status of school safety:

Loma Vista Adult Education Center has had a school safety plan in place since 1988. The plan is updated annually and revised as changes occur.

Staff in-service on the plan is conducted annually at the leadership team meeting and has been conducted at our back to school department meetings in the fall. New staff additions during the year are in-serviced individually.

The Pleasant Hill site works through the PHEC site users to address a variety of concerns including safety.

At the end of each fiscal year, a safety report is prepared and the results reported for the annual update of the site safety plan.

Evacuation procedures and route maps are reviewed yearly to align with the latest model of evacuating students/staff to a primary/secondary evacuation point. *The most recent upgrade and posting of evacuation points was completed in February 2013.* Red Dot handbooks are reviewed regularly to reflect any updates and changes to the Safety Plan.

In January of 2009, emergency supplies and red emergency backpacks were purchased for distribution to all classes. These evacuation maps and "What to do in an emergency" instruction signs were replaced in the classrooms January 2013, and are replenished as needed.

In the spring of 2009, the campus was wired and outfitted with surveillance cameras for added security.

Spring of 2012 solar panels, including lights were installed in the Cowell side parking lot. Evening lighting will aid in security for students.

Heating and Air Conditioning upgrades were completed during the summer of 2012 at the Loma Vista campus.

An upgrade of security cameras is scheduled for late spring/summer 2014.

SECTION 4

SAFETY AND ORDERLY ENVIRONMENT

School Site Safety Action Plan: School Climate

2014-2015


Rationale: The following Action plan was developed by the Site Safety Committee, and based on information from the incident and accident report data; input from the School Site Leadership Team and those in attendance at the Site Safety Plan Hearing.

• **Areas of Pride & Strength:** See Progress Review

Action Steps	Person(s) Responsible	Resources	Means of Assessment	Timeline	Means to Report Progress
1. Due to funding cuts and lack of student interest at LVAC, the student council has been discontinued. Independent departments are encouraged to facilitate Department Councils.	Assist. Director LVAC & PHEC Program Coordinators	Department Budgets	Department Meeting Agendas and Minutes	Ongoing	Reports to Leadership Team
2. A "student snack bar" with vending machines and tables/chairs for students to use during breaks was opened in the Fall of 2009. Security cameras were installed to ensure safety.	Director Office Manager	Furniture donations Capital outlay funds	Assessment of complaints and feedback.	Maintenance ongoing	Director's Memo Safety Plan Progress Report
3. A teacher has been assigned to provide academic and behavioral support/interventions, and to conduct workshops on work ethics and study skills for CTE students for 6 hours per week.	Joanne Durkee, Director B. Leal, CTE coordinator	Perkins Funds	Feedback from students and teachers	Ongoing since Fall 2010.	Reports to Director & CTE coordinator Safety Plan Progress Report
4. Update and upload teacher handbook, including safety section on website for easier access.	Assistant Director Office Mgr.		Feedback from instructors & coordinators	Completed Spring 2014	Reports to Leadership Team

April 22, 2014

Mt. Diablo Adult Education
Loma Vista Campus
1266 San Carlos Ave.
Concord, CA 94518
(925) 685-7340


Sharon Brockman, Ph.D., Vice Principal
Date: 4-24-14

School Site Safety Action Plan: Physical Environment

2014-2015

Rationale: The following Action plan was developed by the Site Safety Committee, and based on information from the Student Representative Councils, incident and accident report data; input from the School Site leadership Team and those in attendance at the Site Safety Plan hearing.

Areas of Pride & Strength: See Progress Review

Action Steps	Person(s) Responsible	Resources	Means of Assessment	Timeline	Means to Report Progress
1. Continue to schedule regular disaster drills including Lock-Down, Fire, Shelter-in-Place and Earthquake at least once per year per time period (days/evenings). Prior to each drill, reminders of procedures will be emailed/distributed to all staff to review with students.	Sharon Brockman, Vice Principal L. Shaw, Office Manager Leadership Team	Staff time Emergency Procedures	Monthly report to District Office Staff feedback after drills.	Ongoing	Monthly report to District Office Safety Plan Progress Report
2. Plan and implement annual reviews of the "Red Dot Handbook" and a tour/procedure reminder of all utility and fire alarm shut-offs(October Leadership Team meeting). Invite Bridge program, After School Program, Central kitchen administrators.	Sharon Brockman, Vice Principal L. Shaw, Office Manager Leadership Team	Staff time Site Safety Plan Red Dot Handbook	Leadership Team agenda/minutes	Annually	Report in Drill Book
3. a) Continue to replenish overall campus emergency supplies and classroom first aid kits (add first aid towel (kotex), flashlights and batteries. Check emergency supply "tubs" in the custodial office and outside closet near C-15 to make sure they are in place and have not been compromised.	Sharon Brockman, Vice Principal L. Shaw, Office Manager	Staff time Admin budget	Checklist complete for emergency supplies acquired/full supplied First Aid kits/visible signs/symbols where emergency supplies kept.	Beginning of September & Spring break	Report to Leadership Team Director's memo Safety Plan progress Report
3 b) Continue to replenish backpacks for classrooms for teachers to grab during evacuation/emergency (include student attendance and check-out lists, basic first aid information, emergency response information, pen, first aid kits, flashlights.) September & Spring break.	Vice Principal Office Manager Dept. coordinators & secretaries	Staff time	Emergency backpacks in all classrooms	Beginning of September & spring break, and refilled as requested by teachers.	Report to leadership Team Director's memo Safety Plan progress report

School Site Safety Action Plan: Physical Environment

2014-2015

Action Steps	Person(s) Responsible	Resources	Means of Assessment	Timeline	Means to Report Progress
<p>4. a) Annually review with all leadership staff and staff with roles on the ICS chart on their roles and responsibilities. Plan simulations/role plays and drill that give staff an opportunity to practice their roles. October Leadership Team meeting with Red Dot handbook.</p> <p>b.) Annually check the packs/bags for ICS leaders to grab in case of a disaster that includes their vest/arm band, list of responsibilities, clipboard, paper, pens, and other items to be determined.</p>	<p>S. Brockman, Vice Principal</p> <p>S. Brockman, Vice Principal L. Shaw, Office Manager</p>	<p>Leadership Team meetings</p> <p>Video of SEMS simulations</p> <p>Admin budget</p>	<p>Leadership Team/SEMS mtg. agendas</p> <p>ICS bags</p>	<p>Annually</p> <p>Annually</p>	<p>Leadership Team meeting minutes</p> <p>Director's memo</p> <p>Safety Plan Progress Report</p>
<p>5. Schedule CPR & defibrillator training for key staff.</p>	<p>S. Brockman, Vice Principal CTE Program Coordinator</p>	<p>CTE Instructors</p>	<p>Sign-in and agenda from training</p>	<p>Summer 2014</p>	<p>Safety Plan Progress Report</p>
<p>6. For earthquake preparedness, set up and implement an annual check of all classrooms and offices for safety hazards: All tall bookshelves bolted to walls? Any heavy items on high bookshelves or on top of cabinets? Fall, the site supervisor J. Williams, along with Custodian II should tour the campus, identifying problem areas and attend to making them safer.</p>	<p>S. Brockman, Vice Principal Site Supervisor Custodial Crew</p>	<p>Staff time</p>	<p>Safety hazard checklist & calendar</p>	<p>Annually in Fall with Custodial staff</p>	<p>Safety Plan progress Report</p>

April 22, 2014

Mt. Diablo Adult Education
Loma Vista Campus
1266 San Carlos Ave. Concord, CA 94518
(925) 685-7340

Sharon Brockman
Sharon Brockman, Ph.D. Vice Principal

4-24-14
Date

SECTION 5

SAFE INGRESS AND EGRESS

Safe Ingress and Egress Procedures

Entry and exit to the Loma Vista campus is from either San Carlos Avenue or from Cowell Road. Cars, pedestrians and bike riders share the same access points. A pedestrian gate was added in 2011 to ensure that pedestrian traffic does not need to compete with cars on the roadway. This requires constant reminders as to speed, visibility and safety. With classes at a variety of times and a constantly changing population, it requires constant vigilance to remind students of safety issues. We also have to work with site users and community groups who use the fields to insure safe ingress and egress.

Loma Vista is located in a residential neighborhood, with multiple entry/exit points. Students arrive on foot, bike or by car. The entrance and exit of special populations have specific duty stations.

A "red dot" system is in place at Loma Vista campus which provides for the identification of a Leadership Team member (administer/coordinator) designated as the point person in charge in the event of an urgent need or emergency.

A campus supervisor is on duty, along with an administrator in the evenings to remind students of safety procedures and assist with emergencies.

Drivers

Observe the residential speed limits. Campus speed limit is five (5) miles per hour.

Observe the speed bumps.

Yield to pedestrians and bicyclists.

Pedestrians

Walk on the side, not the middle of the driveway.

Watch for cars as you cross the driveway.

Use the sidewalks in the neighborhood.

Do not run on the driveway.

Bicyclists

Do not ride between cars.

Follow the traffic flow through the parking lot.

Watch for pedestrians and cars.

Walk your bike.

Special Populations

Parent Education - Entrance is near the E Wing corridor. A monitor schedule is maintained by each classroom that covers the corridor and adjacent parking area. This way the flexible start and stop time is covered.

Adult with Disabilities – Instructional assistants are assigned monitoring duty for their classroom. Regional Center bus transportation pick-up and delivery is monitored in this manner. Monitor points are specific to the day and classroom.

Bridge Program – Designated pick up and drop off point in front of the back of Room E-4. Includes, Mt. Diablo transportation, Durham transportation, and individual parents.

Mt. Diablo Adult Education Loma Vista Adult Center

A6	A5	A4	A3	A2	A1
					ESL Office

B12	B11	B10	B9	B8	B7	B6	B5	B4	B3	B2	B1

C18	C17	C16	C15	C14	C13	C12	C11	C10	C9	C8

Bridge Program
Ingress/Egress

Parking

PRIMARY EVACUATION SITE

Adults with Disabilities
Ingress/Egress

Parent Education
Ingress/Egress

B5	B4	B3	B2	B1	E1

H.S. Office	Main Office
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C7	C6	C5	C4	C3	C2	C1

D9						
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E5

E3	E4

Sport Fields

Cowell Rd. Ingress / Egress
Loma Vista Center March 15, 2013

S E C O N D A R Y E V A C U A T I O N

SECTION 6

MANDATED SAFETY POLICIES

**MDUSD
BOARD POLICIES (BP)/
ADMINISTRATIVE RULES (AR)**

BP 5131	CONDUCT
BP/AR 5131.2	BULLYING
BP 5145.3	NONDISCRIMINATION/ HARASSMENT
BP/AR 5145.4	STUDENT CONDUCT AND DISCIPLINE ANTI-BULLYING
BP/AR 5145.7	SEXUAL HARASSMENT
BP 5145.9	HATE-MOTIVATED BEHAVIOR

Mt. Diablo Unified School District

Board Policy

Conduct

BP 5131
Students

The Governing Board believes that all students have the right to be educated in a positive learning environment free from disruptions. Students shall be expected to exhibit appropriate conduct that does not infringe upon the rights of others or interfere with the school program while on school grounds, going to or coming from school, at school activities, or using district transportation.

(cf. 0450 - Comprehensive Safety Plan)
(cf. 5131.1 - Bus Conduct)
(cf. 5137 - Positive School Climate)
(cf. 6145.2 - Athletic Competition)

The Superintendent or designee shall ensure that each school develops standards of conduct and discipline consistent with Board policies and administrative regulations. Students and parents/guardians shall be notified of district and school rules related to conduct.

Prohibited student conduct includes, but is not limited to:

1. Conduct that endangers students, staff, or others, including, but not limited to, physical violence, possession of a firearm or other weapon, and terrorist threats

(cf. 5131.7 - Weapons and Dangerous Instruments)
(cf. 5142 - Safety)

2. Discrimination, harassment, intimidation, or bullying of students or staff, including sexual harassment, hate-motivated behavior, cyberbullying, hazing or initiation activity, extortion, or any other verbal, written, or physical conduct that causes or threatens to cause violence, bodily harm, or substantial disruption

(cf. 5131.2 - Bullying)
(cr. 5145.3 - Nondiscrimination/Harassment)
(cf. 5145.7 - Sexual Harassment)
(cf. 5145.9 - Hate-Motivated Behavior)

3. Conduct that disrupts the orderly classroom or school environment

4. Willful defiance of staff authority

5. Damage to or theft of property belonging to students, staff, or the district

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

(cf. 5131.5 - Vandalism and Graffiti)

The district shall not be responsible for students' personal belongings which are brought on campus to a school activity and are lost, stolen, or damaged.

6. Obscene acts or use of profane, vulgar, or abusive language

(cf. 5145.2 - Freedom of Speech/Expression)

7. Possession, use, or being under the influence of tobacco, alcohol, or other prohibited drugs

(cf. 5131.6 - Alcohol and Other Drugs)

Ccf. 5131.62 - Tobacco)

(cf. 5131.63 - Steroids)

8. Possession or use of a laser pointer, unless for a valid instructional or other school-related purpose (Penal Code 417.27)

Prior to bringing a laser pointer on school premises for a valid instructional or school-related purpose, a student shall obtain permission from the principal or designee.

9. Use of a cellular/digital telephone, pager, or other mobile communications device during instructional time

Such devices shall be turned off in class, except when being used for a valid instructional or other school-related purpose as determined by the teacher or other district employee, and at any other time directed by a district employee. Any device with camera, video, or voice recording function shall not be used in any manner which infringes on the privacy rights of any other person.

No student shall be prohibited from possessing or using an electronic signaling device that is determined by a licensed physician or surgeon to be essential for the student's health and the use of which is limited to purposes related to the student's health.
(Education Code 48901.5)

10. Plagiarism or dishonesty on school work or tests

(cf. 5131.9 - Academic Honesty)

(cf. 6162.54 - Test Integrity/Test Preparation)

(cf. 6162.6 - Use of Copyrighted Materials)

11. Inappropriate attire

(cr. 5132 - Dress and Grooming)

12. Tardiness unexcused absence from school

(cf. 5113 - Absences and Excuses)

(cf. 5113.1 - Chronic Absence and Truancy)

13. Failure to remain on school premises in accordance with school rules

(cf. 5112.5 - Open/Closed Campus)

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

When a school official suspects that a search of a student or his/her belongings will turn up evidence of the student's violation of the law or school rules, such a search shall be conducted in accordance with BP/AR 5145.12 - Search and Seizure.

(cr. 5145.12 - Search and Seizure)

When a student uses any prohibited device, or uses a permitted device in any unethical or illegal activity, a district employee may confiscate the device. The employee shall store the item in a secure manner until an appropriate time.

Students who violate district or school rules and regulations may be subject to discipline including, but not limited to, suspension, expulsion, transfer to alternative programs, referral to a student success team or counseling services, or denial of participation in extracurricular or cocurricular activities or other privileges in accordance with Board policy and administrative regulation. The Superintendent or designee shall notify local law enforcement as appropriate.

(cf. 1020 - Youth Services)

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

(cf. 5020 - Parent Rights and Responsibilities)

(cr. 5127 - Graduation Ceremonies and Activities)

(cr. 5138 - Conflict Resolution/Peer Mediation)

(cr. 5144 - Discipline)

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

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

(cf. 6020 - Parent Involvement)

(cf. 6145 - Extracurricular and Cocurricular Activities)

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

(cf. 6164.2 - Guidance/Counseling Services)

(cf. 6164.5 - Student Success Teams)

(cf. 6184 - Continuation Education)

(cf. 6185 - Community Day School)

Students also may be subject to discipline, in accordance with law, Board policy, or administrative regulation, for any off-campus conduct during nonschool hours which poses a threat or danger to the safety of students, staff, or district property, substantially disrupts school activities.

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination
32280-32289 Comprehensive safety plan
35181 Governing board authority to set policy on responsibilities of students
35291-35291.5 Rules
44807 Duty concerning conduct of students
48900-48925 Suspension and expulsion
51512 Prohibition against electronic listening or recording device in classroom without permission

CIVIL CODE

1714.1 Liability of parents and guardians for willful misconduct of minor

PENAL CODE

288.2 Harmful matter with intent to seduce
313 Harmful matter
417.25-417.27 Laser scope or laser pointer
647 Use of camera or other instrument to invade person's privacy; misdemeanor
653.2 Electronic communication devices, threats to safety

VEHICLE CODE

23123-23124 Prohibitions against use of electronic devices while driving

CODE OF REGULATIONS, TITLE 5

300-307 Duties of students

UNITED STATES CODE, TITLE 42

2000h-2000h6 Title IX, 1972 Education Act Amendments

COURT DECISIONS

J.C. v. Beverly Hills Unified School District, (2010) 711 F.Supp.2d 1094
LaVine v. Blaine School District, (2000, 9th Cir.) 257 F.3d 981
Emmett v. Kent School District No. 415, (2000) 92 F.Supp. 1088
Bethel School District No. 403 v. Fraser, (1986) 478 U.S. 675
New Jersey v. T.L.O., (1985) 469 U.S. 325
Tinker v. Des Moines Independent Community School District, (1969) 393 U.S. 503

Management Resources:

CSBA PUBLICATIONS

Safe Schools: Strategies for Governing Boards to Ensure Student Success, 2011
Providing a Safe, Nondiscriminatory School Environment for All Students, Policy Brief,
April 2010

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

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Bullying at School, 2003

WEB SITES

CSBA: <http://www.csba.org>
California Department of Education, Safe Schools Office: <http://www.cde.ca.gov/ls/ss>
Center for Safe and Responsible Internet Use: <http://cyberbully.org>
National School Boards Association: <http://www.nsba.org>
National School Safety Center: <http://www.schoolsafety.us>
U.S. Department of Education: <http://www.ed.gov>

Policy: MT DIABLO UNIFIED SCHOOL DISTRICT

Approved: August 27, 2012 Concord, California

Mt. Diablo Unified School District

Board Policy

Bullying

BP 5131.2

Students

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

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

The school district has in place policies, procedures, and practices that are designed to reduce and eliminate discrimination, intimidation, harassment, and bullying as well as processes and procedures to address incidents of discrimination, intimidation, harassment, and bullying when they occur.

These policies and procedures must be disseminated annually to staff, students, and parents/guardians. These policies shall be publicized to students, parents, employees, agents of the governing board, and the general public.

The district will not tolerate discrimination, intimidation, harassment, bullying or any behavior that infringes on the safety or well-being of students, staff, or any other persons within the district's jurisdiction whether directed at an individual or group. This includes but is not limited to discrimination, intimidation, harassment, and bullying based on actual or perceived characteristics and disability, gender, gender identity, gender expression, nationality, race or ethnicity, religion, sexual orientation, or association with a person or group with one or more of these actual or perceived characteristics. (Education Code 234.1)

The Board recognizes that some acts of discrimination, intimidation, harassment, and bullying may be isolated and/or unintentional incidents requiring that the school respond appropriately to the individuals committing the acts. Other acts may indicate a larger pattern of discrimination, intimidation, harassment, or bullying that require a response either at the classroom, school site, or district levels or by law enforcement officials. Consequences and appropriate remedial actions for a student who commits an act of discrimination, intimidation, harassment, or bullying may range from behavioral intervention and education up to and including suspension or expulsion. This policy applies to all acts related to school activity or attendance occurring within a school under the jurisdiction of the superintendent of the school district.

In addition to the grounds specified in Education Code sections 48900, sections 48900.2, 48900.3, and 48900.4 provide additional authority to discipline a pupil for conduct that amounts to bullying. (Education Code 48900, 48900.2, 48900.3 and 48900.4)

(cf. 5131 - Conduct)
(cf. 5136 - Gangs)
(cf. 5145.3 - Nondiscrimination/Harassment)
(cf. 5145.7 - Sexual Harassment)
(cf. 5145.9 - Hate-Motivated Behavior)

Penal Code 653.2 makes it a crime for a person to distribute personal identity information electronically with the intent to cause harassment by a third party and to threaten a person's safety or that of his/her family (e.g., placing a person's picture or address online so that he/she receives harassing messages). **Penal Code 288.2** makes it a crime to send a message to a minor if the message contains matter that is sexual in nature with the intent of seducing the minor (i.e., sexting).

Cyberbullying shall not be tolerated and includes the transmission of harassing communications, direct threats, or other harmful texts, sounds, or images on the Internet, social media, or other technologies using a telephone, computer, or any wireless communication device. Cyberbullying also includes breaking into another person's electronic account and assuming that person's identity in order to damage that person's reputation.

(cf. 5145.2 - Freedom of Speech/Expression)

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

(cf. 0420 - School Plans/Site Councils)
(cf. 0450 - Comprehensive Safety Plan)
(cf. 1220 - Citizen Advisory Committees)
(cf. 1400 - Relations Between Other Governmental Agencies and the Schools)
(cf. 6020 - Parent Involvement)

Bullying Prevention

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

(cf. 5137 - Positive School Climate)
(cf. 6164.2 - Guidance/Counseling Services)

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

(cf. 6163.4 - Student Use of Technology)
(cf. 6142.8 - Comprehensive Health Education)
(cf. 6142.94 - History-Social Science Instruction)

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

(cf. 4131 - Staff Development)
(cf. 4231 - Staff Development)
(cf. 4331 - Staff Development)

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

Intervention

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

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

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

Complaints and Investigation

The principal or principal's designee at each school shall be responsible for receiving complaints alleging violations of this policy. All staff is expected to provide appropriate supervision to enforce standards of conduct. The Board requires that staff follow district and school procedures for reporting alleged acts of bullying.

All other members of the school community, including students, parents/guardians, volunteers, and visitors, are encouraged to report any act that may be a violation of this

policy. While submission of the report form is not required, the reporting party is encouraged to use the report form available from the principal of each school or at the district office. Oral reports shall also be considered official reports. Reports may be made anonymously, but formal disciplinary action may not be based solely on an anonymous report. Prompt and reasonable investigation of alleged acts of discrimination, intimidation, harassment, or bullying is expected.

Students are expected to report all incidents of discrimination, intimidation, harassment, bullying, teasing, or other verbal or physical abuse. Any student who feels she/he is a victim of such behavior should immediately contact a teacher, counselor, administrator, or staff person. If the student who was bullied believes the situation has not been remedied, she/he may file a complaint in accordance with district procedures.

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

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

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

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

Discipline

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

Retaliation against a student because the student has filed a complaint or assisted or participated in a discrimination, intimidation, harassment, or bullying investigation or proceeding is also prohibited. Students who knowingly file false discrimination, intimidation, harassment, or bullying complaints or give false statements in an investigation shall be subject to discipline by measures up to and including suspension and expulsion, as shall any student who is found to have retaliated against another in violation of this policy.

(cf. 5138 - Conflict Resolution/Peer Mediation)
(cf. 5144 - Discipline)
(cf. 5144.1 - Suspension and Expulsion/Due Process)
(cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))
(cf. 6159.4 - Behavioral Interventions for Special Education Students)

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination
32282 Comprehensive safety plan
35181 Governing board policy on responsibilities of students
35291-35291.5 Rules
48900-48925 Suspension or expulsion
48985 Translation of notices

PENAL CODE

647 Use of camera or other instrument to invade person's privacy; misdemeanor
647.7 Use of camera or other instrument to invade person's privacy; punishment
653.2 Electronic communication devices, threats to safety

UNITED STATES CODE, TITLE 47

254 Universal service discounts (e-rate)

COURT DECISIONS

J.C. v. Beverly Hills Unified School District, (2010) 711 F.Supp.2d 1094
Lavine v. Blaine School District, (2002) 279 F.3d 719

Management Resources:

CSBA PUBLICATIONS

Safe Schools: Strategies for Governing Boards to Ensure Student Success, 2011
Providing a Safe, Nondiscriminatory School Environment for All Students, Policy Brief,
April 2010

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

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

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

Bullying at School, 2003

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

PUBLICATIONS

Dear Colleague Letter: Harassment and Bullying, October 2010

WEB SITES

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

California Cybersafety for Children: <http://www.cybersafety.ca.gov>

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

Center for Safe and Responsible Internet Use: <http://cyberbully.org>
National School Boards Association: <http://www.nsba.org>
National School Safety Center: <http://www.schoolsafety.us>
U.S. Department of Education, Office for Civil Rights:
<http://www.ed.gov/about/offices/list/ocr>

Policy: MT DIABLO UNIFIED SCHOOL DISTRICT
Approved: August 27, 2012 Concord, California

Mt. Diablo Unified School District
Administrative Regulation

AR 5131.2 Students

BULLYING

School behavior standards shall be coordinated district-wide, with particular attention to applying the standards for discrimination, intimidation, harassment, and bullying behavior fairly and consistently among schools at the same grade level. Schools will follow district guidelines and policies according to the Education Code and school rules pertaining to related matters such as discrimination, intimidation, harassment, bullying, suspension and expulsion.

The district will not tolerate discrimination, intimidation, harassment, bullying or any behavior that infringes on the safety or well-being of students, staff, or any other persons within the district's jurisdiction whether directed at an individual or group. This includes but is not limited to discrimination, intimidation, harassment, and bullying based on actual or perceived characteristics and disability, gender, gender identity, gender expression, nationality, race or ethnicity, religion, sexual orientation, or association with a person or group with one or more of these actual or perceived characteristics. (Education Code 234.1)

Definitions

“Bullying” is defined as 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 pupil or group of pupils that constitutes sex harassment, hate violence or creates an intimidating or hostile educational environment, directed toward one or more pupils that has or can be reasonably predicted to have the effect of one or more of the following:

- (A) Placing a reasonable pupil or pupils in fear of harm to that pupil's or those pupils' person or property.
- (B) Causing a reasonable pupil to experience a substantially detrimental effect on his or her physical or mental health.
- (C) Causing a reasonable pupil to experience a substantial interference with his or her academic performance.
- (D) Causing a reasonable pupil to experience a substantial interference with his or her ability to participate in or benefit from the services, activities, or privileges provided by a school.

“Electronic act” is defined as the transmission of a communication, including, but not limited to, a message, text, sound, or image, or post on a social network Internet Website, by means of an electronic device, including, but not limited to, a telephone, wireless telephone or other wireless communication device, computer, or pager.

“Reasonable pupil” is defined as a pupil, including, but not limited to, an exceptional needs pupil, who exercises care, skill, and judgment in conduct for a person of his or her age, or for a person of his or her age with his or her exceptional needs. (Education Code 48900(r))

The school district has jurisdiction to respond to bullying behavior that is related to school activity or school attendance and that occurs at any time, including, but not limited to, while on school grounds, at a school sponsored activity, while traveling to or from school, on a school bus, or during the lunch period whether on or off campus. (Education Code 48900(s))

Indicators of Discriminating, Intimidating, Harassing, and Bullying Behavior

- Behaviors may include, but are not limited to, the following:
 - Verbal: Hurtful name-calling, teasing, gossiping, making threats, making slurs or epithets, making rude noises, or spreading hurtful rumors.
 - Nonverbal: Posturing, making gang signs, leering, staring, stalking, destroying property, insulting or threatening notes, using graffiti or graphic images, or exhibiting inappropriate and/or threatening gestures or actions.
 - Physical: Hitting, punching, pushing, shoving, poking, kicking, tripping, strangling, hair pulling, fighting, beating, pinching, slapping, "pantsing", biting, spitting, or destroying property.
 - Emotional (Psychological): Rejecting, terrorizing, extorting, defaming, intimidating, humiliating, blackmailing, manipulating friendships, isolating, shunning, ostracizing, using peer pressure, or rating or ranking personal characteristics.
 - Cyber-bullying: Sending insulting or threatening messages by phone, e-mail, Web sites, or any other electronic or written communication. This policy pertains to cyberbullying that is related to school activity or attendance and is directed toward a pupil or school personnel.

Administrative Responsibilities

- Communicate and ensure staff, students, and parents/guardians are informed annually of the district policy and school procedures regarding discrimination, intimidation, harassment, and bullying, and all other related policies.
- Develop and incorporate anti-discrimination, anti-harassment, anti-intimidation, and anti-bullying procedures into behavior or discipline codes. Review and revise these annually, as appropriate.
- Create an environment where the school community understands that discrimination, intimidation, harassment, and bullying are inappropriate and will

not be tolerated.

- Develop interventions to address discrimination, intimidation, harassment, and bullying at all levels, school-wide, classroom, and individual.
- Provide staff training to certificated and classified staff to ensure that staff is able to identify the indicators of discrimination, intimidation, harassment, and bullying and understand their individual responsibilities to appropriately intervene and report discrimination, intimidation, harassment, and bullying behavior.
- Provide training for new staff, as needed, on identification of and response to discrimination, intimidation, harassment, and bullying as well as on the use of district adopted materials related to discrimination, intimidation, harassment, bullying and violence prevention.
- Designate a site coordinator/committee for oversight of the anti-discrimination, anti-harassment, anti-intimidation, and anti-bullying program, including student instruction, implementation of prevention and intervention strategies, and dissemination of discrimination, intimidation, harassment, and bullying information to students, staff, and parents. The Coordinator/Committee shall act as a contact for reporting incidents of discrimination, intimidation, harassment, and bullying and serve as a liaison for district-wide efforts to promote respect and a positive school climate in our schools.
- Enforce discrimination, intimidation, harassment, and bullying procedures for disciplinary action fairly and consistently per the school behavior expectations/guidelines.
- Assess or collect information from students regarding the extent of discrimination, intimidation, harassment, and bullying they witness or experience at school (e.g., anonymous survey, focus group input, or incident report analysis).

Staff Responsibilities

- Create an environment where students understand that discrimination, intimidation, harassment, and bullying are unacceptable and will not be tolerated.
- Discuss with all students all aspects of the discrimination, intimidation, harassment, and bullying policy and strategies to prevent discrimination, intimidation, harassment, and bullying.
- Encourage students to report discrimination, intimidation, harassment, and bullying incidents.

- Learn to recognize the indicators of discrimination, intimidation, harassment, and bullying behavior.
- Intervene immediately when safe to do so and take corrective action when discrimination, intimidation, harassment, and bullying are observed.
- Understand individual responsibility not only to intervene when discrimination, intimidation, harassment, and bullying are observed, but also, to report incidents and actions to appropriate administrators, district offices, or outside agencies, as required.

Student Responsibilities

- Take responsibility for helping create a safe school environment.
- Do not engage in or contribute to discrimination, intimidation, harassment, and bullying behaviors, actions, or words.
- Treat everyone with respect. Be sensitive to how others might perceive your actions or words.
- Students are expected to report all incidents of discrimination, intimidation, harassment, and bullying, or other verbal or physical abuse.
- Understand the discrimination, intimidation, harassment, and bullying policy and guidelines and model it for others.
- Report discrimination, intimidation, harassment, and bullying behavior directed at oneself or others to a trusted adult.
- Never engage in retaliatory behavior or ask of, encourage, or consent to anyone's taking retaliatory actions on your behalf.
- Learn ways to protect oneself from discrimination, intimidation, harassment, and bullying and how to help others who have been bullied.

Parent Responsibilities

- Understand and discuss this policy and school rules with your child.
- Report incidents of discrimination, intimidation, harassment, and bullying to your student's teacher, counselor, principal, or principal's designee.
- Learn the warning signs that your child might be a victim or perpetrator of discrimination, intimidation, harassment, or bullying.

Responding to Discrimination, Intimidation, Harassment, and Bullying Complaints

- The district's response to discrimination, intimidation, harassment, and bullying shall be comprehensive and involve staff, students, parents/guardians, and the community, as appropriate, in order to address discrimination, intimidation, harassment, and bullying at all school levels.
- A complaint may be made to any site or district level staff person, as appropriate. Victims of discrimination, intimidation, harassment, or bullying are encouraged to file their complaint in writing, using the Bullying Complaint Form. However, oral complaints will be accepted.
- All discrimination, intimidation, harassment, and bullying complaints shall be investigated and resolved within 15 school days of the filing of a complaint.
- The response shall:
 - Take reports of bullying seriously.
 - Provide all parties involved with assurances regarding district policies on confidentiality and non-retaliation in the complaint investigation.
 - Encourage individuals who witness discrimination, intimidation, harassment, or bullying to report such incidents per the district report procedures.
 - Obtain specific information relevant to any discrimination, intimidation, harassment, or bullying complaint such as: the date, time, location, witness(es), and whether this was an isolated incident or related to previous incidents.
 - Obtain a written statement from the complainant. If the complainant is unable to provide a written statement, school personnel shall assist in writing a statement as dictated by the complainant. It is important to note that any oral report of discrimination, intimidation, harassment, or bullying is to be a considered a complaint and, as such, must be investigated.
 - Obtain a written statement from the student alleged to have committed the discriminating, intimidating, harassing, or bullying act. If the student is unable to provide a written statement, school personnel shall assist in writing a statement as dictated by the student.
 - Obtain statements from any witnesses, as appropriate.
 - Assure the student reporting discrimination, intimidation, harassment, or

bullying, that steps will be taken to monitor that the behavior does not continue. Provide the individual with the names of school personnel who can help if the situation continues, escalates, or arises again.

- Determine what type of action or consequences will resolve the situation.
- Follow the school behavior guidelines.
- Consequences for a student who commits an act of discrimination, intimidation, harassment, and bullying shall be appropriate according to:
 - The nature of the behavior
 - The developmental age of the student
 - The student's history of problem behaviors and performance
 - Consistent with related Board policies and schools' codes of conduct
- Inform the parents/guardians of both the victim and the child who committed the act of discrimination, intimidation, harassment, or bullying of the following:
 - The nature of the incident
 - The results of the investigation
 - The type of action(s), consequences, and follow-up that will be taken to resolve the situation (as appropriate to ensure confidentiality)

Other Considerations

- If either party disagrees with the resolution of the complaint, she/he may file an appeal to Director, Student Services. An appeal must be filed within 15 calendar days of resolution of the initial complaint.
- If either party disagrees with the resolution of the appeal, she/he may file complaint in accordance with district Uniform Complaint policy and procedures. Students and parents/guardians are to be informed annually of the process by which they may make a report of discrimination, intimidation, harassment, or bullying or file a Uniform Complaint.
- It is important to note that discrimination, intimidation, harassment, or bullying may, at times, be part of a continuum of violence and that some discrimination, intimidation, harassment, or bullying actions can and do constitute other categories of misconduct such as sexual harassment, hate- motivated behavior, assault, or child

abuse, and as such, they would violate other district policies. When discrimination, intimidation, harassment, or bullying behavior does escalate to the level of violating other district policies, district personnel are obligated to adhere to appropriate district reporting guidelines and protocols and may be required to report to one or more offices or outside agencies, as appropriate.

Regulation: MT DIABLO UNIFIED SCHOOL DISTRICT
Approved: September 10, 2012 Concord, California

Mt. Diablo USD

Board Policy

Nondiscrimination/Harassment

BP 5145.3

Students

District programs and activities shall be free from discrimination, including harassment, with respect to the actual or perceived ethnic group, religion, gender, color, race, ancestry, national origin, and physical or mental disability, age or sexual orientation.

- (cf. 0410 - Nondiscrimination in District Programs and Activities)
- (cf. 5145.9 - Hate-Motivated Behavior)
- (cf. 5146 - Married/Pregnant/Parenting Students)
- (cf. 6164.6 - Identification and Education under Section 504)

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

- (cf. 1240 - Volunteer Assistance)
- (cf. 6145.2 - Athletic Competition)
- (cf. 6162.5 - Student Assessment)
- (cf. 0410 - Nondiscrimination in District Programs and Activities)
- (cf. 5145.9 - Hate-Motivated Behavior)
- (cf. 5146 - Married/Pregnant/Parenting Students)
- (cf. 6164.6 - Identification and Education Under Section 504)

The Board prohibits discrimination, intimidation or harassment of any student by any employee, student or other person in the district. Prohibited harassment 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 educational program or activity; creates an intimidating, threatening, hostile, or offensive educational environment; has the purpose or effect of substantially or unreasonably interfering with a student's academic performance; or otherwise adversely affects the student's educational opportunities.

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.

School staff and volunteers shall carefully guard against segregation, bias, and stereotyping in the delivery of services, including, but not limited to, instruction, guidance, and supervision.

(cf. 5145.2 - Freedom of Speech/Expression)
(cf. 6145 - Extracurricular and Cocurricular Activities)
(cf. 6145.2 - Athletic Competition)
(cf. 6164.2 - Guidance/Counseling Services)

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 or harassment in violation of law, Board policy, or administrative regulation shall be subject to appropriate discipline, up to and including counseling, suspension, and/or expulsion. Any employee who permits or engages in harassment or prohibited discrimination shall be subject to disciplinary action, up to and including dismissal.

(cf. 4118 - Suspension/Disciplinary Action)
(cf. 4119.21/4219.21/4319.21 - Professional Standards)
(cf. 4218 - Dismissal/Suspension/Disciplinary Action)
(cf. 5131 - Conduct)
(cf. 5144 - Discipline)
(cf. 5144.1 - Suspension and Expulsion/Due Process)
(cf. 5144.2 - Suspension and Expulsion/Due Process (Students Disabilities))

Grievance Procedures

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

Superintendent or designee
1936 Carlotta Drive
Concord, CA 94519-1397
(925) 682-8000 Ext. 4010

(cf. 1312.1 - Complaints Concerning District Employees)
(cf. 1312.3 - Uniform Complaint Procedures)

Any student who feels that he/she has been subjected to discrimination or harassment should immediately contact the Coordinator, the principal, or any other staff member.

Any student or school employee who observes an incident of discrimination or harassment should report the incident to the Coordinator or principal, whether or not the victim files a complaint.

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

(cf. 5145.7 - Sexual Harassment)

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

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of 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
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 Definition of hate crime
422.6 Crimes, harassment

CODE OF REGULATIONS, TITLE 5

4600-4687 Uniform Complaint Procedures
4900-4965 Nondiscrimination in elementary and secondary education programs

UNITED STATES CODE, TITLE 20

1681-1688 Title IX of the Education Amendments of 1972

UNITED STATES CODE, TITLE 42

2000d-2000e-17 Title VI and Title VII Civil Rights Act of 1964, as amended
2000h-2-2000h-6 Title IX of the Civil Rights Act of 1964

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

- Donovan v. Poway Unified School District, (2008) 167 Cal.App.4th 567
- Flores v. Morgan Hill Unified School District, (2003) 324 F.3d 1130

Management Resources:

CSBA PUBLICATIONS

Providing a Safe, Nondiscriminatory School Environment for All Students, Policy Brief, April 2010

CALIFORNIA DEPARTMENT OF EDUCATION LEGAL ADVISORIES

California Student Safety and Violence Prevention - Laws and Regulations, April 2004

FIRST AMENDMENT CENTER PUBLICATIONS

Public Schools and Sexual Orientation: A First Amendment Framework for Finding Common Ground, 2006

NATIONAL SCHOOL BOARDS ASSOCIATION PUBLICATIONS

Dealing with Legal Matters Surrounding Students' Sexual Orientation and Gender Identity, 2004

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

PUBLICATIONS

Notice of Non-Discrimination, January 1999

WEB SITES

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

California Safe Schools Coalition: <http://www.casafeschools.org>

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

First Amendment Center: <http://www.firstamendment.org>

National School Boards Association: <http://www.nsba.org>

U.S. Department of Education, Office for Civil Rights:

<http://www.ed.gov/about/offices/list/ocr>

Policy MT. DIABLO UNIFIED SCHOOL DISTRICT
adopted: February 8, 2011 Concord, California

Mt. Diablo Unified School District

Board Policy

Student Conduct And Discipline

BP 5145.4

Students

Anti-Bullying

The district believes that all students have a right to a safe and healthy school environment. To that end, the district, schools, and community have an obligation to promote mutual respect, tolerance and acceptance. The district will not tolerate behavior that infringes on the safety of any student. A student shall not intimidate or harass another student through words or actions, including cyber activity that impacts the learning environment and/or student safety. Such behavior includes direct physical contact, such as hitting or shoving, verbal or written assaults, such as teasing or name-calling, social isolation or manipulation, and cyber activity that includes transmission of harassing communications, direct threats, or other harmful texts, sounds, or images on the Internet, social media or other technologies. This policy applies whenever a student is on school grounds, traveling to and from school or a school sponsored activity, during the lunch period, whether on or off campus, and during a school-sponsored activity. It also includes off campus bullying that has impact or potential impact on school activity, school attendance, or the educational performance of a targeted student/s.

Students who act in violation of this policy may be subject to school/district disciplinary procedures up to and including expulsion.

Legal Reference:

Education Code

48900 Grounds for suspension or expulsion

48900.3 Hate violence

48900.4 Harassment, threats, or intimidation

48910 Suspension by teacher

48911 Suspension by principal, designee, or superintendent

48915 Expulsion

48915.5 Expulsion of pupils with exceptional needs

48918 Rules governing expulsion proceedings

48918.5 Expulsion hearings; District rules and regulations

Policy: MT. DIABLO UNIFIED SCHOOL DISTRICT
approved: August 27, 2012 Concord, California

Mt. Diablo Unified School District

Administrative Regulation

Student Conduct And Discipline

AR 5145.4
Students

Anti-Bullying

The Governing Board prohibits bullying, including cyberbullying, at any location or activity under the jurisdiction of the school system. This includes whenever a student is on school grounds, traveling to and from school or a school sponsored activity, during the lunch period, whether on or off campus, and during a school sponsored activity. It also includes off campus bullying that has impact or potential impact on school activity, school attendance, or the educational performance of targeted students. Any student who engages in bullying may be subject to disciplinary action up to and including expulsion.

The Board expects students and/or staff to immediately report incidents of bullying to the principal or designee. Each complaint of bullying should be promptly investigated. If the complainant or the parent of the student feels that appropriate resolution of the investigation or complaint has not been reached, the student or the parent of the student should contact the Principal or the Office of Student Services. The school system prohibits retaliatory behavior against any complainant or any participant in the complaint process.

Teachers should discuss this policy with their students in age-appropriate ways and should assure them that they need not endure any form of bullying.

Definitions

1. General Definitions

Bullying occurs when one or more students threaten, harass or intimidate another student through words, or actions including:

- a. Direct physical contact such as hitting or shoving
- b. Verbal assaults such as teasing or name-calling
- c. Socially isolating or manipulating a student
- d. Transmission of harassing communications, direct threats, or harmful texts, sounds, or images on the Internet, social media, or other technologies.

- e. Breaking into another person's electronic account and assuming that person's identity in order to damage that person's reputation.

These incidents will be acted upon when they occur:

- a. On the school grounds at any time
- b. En route to and from school or a school-sponsored activity
- c. During the lunch period whether on or off campus; or
- d. During, or while going to or coming from, a school-sponsored activity.
- e. Off campus bullying that has an impact or potential impact on school activity, school attendance or the educational performance of targeted students.

2. Specific Examples

For the purpose of further clarification, bullying includes, but is not limited to:

- a. Making unsolicited written, verbal, physical and/or visual contact. Examples include:
 - (1) Written - intimidating/threatening letters, notes, or messages
 - (2) Verbal - intimidating/threatening comments, slurs, innuendos, teasing, jokes or epithets.
 - (3) Visual - leering or gestures
 - (4) Physical - hitting, slapping and/or pinching
 - (5) Electronic – posting of hurtful texts, sounds and/or visual images.
- b. Making reprisals, threats of reprisal, or implied threats of reprisal.
- c. Engaging in implicit or explicit coercive behavior to control, influence or affect the health and well being of a student.

Confidentiality

Reasonable efforts will be made to keep a report of bullying and the results of the investigation confidential. Witnesses should be informed of the confidential nature of the investigation and should be asked to refrain from disclosing the nature of the investigation to others.

Retaliation Prohibited

The initiation of a report of bullying should not reflect on the reporting student or witnesses in any way. It should not affect the student's future relationship with the school system, grades, class section or other matters pertaining to his/her status as a student in any program. It is a violation of this policy to engage in such retaliation.

Disciplinary Action

Students who act in violation of this policy and/or the law may be subject to discipline up to and including expulsion. Such disciplinary action shall be in accordance with school system procedures and state and federal laws.

Investigation Procedures

1. Informal Resolution

Students who feel aggrieved because of conduct that may constitute bullying are encouraged, but not required, to inform the person engaging in such conduct that the bullying is offensive and should stop.

2. Formal Reporting of Allegations of Bullying

If direct communication with the person whose conduct is offensive has been to no avail or would be inappropriate, the aggrieved student should communicate his/her concern to a teacher, counselor, principal or assistant principal. The student should also complete a formal, written report. If the student is unable to complete a written report, school staff may help him/her complete the report.

3. Responsibilities of Employees

Employees who receive reports of bullying or observe an act of bullying should immediately inform the principal or designee at the school the student attends.

4. Administrative Review and Procedure

a. Filing

While reports of bullying should be in writing, any report received, whether written or oral, should be investigated.

b. Investigation

All matters regarding bullying should be promptly and thoroughly investigated in a confidential manner. The student accused of bullying should be informed of the results

of the investigation and as a part of the investigation be given the opportunity to present his/her version of the situation and to identify witnesses on his/her behalf. Parents of both the accused and the student filing the complaint should be contacted as appropriate.

c. Corrective Action/Discipline

Upon completion of the investigation, the principal or designee should determine the appropriate action, if any, to take. Corrective action may include, but not be limited to, counseling, warning, or initiating disciplinary procedures against the offending student. Corrective action should be designed to prevent recurrence of the bullying.

Mandated Notification

1. At the beginning of the school year, each student should receive a summary of this policy prohibiting bullying.
2. A summary of this policy should be part of new student orientation programs and included in student handbooks or information packets.
3. A summary of this policy should be included as part of the school system's annual notification to parents.
4. A copy of this policy should be provided for each staff member.

Regulation MT. DIABLO UNIFIED SCHOOL DISTRICT
approved: August 27, 2012 Concord, California

Mt. Diablo Unified School District

Board Policy

Sexual Harassment

BP 5145.7

Students

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

Instruction/Information

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

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

(cf 5131.5 - Vandalism, Theft and Graffiti)

(cf 5137 - Positive School Climate)

(cf. 5141.41 - Child Abuse Prevention)

(cf 5145.3 - Nondiscrimination/Harassment)

(cf. 6142.1 - Family Life/Sex Education)

Complaint Process

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

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

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

(cf. 4119.1114219.11/4319.11 ~ Sexual Harassment)

(cf. 5141.4 - Child Abuse Reporting Procedures)

(cf. 5145.3 ~ Nondiscrimination/Harassment)

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

(cf. 1312.1 - Complaints Concerning District Employees)

Disciplinary Measures

Any student who engages in sexual harassment of anyone at school or at a school-sponsored or school-related activity is in violation of this policy and shall be subject to disciplinary action. For students in grades 4 through 12, disciplinary action may include suspension and/or expulsion, provided that in imposing such discipline the entire circumstances of the incident(s) shall be taken into account.

Record-Keeping

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

All complaints and allegations of sexual harassment shall be kept confidential except as necessary to carry out the investigation or take other subsequent necessary action. (5 CCR4964)

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

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination on the basis of sex

48900.2 Additional grounds for suspension or expulsion; sexual harassment

48904 Liability of parent/guardian for willful student misconduct

48980 Notice at beginning of term

CIVIL CODE

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

1714.1 Liability of parents/guardians for willful misconduct of minor

CODE OF REGULATIONS, TITLE 5

4900-4965 Nondiscrimination in elementary and secondary education programs

receiving state financial assistance

UNITED STATES CODE, TITLE 20

1681-1688 Title IX, Discrimination

UNITED STATES CODE, TITLE 42

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

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

CODE OF FEDERAL REGULATIONS, TITLE 34

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

COURT DECISIONS

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

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

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

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

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

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

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

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

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

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

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

Management Resources:

OFFICE OF CIVIL RIGHTS AND NATIONAL ASSOCIATION OF ATTORNEYS
GENERAL

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

OFFICE OF CIVIL RIGHTS' PUBLICATIONS

Revised Sexual Harassment Guidance, January 2001

Sexual Harassment Guidance, March 1997

WEB SITES

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

Policy: MT DIABLO UNIFIED SCHOOL DISTRICT

Approved: August 27, 2012 Concord, California

Mt. Diablo USD

Administrative Regulation

Sexual Harassment

AR 5145.7

Students

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

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

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

1. Unwelcome leering, sexual flirtations or propositions
2. Sexual slurs, epithets, threats, verbal abuse, derogatory comments or sexually degrading descriptions
3. Graphic verbal comments about an individual's body, or overly personal conversation
4. Sexual jokes, notes, stories, drawings, pictures or gestures
5. Spreading sexual rumors
6. Teasing or sexual remarks about students enrolled in a predominantly single-gender class

7. Massaging, grabbing, fondling, stroking or brushing the body
8. Touching an individual's body or clothes in a sexual way
9. Purposefully cornering or blocking normal movements
10. Displaying sexually suggestive objects
11. Electronic transmission of harassing communications, direct threats, or other harmful texts, sounds, or images on the Internet, social media, or other technologies using a telephone, computer or any wireless communication device.

Notifications

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

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

(cf. 5145.6 - Parental Notifications)

2. Be displayed in a prominent location in the main administrative building or other area where notices of district rules, regulations, procedures and standards of conduct are posted (Education Code 231.5)
3. Be provided as part of any orientation program conducted for new students at the beginning of each quarter, semester or summer session (Education Code 231.5)
4. Appear in any school or district publication that sets forth the school's or district's comprehensive rules, regulations, procedures and standards of conduct (Education Code 231.5)
5. Be provided to employees and employee organizations

Investigation of Complaints at School (Site-Level Grievance Procedure)

1. The principal or designee shall promptly investigate all complaints of sexual harassment. In so doing, he/she shall talk individually with:

- a. The student who is complaining
- b. The person accused of harassment
- c. Anyone who witnessed the conduct complained of
- d. Anyone mentioned as having related information

2. The student who is complaining shall have an opportunity to describe the incident, present witnesses and other evidence of the harassment, and put his/her complaint in writing.

3. The principal or designee shall discuss the complaint only with the people described above. When necessary to carry out his/her investigation or for other good reasons that apply to the particular situation, the principal or designee also may discuss the complaint with the following persons:

- a. The Superintendent or designee
- b. The parent/guardian of the student who complained
- c. If the alleged harasser is a student, his/her parent/guardian
- d. A teacher or staff member whose knowledge of the students involved may help in determining who is telling the truth
- e. Child protective agencies responsible for investigating child abuse reports

(cf. 5141.4 - Child Abuse Reporting Procedures)

f. Legal counsel for the district

4. When the student who complained and the alleged harasser so agree, the principal or designee may arrange for them to resolve the complaint informally with the help of a counselor, teacher, administrator or trained mediator. The student who complained shall never be asked to work out the problem directly with the accused person unless such help is provided and both parties agree.

5. In reaching a decision about the complaint, the principal or designee may take into account:

- a. Statements made by the persons identified above
- b. The details and consistency of each person's account
- c. Evidence of how the complaining student reacted to the incident
- d. Evidence of any past instances of harassment by the alleged harasser
- e. Evidence of any past harassment complaints that were found to be untrue

6. To judge the severity of the harassment, the principal or designee may take into consideration:

- a. How the misconduct affected one or more students' education
- b. The type, frequency and duration of the misconduct
- c. The number of persons involved
- d. The age and gender of the person accused of harassment
- e. The subject(s) of harassment
- f. The place and situation where the incident occurred
- g. Other incidents at the school, including incidents of harassment that were not related to gender

7. The principal or designee shall write a report of his/her findings, decision, and reasons for the decision and shall present this report to the student who complained and the person accused.

8. The principal or designee shall give the Superintendent or designee a written report of the complaint and investigation. If the principal or designee verifies that sexual harassment occurred, this report shall describe the actions taken to end the harassment, address the effects of the harassment on the student harassed, and prevent retaliation or further harassment.

9. Within two weeks after receiving the complaint, the principal or designee shall determine whether or not the student who complained has been further harassed. The principal or designee shall keep a record of this information and shall continue this follow-up.

Enforcement

The Superintendent or designee shall take appropriate actions to reinforce the district's sexual harassment policy. As needed, these actions may include any of the following:

1. Removing vulgar or offending graffiti.
2. Providing staff inservice and student instruction or counseling.
3. Notifying parents/guardians of the actions taken.
4. Notifying child protective services.

5. Taking appropriate disciplinary action. In addition, the principal or designee may take disciplinary measures against any person who is found to have made a complaint of sexual harassment which he/she knew was not true.

Regulation: MT DIABLO UNIFIED SCHOOL DISTRICT
Approved: August 27, 2012 Concord, California

Mt. Diablo USD

Board Policy

Hate-Motivated Behavior

BP 5145.9

Students

The Governing Board affirms the right of every student to be protected from hate-motivated behavior. It is the intent of the Board to promote harmonious relationships that enable students to gain a true understanding of the civil rights and social responsibilities of people in our society. Behavior or statements that degrade an individual on the basis of his/her race, ethnicity, culture, heritage, gender, sexual orientation, physical/mental attributes, religious beliefs or practices shall not be tolerated.

- (cf. 0410 - Nondiscrimination in District Programs and Activities)
- (cf. 0450 - Comprehensive Safety Plan)
- (cf. 3515.1 - Crime Data Reporting)
- (cf. 3515.4 - Recovery for Property Loss or Damage)
- (cf. 5131.5 - Vandalism, Theft and Graffiti)
- (cf. 5136 - Gangs)
- (cf. 5137 - Positive School Climate)
- (cf. 5145.3 - Nondiscrimination/Harassment)
- (cf. 5145.7 - Sexual Harassment)
- (cf. 6141.6 - Multicultural Education)

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

- (cf. 1312.1 - Complaints Concerning District Employees)
- (cf. 1312.3 - Uniform Complaint Procedures)

Staff who receive notice of hate-motivated behavior or personally observe such behavior shall notify the principal, Superintendent or designee, and law enforcement, as appropriate. Students demonstrating hate-motivated behavior shall be subject to discipline in accordance with Board policy and administrative regulation.

- (cf. 3515.3 - District Police/Security Department)
- (cf. 4158/4258/4358 - Employee Security)
- (cf. 5144 - Discipline)
- (cf. 5144.1 - Suspension and Expulsion/Due Process)
- (cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))

In addition, the district shall provide counseling and appropriate sensitivity training and diversity education for students exhibiting hate-motivated behavior. The district shall also provide counseling, guidance and support, as necessary, to those students who are the victims of hate-motivated behavior.

(cf. 6164.2 - Guidance/Counseling Services)

The Superintendent or designee shall ensure that staff receive appropriate training to recognize hate-motivated behavior and methods for handling such behavior in appropriate ways.

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

The district shall provide age-appropriate instruction to help promote understanding of and respect for human rights.

At the beginning of each school year, students and staff shall receive a copy of the district's policy on hate-motivated behavior.

Legal Reference:

EDUCATION CODE

200-262 Prohibition of discrimination on the basis of sex

48900.3 Suspension for hate violence

PENAL CODE

186.21 Street terrorism; legislative findings and declarations

422.6-422.95 Civil Rights

11410-11414 Terrorism

13023 Reports by law enforcement of crimes motivated by race, ethnicity, religion, sexual orientation or physical or mental disability

13519.6 Hate crimes, training courses and guidelines

UNITED STATES CODE, TITLE 18

245 Federally protected activities

Management Resources:

CSBA PUBLICATIONS

Protecting Our Schools: Governing Board Strategies to Combat School Violence, 1995

ALAMEDA OFFICE OF EDUCATION & CALIFORNIA DEPARTMENT OF

EDUCATION PUBLICATIONS

Hate-Motivated Behavior in Schools: Response Strategies for School Boards, Administrators, Law Enforcement and Communities; 1997

U.S. DEPARTMENT OF EDUCATION, OFFICE FOR CIVIL RIGHTS & NATIONAL ASSOCIATION OF ATTORNEYS GENERAL PUBLICATIONS

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

WEB SITES

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

California Association of Human Relations Organizations: <http://www.cahro.org>

United States Department of Education, Office of Civil Rights:

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

Policy MT. DIABLO UNIFIED SCHOOL DISTRICT

adopted: August 24, 2004 Concord, California

CHILD ABUSE AND NEGLECT

A. DEFINITION

The following information, taken from Penal Code Sections 273a, 273d, and 11165.6, will assist school employees in deciding whether to file a complaint of child abuse.

WHAT IS CHILD ABUSE AND NEGLECT?

Child abuse is a physical injury which is inflicted by other than accidental means on a child by another person.

It also means the sexual abuse of a child.

It also means willful cruelty or unjustifiable punishment of a child, or willfully inflicting unjustifiable physical pain or mental suffering, or failure to safeguard a child from these injuries when the child is under a person's care or custody.

It also means unlawful corporal punishment or injury resulting in a traumatic condition.

Child abuse also means neglect of a child or abuse in out-of-home care. (Out-of-home care is defined in Penal Code Section 11165.5 as a situation where the person responsible for the child's welfare is a licensee, administrator, or employee of any facility licensed to care for children, or an administrator or employee of a public or private school or other institution or agency.)

WHAT IS NOT CHILD ABUSE?

Child abuse does not mean a mutual scuffle or fight between minors.

In addition, child abuse does not include injury caused by any force that is reasonable and necessary for a person employed by or engaged in a public school:

1. To stop a disturbance threatening physical injury to people or damage to property;
2. For purposes of self-defense; or
3. To obtain possession of weapons or other dangerous objects within the control of a student (see Education Code Sections 44807 and 49001).

WHO MUST REPORT?

The law requires that a teacher or any certificated employee "child care custodian" who has knowledge of or observes a child in his or her professional capacity or within the scope of his or her employment whom he or she knows or reasonably suspects to have been the victim of child abuse shall report the known or suspected instance of child abuse to a child protective agency immediately or as soon as practically possible by telephone and shall prepare and send a written report within 36 hours of receiving the information concerning the incident.

"Reasonable suspicion" means that it is objectively reasonable for a person to entertain such a suspicion, based upon facts that cause a reasonable person in a like position, drawing when appropriate on his or her training and experience, to suspect child abuse.

A "child care custodian" required by statute to report child abuse has absolute immunity from civil liability for reporting such abuse.

B. QUESTIONING BY LAW ENFORCEMENT OR SOCIAL SERVICES

When students become involved with law enforcement officers or social service workers because of suspected child abuse, the following steps shall be taken to cooperate with the authorities:

1. The officer or social worker shall properly identify himself/herself to the principal or other designated administrator.
2. Any student alleged to be a victim of suspected child abuse shall be afforded the option of being interviewed in private or selecting any adult who is a member of the staff of the school to be present at the interview. The purpose of the staff person's presence at the interview is to lend support to the student and enable him or her to be as comfortable as possible. The following guidelines apply:
 - The member of the staff so elected shall be present to support the child, but not participate in the interview.
 - The member of the staff so present shall not discuss the facts or circumstances of the case with the child.
 - The member of the staff so present is subject to confidentiality requirements, a violation of which is punishable as specified in Section 11167.5 of the Penal Code.
 - The school administrator shall inform the member of the staff so selected by the student of this requirement prior to the interview.
 - The staff member selected by a student may decline the request to be present at the interview.
 - If the staff person selected agrees to be present, the interview shall be held at a time during school hours when it does not involve an expense to the school.
 - It is the responsibility of the officer or social worker to advise the student of his/her rights.
3. Police officers, probation officers, or other authorized law enforcement officials have a right to take a student into custody. If the student is taken into custody at a school, as a victim of suspected child abuse or neglect:
 - The school official shall provide the peace officer or Children's & Family Services (CFS) worker with the address and telephone number of the minor's parent or guardian.
 - The peace officer or Children & Family Services (CFS) worker shall take immediate steps to notify the parent, guardian, or responsible relative of the minor that the minor is in custody and the place where he/she is being held.
 - If the officer or CFS worker has a reasonable belief that the minor would be endangered by a disclosure of the place where the minor is being held, or that the disclosure would cause the custody of the minor to be disturbed, the officer may refuse to disclose the place where the minor is being held for a period not to exceed 24 hours.
 - The officer or CFS worker shall, however, inform the parent, guardian, or responsible relative whether the child requires and is receiving medical or other treatment.

C. ADVICE TO SCHOOL OFFICIALS WHEN RELEASING A STUDENT TO LAW ENFORCEMENT OR CHILDREN & FAMILY SERVICES (CFS) CUSTODY IN CHILD ABUSE CASES

- Obtain the officer's badge number and/or business card (or comparable information from the CFS worker) where the enforcement official or CFS worker may be reached.
- When furnishing the law enforcement official or the CFS worker with the address and telephone number of the minor's parent/guardian, discuss the importance of contacting the parent by the end of the school day.
- Provide the law enforcement officer or CFS worker with the school's dismissal time and your best estimate of when the student might be arriving home or to child care.

If the parent calls your school or comes to the office before the law enforcement or Children & Family Services (CFS) official has contacted them:

1. Stay calm. Try to keep the parent calm.
2. Advise the parent that the child is not lost or kidnapped.
3. Explain that the student was taken into custody by law enforcement or Children's Family Services, who have the right to do so, and that you were required to release the student (E.C. 48906).
4. Do not say why the student was taken into custody or refer to any abuse issues.
5. Provide the parent/guardian with the name and telephone number of the appropriate law enforcement or Children & Family Services worker.

D. HOW TO REPORT SUSPECTED CHILD ABUSE AND NEGLECT

A child care custodian shall report known or suspected child abuse to a child protection agency (Children's Family Services or police) immediately or as soon as practically possible by telephone, and shall prepare and send a written report thereof within 36 hours of receiving the information concerning the incident.

When making a child abuse referral by telephone to the Contra Costa County Children & Family Services Department, plan to provide this information in the following order:

- Mother and/or father's name
- Mother and/or father's address
- Is child/children living with parent(s) at present time
- Reporter's name, relationship to child, address, and telephone number
- Do you want feedback?
- Information regarding family members:
 - Names
 - Sex
 - Birthdates
 - Social security numbers

- Who is alleged victim
- Specific allegations of child abuse – who, what, when, where, how, etc.)
- Any knowledge of other children (names, ages) residing in the home

The written report is made by completing the **SUSPECTED CHILD ABUSE REPORT** (Form SS 8572) and following the procedures outlined on the reverse side of the form. The report may be faxed or mailed to the agency receiving the report.

The following district procedures **must** also be followed:

1. Consult with the school principal or designee on suspected child abuse and neglect cases before filing a report.
2. Make a copy of the written report for the school's file.
3. **DO NOT** place a copy of the written report in the student's cum folder,
4. **SEND** a copy of the written report to Student Services Department (Attention: Student Records).
5. Send copy of the written report to the agency that you reported to by telephone. You may file a report directly with your local police agency if the child is in immediate danger.
6. Be sure all copies of the written report are legible.

Hard copies of the form for making a written report should be kept in a central location at the school. The form used for reporting suspected child abuse or neglect is available by going to Google and typing in "Suspected Child Abuse report." (Form is located in the Appendix.)

E. AGENCY LISTING/TELEPHONE NUMBERS

<u>AGENCY:</u>	<u>PHONE:</u>	<u>REPORTING TO BE SENT TO:</u>
Children & Family Services (Central county)	646-1680	400 Ellinwood Way, Pleasant Hill, 94523
Children & Family Services (East county)	427-8811	4549 Delta Fair Blvd., Antioch, CA 94509
Concord Police Department	671-3200	1350 Galindo Street, Concord 94520
Clayton Police Department	673-7350	6000 Heritage Trail, Clayton 94517
Martinez Police Department	372-3400	525 Henrietta Street, Martinez 94553
Pleasant Hill Police Department	288-4600	330 Civic Drive, Pleasant Hill 94523
Walnut Creek Police Department	943-5844	1666 North Main Street, Walnut Creek 94596

F. **A CHILD-MAY BE ENDANGERED BY**

- Being physically abused, battered, beaten, bruised, and burned.
- Being left alone without proper supervision.
- Being without proper food.
- Being without adequate medical care.
- Being sexually mistreated.
- Not being sent to school.
- Not having a parent or guardian.
- Living in filthy conditions endangering health.
- Being required to do things that are inappropriate for age.

G. **REPORTING THAT A SCHOOL EMPLOYEE HAS ENGAGED IN ABUSE**

Parents or guardians of students have the right to file a complaint against a school district employee or other person that they suspect has engaged in abuse of a child at a school site.

If such an incident comes to your attention, **CALL IMMEDIATELY** the Assistant Superintendent of Human Resources to apprise him/her of the situation and to ensure that all appropriate steps are taken in a timely manner.

H

SUSPECTED CHILD ABUSE REPORT

To Be Completed by Mandated Child Abuse Reporters
Pursuant to Penal Code Section 11166

CASE NAME: _____

PLEASE PRINT OR TYPE

CASE NUMBER: _____

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

SS 8572 (Rev. 12/02)

DEFINITIONS AND INSTRUCTIONS ON REVERSE

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

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

Mt. Diablo USD

Board Policy

Child Abuse Reporting Procedures

BP 5141.4
Students

The Governing Board recognizes that the district has a responsibility to protect students by facilitating the prompt reporting of known and suspected incidents of child abuse and neglect. The Superintendent or designee shall establish regulations for use by district employees in identifying and reporting such incidents.

(cf. 5141.41 - Child Abuse Prevention)
(cf. 5142 - Safety)

District employees are obligated to report all known or suspected incidents of child abuse and neglect in accordance with law, Board policy, and administrative regulation. Employees shall not investigate any suspected incidents but rather shall fully cooperate with agencies responsible for reporting, investigating and prosecuting cases of child abuse and neglect.

Parents/guardians may file a complaint against a district employee or other person whom they suspect has engaged in abuse of a child at a school site. The Superintendent or designee shall provide parents/guardians information about reporting procedures in accordance with law.

The Superintendent or designee shall provide training regarding the reporting duties of district employees mandated by law to report suspected child abuse and neglect.

(cf. 4131 - Staff Development)
(cf. 4231 - Staff Development)
(cf. 4331 - Staff Development)

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

Legal Reference:

EDUCATION CODE

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

PENAL CODE

152.3 Duty to report murder, rape or lewd or lascivious act

273a Willful cruelty or unjustifiable punishment of child; endangering life or health

288 Definition of lewd or lascivious act requiring reporting

11164-11174.3 Child Abuse and Neglect Reporting Act

WELFARE AND INSTITUTIONS CODE

15630-15637 Dependent adult abuse reporting

CODE OF REGULATIONS, TITLE 5

4650 Filing complaints with CDE, special education students

Management Resources:

CDE LEGAL ADVISORIES

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

WEB SITES

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

School/Law Enforcement Partnership: <http://www.cde.ca.gov/spbranch/safety/partnership.html>

California Attorney General: <http://caag.state.ca.us/childabuse>

California Department of Social Services: <http://www.dss.cahwnet.gov>

Governor's Office of Criminal Justice Planning: <http://www.ocjp.ca.gov>

Policy MT. DIABLO UNIFIED SCHOOL DISTRICT

adopted: August 24, 2004 Concord, California

Mt. Diablo USD

Administrative Regulation

Child Abuse Reporting Procedures

AR 5141.4
Students

Definitions

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

1. A physical injury inflicted by other than accidental means on a child by another person
2. Sexual abuse of a child as defined in Penal Code 11165.1
3. Neglect as defined in Penal Code 11165.2
4. Willful cruelty or unjustifiable punishment of a child as defined in Penal Code 11165.3
5. Unlawful corporal punishment or injury resulting in a traumatic condition 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)

(cf. 3515.3 - District Police/Security Department)

3. 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 amount of force that is reasonable and necessary for a school employee 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; and administrators, presenters or counselors of a child abuse prevention program. (Penal Code 11165.7)

(cf. 5141.41 - Child Abuse Prevention)

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. (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 mental suffering has been inflicted upon a child, or that the child's emotional well-being is endangered in any other way, may report the known or suspected instance of child abuse or neglect to the appropriate agency designated below. (Penal Code 11166.05)

Instances that indicate that the emotional well-being of a child might be endangered include, but are not limited to, evidence that the child is suffering from emotional damage, such as severe anxiety, depression, withdrawal, or untoward aggressive behavior towards self or others.

Any person shall notify a peace officer if he/she 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, where the victim is a child under age 14. (Penal Code 152.3, 288)

Responsibility for Reporting

The reporting duties 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, and when there is agreement among them, 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 practicably possible after knowing or observing suspected child abuse or neglect, a mandated reporter shall make a 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 the county welfare department. (Penal Code 11166)

Child Protective Services

When the telephone report is made, the mandated reporter shall 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 receiving the information concerning the incident, the mandated reporter shall prepare and send to the appropriate agency a written report which includes a completed Department of Justice form. (Penal Code 11166, 11168)

A copy of the form should be submitted to the Student Services Office and a copy kept at the school.

Mandated reporters may obtain copies of the above form from either the district or the appropriate agency.

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 information that gave rise to the reasonable suspicion of child abuse or neglect and the source(s) of that information
- e. The name, address, telephone number and other relevant personal information about the person(s) who might have abused or neglected the child

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)

Information relevant to the incident of child abuse or neglect may also be given to an investigator from an agency that is investigating the case. (Penal Code 11167)

3. Internal Reporting

Employees reporting child abuse or neglect to the appropriate agency are encouraged, but not required, to notify the principal or designee as soon as possible after the initial telephone report to an appropriate agency. When so notified, the principal shall inform the Superintendent or designee.

The principal or designee so notified shall provide the mandated reporter with any assistance necessary to ensure that reporting procedures are carried out in accordance with law, Governing Board policy and administrative regulation. At the mandated reporter's request, the principal may assist in completing and filing these forms.

The mandated reporter shall not be required to disclose his/her identity to the principal. (Penal Code 11166)

He/she may provide or mail a copy of the written report to the principal, Superintendent or designee without his/her signature or name.

Reporting the information to an employer, supervisor, school principal, school counselor, co-worker, or other person shall not be a substitute for making a mandated report to the appropriate agency. (Penal Code 11166)

Training

Training of mandated reporters shall include child abuse identification and reporting. All employees receiving such training shall receive written notice of state reporting requirements and employees' confidentiality rights. (Penal Code 11165.7)

Training shall also include guidance in the appropriate discipline of students, physical contact with students, and maintenance of ethical relationships with students to avoid

actions that may be misinterpreted as child abuse.

(cf. 5144 - Discipline)

(cf. 5145.7 - Sexual Harassment)

Victim Interviews

Upon request, a representative of an agency investigating suspected child abuse or neglect may interview a suspected victim during school hours, on school premises, concerning a report of suspected child abuse or neglect that occurred within the child's home or out-of-home care facility. The child shall be given the choice of being interviewed in private or in the presence of any adult school employee or volunteer aide selected by the child. (Penal Code 11174.3)

A staff member or volunteer aide selected by a child may decline to be present at the interview. If the selected person accepts, the principal or designee shall inform him/her, before the interview takes place, of the following requirements: (Penal Code 11174.3)

1. The purpose of the selected person's presence at the interview is to lend support to the child and enable him/her to be as comfortable as possible.
2. The selected person shall not participate in the interview.
3. The selected person shall not discuss the facts or circumstances of the case with the child.
4. The selected person is subject to the confidentiality requirements of the Child Abuse and Neglect Reporting Act, a violation of which is punishable as specified in Penal Code 11167.5.

If a staff member agrees to be present, the interview shall be held at a time during school hours when it does not involve an expense to the school. (Penal Code 11174.3)

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 as required in other instances of removal of a child from school, 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)

Peace officers shall be asked to sign an appropriate release or acceptance of responsibility form.

(cf. 5145.11 - Questioning and Apprehension)

Parent/Guardian Complaints

Upon request, the Superintendent or designee shall provide parents/guardians with procedures whereby they can report suspected child abuse occurring at a school site to appropriate agencies. Such procedures shall be in the primary language of the parent/guardian and, when communicating orally regarding those procedures, an interpreter shall be provided for parents/guardians whose primary language is other than English. (Education Code 48987)

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."

(cf. 4117.4 - Dismissal)

(cf. 4118 - Suspension/Disciplinary Action)

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

If a parent/guardian makes a complaint to any district employee, that employee shall notify the parent/guardian of procedures for filing a complaint with the appropriate agency and also is obligated pursuant to Penal Code 11166 to file a report himself/herself using the procedures described above for mandated reporters.

(cf. 1312.1 - Complaints Concerning District Employees)

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(a)(viii)(C).

(cf. 1312.3 - Uniform Complaint Procedures)

Notifications

The Superintendent or designee shall give persons hired by the district a statement informing them that they are mandated by law to report suspected child abuse and neglect, inform them of their reporting obligations under Penal Code 11166, and provide a copy of Penal Code 11165.7 and 11166. Before beginning employment, employees shall sign the statement indicating that they have knowledge of the reporting obligations under Penal Code 11166 and that they will comply with those provisions. The signed statements shall be retained by the Superintendent or designee. (Penal Code 11166.5)

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

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 shall also 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. 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 or made a 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 is guilty of a misdemeanor 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)

Regulation MT. DIABLO UNIFIED SCHOOL DISTRICT
approved: August 24, 2004 Concord, California

SUSPENSION

A. SUSPENSION

It is the policy of the Mt. Diablo Unified School District to provide all of its students a safe instructional environment. To that end, students may be disciplined pursuant to Education Code (E.C.) Section 48900. Suspension should be imposed when appropriate, and after other means of correction have been attempted. An exception to prior attempts at other means of correction may be made when the superintendent, principal or designee determines that the student's presence in school would constitute a threat to the safety of the student or others, or severely disrupt the educational process or violation of 48900 (a-e).

B. DEFINITION

Suspension is the temporary removal of a student from ongoing instruction for adjustment purposes.

C. GROUNDS FOR SUSPENSION [E.C. 48900,48900.2,48900.3,48900.4,48900.7, and 48915(c)]

A student shall not be suspended from school nor recommended for expulsion unless the superintendent/principal/designee of the school in which the student is enrolled determines that the student has engaged in acts enumerated below.

1. Grounds for Suspension Contained in E.C. 48900:

- 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 any object of this type, the student had 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.

1. Knife as defined under §48915(g): A knife is a 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 3½", a folding knife with a blade that locks into place, or a razor with an unguarded blade.

2. 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.

3. Any explosive, incendiary, or poison gas bomb
- (a) grenade,
 - (b) rocket having a propellant charge of more than four ounces,
 - (c) missile having an explosive or incendiary charge of more than one-quarter ounce
 - (d) mine, or
 - (e) device similar to any of the devices described in the preceding clauses.

- c) Unlawfully possessed, used, sold, or otherwise furnished, or been under the influence of any controlled substance listed in Chapter 2 (commencing with §11053) of Division 10 of the Health and Safety Code, an alcoholic beverages, or an intoxicant of any kind.
- d) Unlawfully offered, arranged, or negotiated to sell any controlled substance, listed in Chapter 2 (commencing with §11053) of Division 10 of the Health and Safety Code, an alcoholic beverage, or an intoxicant of any kind, and then 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 seal school property or private property.
- h) Possessed or used tobacco, or any products containing tobacco or nicotine products, including, but not limited to, cigarettes, cigars, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets, and betel. However, this section does not prohibit use of 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, offered, arranged, or negotiated to sell any drug paraphernalia, as defined in §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.

Pursuant to (k) above, the principal or principal's designee may suspend a student for other causes including, but not limited to:

- Trespassing or making a forced entry to school buildings.
- When a student is present on the campus of a school other than that in which the student is enrolled without prior valid permission.

Possession of any electronic listening or recording device (beepers, pagers) without prior consent of the principal or his/her designee. No student shall be prohibited from possessing or using an electronic signaling device that is determined by a licensed physician to be essential for the health of the student.

- l) Knowingly received stolen school property or private property.
- m) Possessed an imitation firearm. As used in this section, "imitation firearm" means a replica of a firearm that is as 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 Section 261, 266c, 286, 288, 288a, or 289 of the Penal Code (P.C.) or committed a sexual battery as defined in Section 243.4 of the Penal Code.

Pursuant to (n) above:

The sections enumerated are Section 261, Rape; Section 266c, Inducing consent to sexual act by fraud or fear; Section 286, Sodomy; Section 288, Lewd or lascivious acts involving children; Section 288a, Oral copulation; Section 289, Penetration by a foreign object; Section 243.4, defines battery as uninvited sexual touching.

1. The following are mandatory expulsion offenses and must be coupled with E.C. 48915(C)4.
Be sure a Penal Code violation has occurred prior to charging this offense.
2. Call Director, Student Services immediately. There are numerous procedural safeguards to be considered.

The following definitions:

- Rape as defined in Penal Code 261 is an act of sexual intercourse accomplished with a person not the spouse of the perpetrator, under a number of circumstances including but not limited to where a person is incapable of giving legal consent, is accomplished by means of force, or for some other reason where a person has not legally consented to the act.
- Inducing consent to sexual act by fraud or fear as defined in Penal Code Section 266(c) is sexual penetration, oral copulation, or sodomy when consent is procured by false or fraudulent representation or pretense that is made with the intent to create fear, and which does induce fear, and that would cause a reasonable person in like circumstances to act contrary to the person's free will.
- Lewd or lascivious acts involving children as defined in Penal Code Section 288 is the committing of acts upon or with the body of a child who is under the age of 14 years, with the intent of arousing, appealing to, or gratifying the lust, passions, or sexual desire of either the person committing the acts or the child.
- Oral copulation as defined in Penal Code Section 288a is the act of copulating the mouth of one person with the sexual organ or anus of another person.
- Penetration by a foreign object as defined in Penal Code Section 289 occurs when a person by means of force, violence, duress, menace, or fear of immediate and unlawful bodily injury causes the penetration, however slight, of the genital or anal openings of any person.
- Sexual battery as defined in Penal Code Section 243.4 is the touching of an intimate part of another person while that person is unlawfully restrained by the accused or an accomplice, if the touching is against the will of the person touched and is for the purpose of sexual arousal, sexual gratification, or sexual abuse.

- o) Harassed, threatened, or intimidated a student who is a complaining witness or witness in a school disciplinary proceeding for the purpose of either preventing that student from being a witness or retaliating against that 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 as defined in Penal Code Section 245.6(b). "Hazing" means a method of initiation or pre-initiation into a pupil 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 pupil. For purposes of this subdivision, "hazing" does not include athletic events or school-sanctioned events.
- r) Engaged in an act of bullying, including, but not limited to, bullying committed by means of an electronic act, as defined in subdivisions (f) and (g) of Section 32261, directed specifically toward a pupil or school personnel.
- s) A pupil may not be suspended or expelled for any of the acts enumerated in this section, unless that act is related to school activity or school attendance occurring within a school under the jurisdiction of the superintendent or principal or occurring within any other school district. A pupil may be suspended or expelled for acts that are enumerated in this section and related to school activity or attendance that occur 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 the campus.
 - 4. During, or while going to or coming from, a school sponsored activity.
- t) 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 suffer 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).
- u) As used in this section, "school property" includes, but is not limited to, electronic files and databases.

2. **Grounds for Suspension and Expulsion Contained in §48915 (A) - §48915 (C)**

§48915 (A)

The principal or superintendent shall immediately suspend, and shall recommend expulsion of a student that he or she determines has committed any of the following acts at school or at a school activity off school grounds; unless, after holding a conference, the principal finds that expulsion is inappropriate because of the particular circumstances.

- 1. Causing serious physical injury to another person, except in self-defense.
 - Determining "Serious Bodily Injury" - Definitions taken from P.C. Section 243

- "Injury" means any physical injury which requires professional medical treatment.
 - "Serious bodily injury" means a serious impairment of physical condition including, but not limited to, the following: loss of consciousness; concussion; bone fracture; protracted loss or impairment of function of any bodily member or organ; a wound requiring extensive suturing; and serious disfigurement.
2. Possession of any knife or other dangerous object of no reasonable use to the student.
 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 the first offense for the possession of not more than one avoirdupois ounce of marijuana, other than concentrated cannabis.
 4. Robbery or extortion.
 5. Assault/battery upon school employee, P.C. 240/242.

- Definition of P.C. 240: An assault is an unlawful attempt, coupled with a present ability to commit a violent injury on the person of another.
- Definition of P.C. 242: A battery is any willful and unlawful use of force or violence upon the person of another.

§ 48915 (C)

The principal or the superintendent of schools shall immediately suspend, pursuant to §48911 and shall recommend expulsion of a student that he or she determines has committed any of the following acts at school or at a school activity off school grounds. The governing board shall expel that student when-ever the principal or superintendent of schools and the governing board confirm that the student was:

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, which is concurred in by the principal or the designee of the principal. This subdivision applies to an act of possessing a firearm only if the possession is verified by an employee of a school district.
2. Brandishing a knife at another person. Brandish: to waive or flourish manically. To display ostentatiously. (The American Heritage Dictionary, 4th Edition, 2001)
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 as defined in subdivision (n) of Section E.C. 48900 or committing a sexual battery as defined in subdivision (n) of Section E.C. 48900.
5. Possession of an explosive, as defined by E.C. 48915(h).

The Administrative Panel, after finding that the student committed any of the acts listed in 48915 (c), shall recommend the student's expulsion to the governing board.

The governing board shall expel the student and refer that student to a program of study appropriately prepared to accommodate students who exhibit discipline problems. The referral shall not be to a comprehensive middle or high school or housed at the school site attended by the student at the time the expulsion was recommended.

Students expelled under Section (A) or (C) of E.C. 48915 shall not be permitted to enroll in any other school or school district during the period of expulsion unless it is a County Community School or a Juvenile Court School or Community Day School run by the district.

§ 48900.7 – Additional grounds for suspension or expulsion; terroristic threats against school officials, school property, or both.

1. In addition to the reasons specified in Sections 48900, 48900.2, 48900.3, and 48900.4, a pupil may be suspended from school or recommended for expulsion if the superintendent or the principal of the school in which the pupil is enrolled determines that the pupil has made terroristic threats against school officials or school property, or both.
2. For the purposes of this section, "terroristic threat" shall include any statement, whether written or oral, by a person who willfully threatens to commit a crime which will result in death, great bodily injury to another person, or property damage in excess of one thousand dollars (\$1,000), with 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 of his or her immediate family. (Added by Stats. 1997, c. 405 (A.B. 307), § 1.)

Use 48900.7 strictly for charges against school officials or school property or both, but not students.

For the purposes of this section, "terroristic threat" shall include:

- Any statement, whether written or oral, by a person who willfully threatens to commit a crime which will result in death, great bodily injury to another person, or property damage in excess of one thousand dollars (\$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.

Suspension And Expulsion/Due Process

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

(cf. 5144 - Discipline)

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

(cf. 6145 - Extracurricular and Cocurricular Activities)

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

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

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

The Board supports a zero tolerance approach to serious offenses in accordance with state and federal law. This approach makes the removal of potentially dangerous students from the classroom a top priority and ensures the standardized treatment of all students. Staff shall immediately report to the Superintendent or designee any incidence of offenses specified in law, Board policy, and administrative regulation as cause for suspension or expulsion.

Student Due Process

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

(cf. 5119 - Students Expelled from Other Districts)

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

Supervised Suspension Classroom

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

STAFF ONLINE: THE BOARD'S SUSPENSION AND EXPULSION PROCEDURE Page 2 of 3

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

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

Required Parental Attendance

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

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

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

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

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

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

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

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

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

Decision Not to Enforce Expulsion Order

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

Legal Reference:

EDUCATION CODE

212.5 Sexual harassment

1981 Enrollment of students in community school

17292.5 Program for expelled students

32261 Interagency School Safety Demonstration Act of 1985

35146 Closed sessions (re suspensions)

35291 Rules (for government and discipline of schools)

35291.5 Rules and procedures on school discipline

48660-48667 Community day schools

48900-48927 Suspension and expulsion

48950 Speech and other communication

49073-49079 Privacy of student records

CIVIL CODE

47 Privileged communication

48.8 Defamation liability

CODE OF CIVIL PROCEDURE

1985-1997 Subpoenas; means of production

GOVERNMENT CODE

11455.20 Contempt

54950-54963 Ralph M. Brown Act

HEALTH AND SAFETY CODE

11014.5 Drug paraphernalia

11053-11058 Standards and schedules

LABOR CODE

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

PENAL CODE

31 Principal of a crime, defined

240 Assault defined

241.2 Assault fines

242 Battery defined

243.2 Battery on school property

243.4 Sexual battery

245 Assault with deadly weapon

245.6 Hazing

261 Rape defined

266c Unlawful sexual intercourse

286 Sodomy defined

288 Lewd or lascivious acts with child under age 14

288a Oral copulation

289 Penetration of genital or anal openings

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

626.9 Gun-Free School Zone Act of 1995

626.10 Dirks, daggers, knives, razors or stun guns

868.5 Supporting person; attendance during testimony of witness

WELFARE AND INSTITUTIONS CODE

729.6 Counseling

UNITED STATES CODE, TITLE 18

921 Definitions, firearm

UNITED STATES CODE, TITLE 20

7151 Gun free schools

COURT DECISIONS

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

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

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

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

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

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

ATTORNEY GENERAL OPINIONS

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

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

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

Management Resources:

WEB SITES

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

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

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

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

Policy MT. DIABLO UNIFIED SCHOOL DISTRICT

adopted: June 21, 2005 Concord, California

PROCEDURES FOR TEACHER NOTIFICATION OF THREE YEAR HISTORY OF STUDENT SUSPENSIONS

California Education Code 49079 requires that teachers be provided with a three year history of suspension of students in their class/classes and notice of suspensions as they occur during the school year. All the student suspensions must be recorded in Aeries. Teachers receive indication on attendance documents in Aeries regarding student suspension. If a teacher desires knowledge of specific behavior that led to a student suspension, the teacher may request a meeting with the appropriate administrator so that information can be shared confidentially. Suspension information should not be emailed to the entire staff.

SECTION 7

DISTRICT AND SITE DRESS CODE POLICIES

Mt. Diablo USD

Board Policy

BP 5132

Students

Dress And Grooming

The Governing Board believes that appropriate dress and grooming contribute to a productive learning environment. The Board expects students to give proper attention to personal cleanliness and to wear clothes that are suitable for the school activities in which they participate. Therefore, students are to dress appropriately on all school campuses and at all school activities in the district. Students have the right to make individual choices from a wide range of clothing and grooming styles, but they must not present a health or safety hazard or a distraction which would interfere with the educational process. Students and parents/guardians shall be informed about dress and grooming standards at the beginning of the school year and whenever these standards are revised. Students should project an appearance that is conducive to a safe learning environment. Dress which is disruptive and contrary to school rules regarding drugs/alcohol/violence, and gangs is not permitted. Student clothing, emblem, badge, jewelry, symbol, or other insignia which creates a clear and present danger on school premises or the disruption of the orderly operation of the school is prohibited. Students and parents/guardians shall be informed about the school dress code at the beginning of the year and when revised. A student who violates the dress code shall be subject to appropriate disciplinary action.

(cf. 4119.22 - Dress and Grooming)

(cf. 5136 - Gangs)

(cf. 5144 - Discipline)

(cf. 5145.2 - Freedom of Speech/Expression)

School Dress Code

The principal may establish a dress code that prohibits students from wearing apparel that it presents a distraction or threatens to disrupt the school's activities. Inappropriate dress is attire that causes a distraction or a safety concern on a school campus. The outdoor use of sun-protective clothing, including but not limited to hats, is permitted. However, specific clothing and hats determined to be gang-related or otherwise inappropriate under the policy are prohibited. Principals may determine that hats are prohibited in certain locations or areas where sun-protection is not necessary. A dress code may be included as part of the school safety plan and must be presented to the Board for approval. The Board shall approve the plan upon determining that it is necessary to protect the health and safety of the staff, students, parents/guardians and educational community.

(cf. 0450 - Comprehensive Safety Plan)

(cf. 4119.22 - Dress and Grooming)

(cf. 5136 - Gangs)

(cf. 5145.2 - Freedom of Speech/Expression)

Uniforms

The Board believes that appropriate dress and grooming contribute to a productive learning environment. The Board recognizes that in order to promote student safety and discourage theft, peer rivalry and/or gang activity, the principal may wish to establish a dress code requiring students to wear uniforms. The principal may recommend to the Board that a voluntary school uniform dress code would be beneficial. Such a dress code shall be included as part of the school safety plan. The Board shall approve the plan upon determining that it is necessary to protect the health and safety of the school's students and maintain a positive school climate.

If a school's plan to require uniforms is adopted, the Superintendent or designee shall establish procedures whereby parents/guardians may choose to have their children exempted from the school uniform policies. Students shall not be penalized academically, otherwise discriminated against or denied attendance to school if their parents/guardians so decide. (Education Code 35183) The school shall establish guidelines identified in the school dress code and school safety plans provisions whereby parents/guardians may choose not to have their children comply with an adopted school uniform policy which is contrary to their beliefs or exceptions deemed appropriate by the principal. The Superintendent or designee shall ensure that resources are identified to assist economically disadvantaged students in obtaining uniforms.

Legal Reference:

EDUCATION CODE

32281 School safety plans

35183 School dress codes; uniforms

35183.5 Sun-protective clothing.

48907 Student exercise of free expression

49066 Grades; effect of physical education class apparel

CODE OF REGULATIONS, TITLE 5

302 Pupils to be neat and clean on entering school

COURT DECISIONS

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

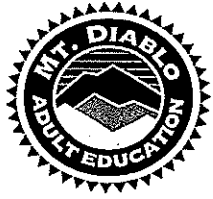
827 F.Supp. 1459

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

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

Policy MT. DIABLO UNIFIED SCHOOL DISTRICT

Adopted: June 7, 2005 Concord, California



Mt. Diablo Adult Education adheres to the Mt. Diablo Unified School District Board Policy BP 5132

Students

Dress and Grooming

Encompassing (cf. 4119.22-Dress and Grooming,; cf. 5136 – Gangs; cf. 5144 – Discipline; cf. Freedom of Speech/Expression)

SECTION 8

DISTRICT AND SITE DISCIPLINE POLICIES

MT. DIABLO ADULT EDUCATION
RULES AND REGULATIONS FOR ALL STUDENTS
To Be Posted In All Adult Ed Classrooms

1. Smoking is prohibited on school property.
2. Adult Education prohibits the use of smokeless tobacco on its campuses or sites.
3. No alcoholic beverages are to be brought on, possessed, consumed or sold on campus.
4. No firearm, knife, explosive or other dangerous object is to be brought on, possessed or sold on campus.
5. Students are not to unlawfully possess, use, sell, or otherwise furnish or be under the influence of any controlled substance.
6. No personal audio devices are to be used in the classroom, except with express permission of the instructor.
7. Cell phones must be turned off when students are in class.
8. Cars and motor vehicles must be parked on the streets or in the parking area. Fire and police regulations require campus accesses be kept open and available for emergency vehicles.
9. Observe "No Parking" and "Handicapped" signs. Please park so as not to block the exit of another vehicle.
10. Anyone attending an Adult Education class must be registered either as a student or as a visitor. Visitors register in the main office. Visitors to a consumer financed class must pay a fee. A class may be visited only one time each quarter.
11. No unauthorized visitors are allowed on the school campus or in Adult Education classrooms. Only students taking part in a class or those persons with official business to conduct are allowed on campus. Loitering is forbidden.
12. No children are allowed in any classroom unless their attendance is connected with class activities and approved in advance by the administrator and teacher.
13. Students are expected to be in class during assigned class time.
14. Students who wish to bring aides, assistants, or other support persons not employed by MDUSD must make prior arrangements with the program administrator before entering the classroom.
15. Bicycles, rollerblades, and skateboards may not be ridden on the campus.
16. Mt. Diablo Adult Education students are expected to dress in accordance with the Mt. Diablo Unified School District dress code.

Enrollment is voluntary on the part of each student; however, district and school rules and regulations are to be followed. Each individual Adult Education Department has specific attendance and enrollment requirements. Students may be suspended or dismissed from the program if the Director or the Director's designee determines that the student's continued attendance in Adult Education may be considered to be disruptive to the learning process or harmful to the welfare of students or staff.

SUSPENSION OR DISMISSAL OF ADULT EDUCATION STUDENTS

A student may be suspended or dismissed from the adult education program for engaging in activities that, in the judgment of the Director of Adult Education or designee, are disruptive to the learning process or harmful to the welfare of students or staff.

ADULT DISABLED STUDENTS

Disabled students shall not be dismissed from the adult education program solely on the basis of their handicapping condition. The Director of Adult Education or designee will take into consideration the nature of the disability and the needs of the student in determining the appropriate action.

SUSPENSION

Suspension is the temporary removal of a student from ongoing classroom instruction or from the program, initiated by a teacher or administrator, for adjustment purposes. Only a Vice Principal or designee may suspend a student from the program.

DISMISSAL

Dismissal is defined as the permanent removal of the student from the adult education program. Only a Vice Principal with the approval of the Director may dismiss a student. Students who do not meet class participation, attendance, and progress criteria may be dismissed from a particular Adult Education Program.

In the event a student is dismissed, he/she may request reinstatement the following school year. The student will initiate the request in writing to the Director of Adult Education.

APPEALS

A student who is suspended or dismissed from the adult education program may appeal to the Director of Adult Education. The request for appeal must be submitted in writing.

Mt. Diablo Adult Education

Dealing with Student Behavior Concerns

1. What can teachers do to prevent or minimize student behavior problems?

Setting up and communicating rules makes it easier for all school personnel to follow up when needed.

- Communicate clear guidelines:
 - Post “Rules and Regulations for All Students” in the classroom. (Page 41 of MDAE Instructor Handbook.)
 - Involve students in establishing additional, class-specific guidelines, and post them, too. (See coordinator or program assistant for ideas.)
- Ask students to remind each other to follow the rules and to point them out to new students.
- Follow up on the rules fairly and consistently.
- Revisit rules from time to time in class.

2. What should teachers do when there is a relatively minor behavior problem such as occasional rudeness or immature behavior?

- Ask the student respectfully but firmly to follow the rules.
- Be sensitive to the possibility that misbehavior may be due to difficulties or frustrations in the student’s personal, work or school environment.
- Talk with other teachers to see if there is any background on the student that might be helpful.
- Talk to other teachers to see how they might handle the situation.
- Talk with a vice principal, coordinator or program assistant.
- Invite a colleague, program assistant or coordinator to visit the class to observe the behavior.
- If necessary, advise the student to leave the classroom temporarily. (Not a formal suspension; see question 9 below.)
- If necessary, and with the approval of the coordinator, set up a behavior contract with the student.

3. If a teacher decides that a situation warrants a formal, pre-planned discussion with a student, what steps should be taken?

- Inform the coordinator of the situation and of communication/steps already taken, and that a meeting is going to take place. Teachers should feel free to request the participation of a coordinator or program assistant.
- Prepare documentation such as an incident report or log of inappropriate behaviors.
- Use language that does not put the student on the defensive; invite the student to participate in the solution.
- If the student is uncooperative, inform him/her that if the behavior continues, the coordinator and administrator will become more involved.

4. When and why should teachers inform coordinators about student behavior concerns?

When: It is very important to inform the coordinator as soon as the situation calls for a serious discussion with a student.

Why: 1) It protects the teacher: If a situation has the potential to escalate, a record of the student's behaviors, as well as of the instructor's concerns and actions, provides essential background in case a formal action or decision becomes necessary. 2) Previous knowledge of the situation provides context for the coordinator if/when intervention becomes necessary. It allows the teacher and coordinator to begin documentation of the situation for possible intervention and/or follow-up.

5. What is the coordinator's role in following up on a teacher's concern?

The coordinator is responsible for researching the situation by getting facts through investigation, interviews, etc., from as many involved individuals as is reasonable. The coordinator then determines what actions, if any, need to be taken. The coordinator keeps the appropriate administrator(s) apprised of the situation and in some circumstances the administrator may intervene immediately.

Depending on the nature of the situation, follow-up might include facilitating a discussion between teacher and student, warning the student, requiring the student to sign a behavior contract, transferring the student, asking the student to take some time off from attending classes (without implementing a formal suspension), requiring the student to meet with an administrator, suspending the student or combinations of the above.

6. What is the administrator's role?

The administrator provides guidance to the coordinator as needed to ensure that appropriate procedural steps are followed so that the rights of all concerned individuals are protected. In certain cases, the administrator may initiate discussions or procedures with the individuals involved. Administrators will in most cases notify the Director and/or Assistant Director of potential disciplinary actions.

7. What should a teacher do if a threatening situation occurs?

If dangerous behavior is happening at the moment and clearly threatening the welfare of students/staff (for example, a violent altercation, a threat of physical injury to another person, or damaging school property), **call the main office immediately and say, "I have a Code A in room ____."** An administrator and/or coordinator will respond immediately. In cases of clear danger to students/staff, the student will be suspended immediately. During suspensions, the coordinator and administrator may gather and review additional information to determine whether dismissal is appropriate.

If the behavior is more subtle and more difficult to address directly (for example, the student acts somewhat odd from time to time, possibly due to a mental health issue;

perhaps is under the influence of alcohol or drugs, but doesn't behave offensively), **inform the coordinator and campus supervisor** as soon as the concern arises, and **document** observations of the unusual behavior. At the soonest appropriate moment, a coordinator or administrator will speak to the student. The instructor may be asked to be a part of that conversation.

If during the follow-up it is determined that the behavior presents immediate danger, the student will likely be suspended. If the behavior is not clearly a danger, a different intervention (discussion, explanation of consequences if behavior persists) will likely occur.

The Director is the final arbitrator of all decisions and appeals in suspension and dismissal situations.

8. What are some important details regarding suspension and dismissal for adult students and minors in adult education classes?

Adult students who are disruptive to the learning process or harmful to the welfare of students or staff may be required to leave classes. If the student is a minor, parents must be notified before the student is allowed to leave the site.

Suspension is the temporary removal of a student from ongoing classroom instruction or from a program. **Coordinators** may suspend a student from a class for the day of the act plus one additional class meeting. Only an **administrator or designee** can suspend a student for a longer time period or from a program.

Dismissal is the permanent removal of the student from the adult education program. Only an **administrator**, with the approval of the Director, may dismiss a student. If a student is dismissed, s/he may request reinstatement for the following school year by initiating a written request to the Director.

9. Are there other reasons for removing/dropping students from classes?

Specific departmental policies or guidelines may support removing or dropping students for reasons such as not meeting class participation, progress or attendance criteria. Please ask department coordinators about specific guidelines.

10. Does a teacher have the authority to ask a student to leave the classroom or to suspend a student? For how long can a teacher suspend a student?

Teachers may suspend students but it is strongly recommended that teachers avoid suspending in most cases, as teachers place themselves in circumstances of greater liability when they suspend. Remember that teachers may counsel or advise a student to leave the classroom temporarily without issuing a formal suspension. Getting a student to agree to leave the classroom often solves the immediate problem and allows time to involve the coordinator or administrator before deciding on next steps. It is in teachers' best interests to suspend students independently **only** when a coordinator or administrator is not available to intervene.

A teacher may suspend an adult student **only from his or her class** for the day of the act plus one additional class meeting. If the student is a minor, guardians must be notified before the student is allowed to leave the site.

Whether the suspended student is an adult or a minor, at the time of the suspension the teacher must immediately notify an administrator. The administrator must meet with the student before the student leaves campus. The teacher must file a written report of the suspension to the coordinator or administrator on the day of the suspension.

—SECTION 9

**EMERGENCY
PREPAREDNESS AND
CRISIS RESPONSE PLAN
(SEMS) (ICS)**

MT. DIABLO UNIFIED SCHOOL DISTRICT

**MT. DIABLO ADULT EDUCATION
LOMA VISTA CENTER**

also

**Central Food Services
After School Programs
Bridge Program**

**EMERGENCY PREPAREDNESS AND
CRISIS RESPONSE PLAN**

**Loma Vista Adult Center
Emergency Preparedness Organizational Chart**

Incident Commander
Joanne Durkee/
V. Abbate-Maghsoudi/Sharon Brockman
/Red Dot Coordinator

Scribe
S. Stanford/L.
Shaw/Dee Jones

Public Information Officer (PIO)
Vittoria Abbate-Maghsoudi/ Sharon Brockman/
Barbara Leal/Samantha Espinosa (Bridge)
administrator on duty

Liaison
Karen Lingenfelter/Barbara Leal/
Paige Endo / Other administrator on
duty

Safety Officer
Custodian on duty

Operations:Chief
V. Abbate
Paige Endo
S. Espinosa (Bridge)
(ESL placement
staff/Yasmine to
assist)

Logistics Chief
B. Leal/P. Endo/
eves: Admin in charge-see
Red Dot Calendar (changes
daily-example attached)

Planning/Intelligence Chief
L. Shaw / Sandra Stanford
J. Dougherty

Admin/Finance Chief
Jamie Molina
Yasuko Powell

Accountability:
C. Cristea/J. Schieber
J. Dabbling (E-4)

Search and Locate:
S. Reposa/K. Lingenfelter
D. Perkins-Jones

Assembly or shelter:
ESL coordinating team
C. Cristea/B. Lenahan

Security:
Custodian – John
Williams in charge
Eves: TWTH-R. Tucker

Student Care/Release:
Bridge Program –M.
Hasson /
PE Dept.-S. Reposa

Communications:
P. Endo/A. Burik
D. Guziak

**Resources, including people
(volunteers)**
Tricia Ouellette/S. Morales
Terri Porter/Nancy Cummins
(ASP)

Food/Water/Other Supplies:
Carol Board &
Central Kitchen Personnel

Transportation:
K. Lingenfelter/
AWD personnel (N. Baisman,
K. Miller)

Medical:
CTE Medical & Dental
Instructors/Staff
Cheryl Barrett
K. Flanagan

Messengers:
Dept. Secretaries
C. Barrett, K. Flanagan,
M. Noriega-Carpenter

Incident/Log Scribes:
S. Stanford
Dee Perkins-Jones

Recovery Planning:
Available Administrator

**Telephone Operator/
Records:**
Dee Perkins-Jones
M. Noriega-Carpenter
Cheryl Barrett

Emergency Disaster Response Procedure

Once a disaster occurs, the Emergency Preparedness Organizational Structure will be activated in the following manner:

Step One: All command and Control personnel will assemble in the Command Center (Main Office).

Step Two: Assess the situation.

Step Three: Prioritize a response.

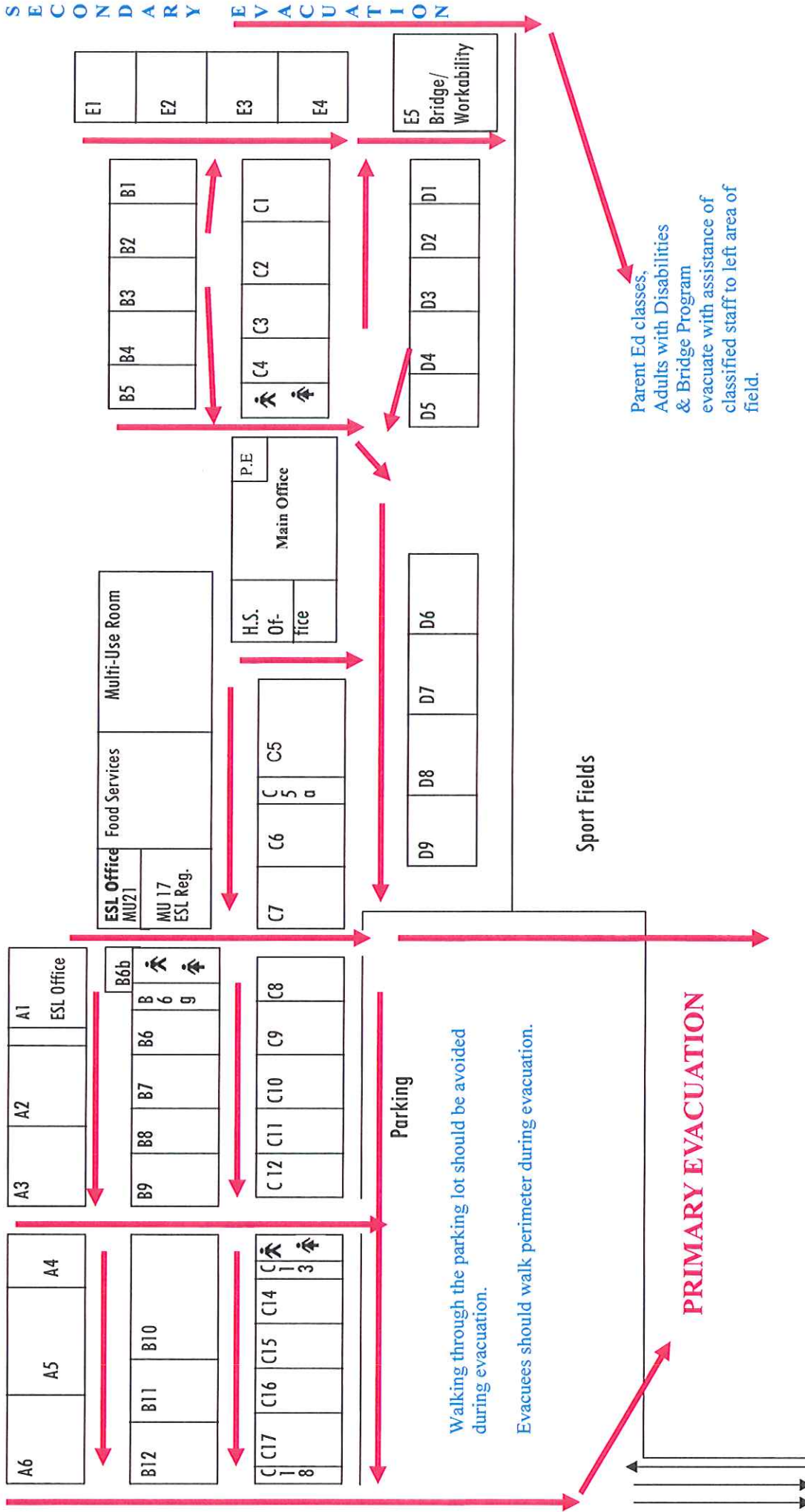
Step Four: Depending on severity of the incident, the following persons will be called into service
(See above Organizational Chart).

ANNUAL PLAN TIMELINE

<u>DATE</u>	<u>ACTIVITY</u>	<u>PERSON(S)</u>
Aug/Sept	Facility Hazard Assessment Update School Map Inventory & Replace Supplies Review/Update Plan	Sharon Brockman Lynn Shaw Lynn Shaw/Jennifer Dougherty Sharon Brockman/Lynn Shaw
Sept	Staff Review of Plan First Aid Review Survey of Staff Skills Update Resources	Sharon Brockman Lynn Shaw/Barbara Leal Lynn Shaw Karen Lingenfelter
Sept/Oct	Student Instruction on Plan Parent Advisement Re Plan	Coordinator of each department Sharon Reposa
Oct	Disaster Drill - All	Sharon Brockman
Oct-June	Fire Drills – Regular	Sharon Brockman
Feb	Disaster Drill - All	Sharon Brockman
April	Intruder Drill - All	Sharon Brockman

3/15/13

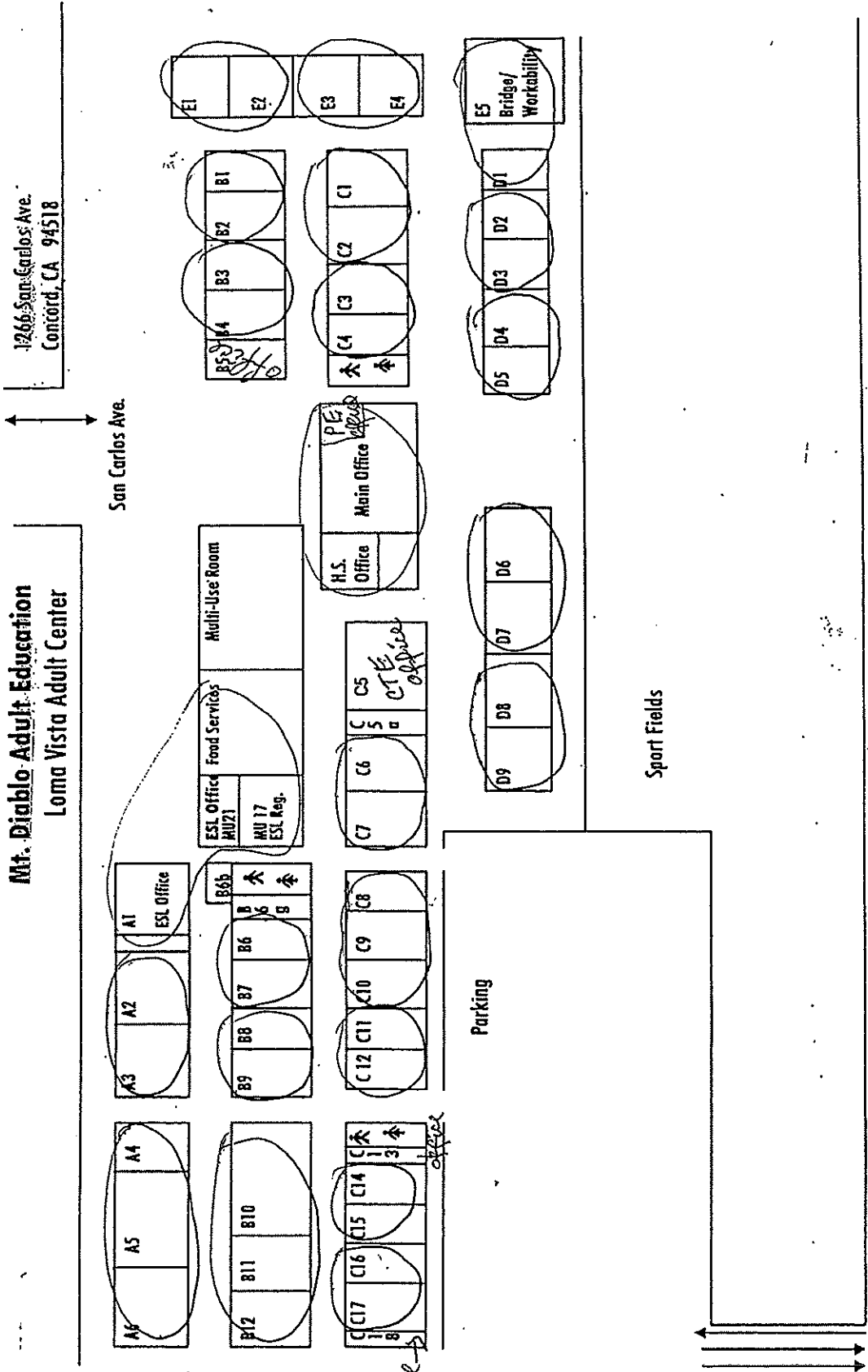
Mt. Diablo Adult Education Loma Vista Adult Center



**Primary / Secondary Evacuation
Loma Vista Center April 7, 2008**

Buddy List

○ Circles indicate buddy pairs

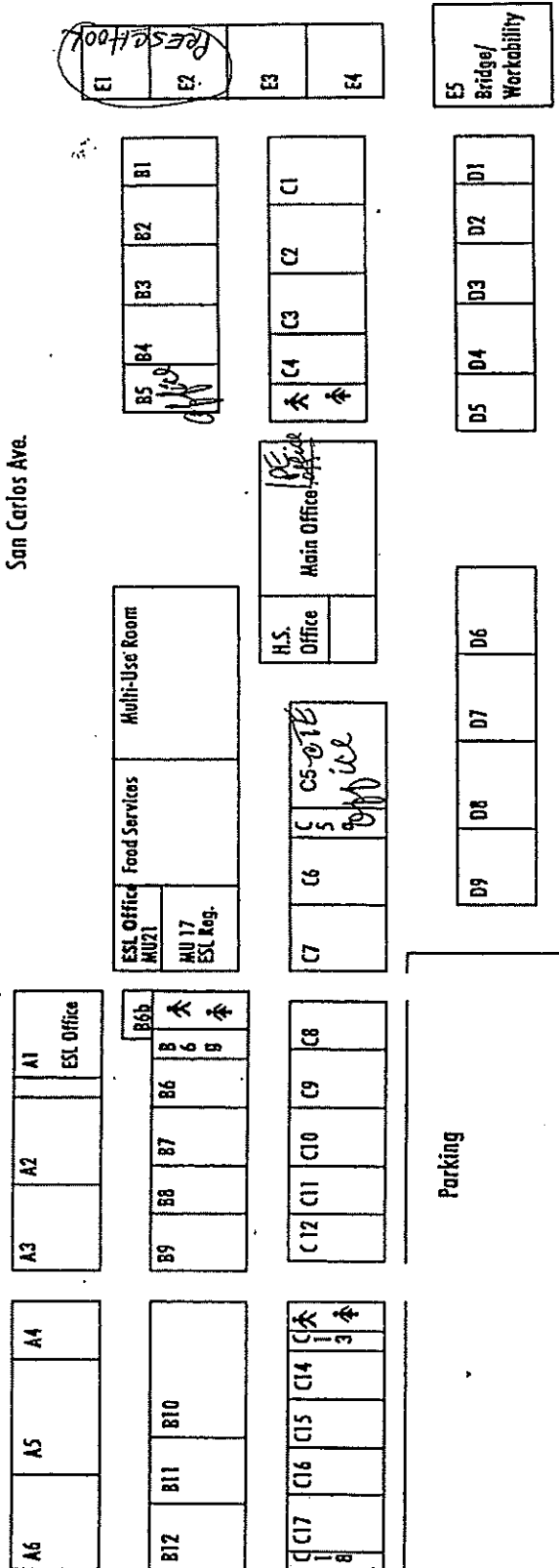


Updated 6/12

Parent Education preschool classes, along with K-12 Bridge Program, are evacuated to a field area separated from the general adult population for safety. Teachers have gate keys.

1266 San Carlos Ave.
Concord, CA 94518

Mt. Diablo Adult Education
Loma Vista Adult Center



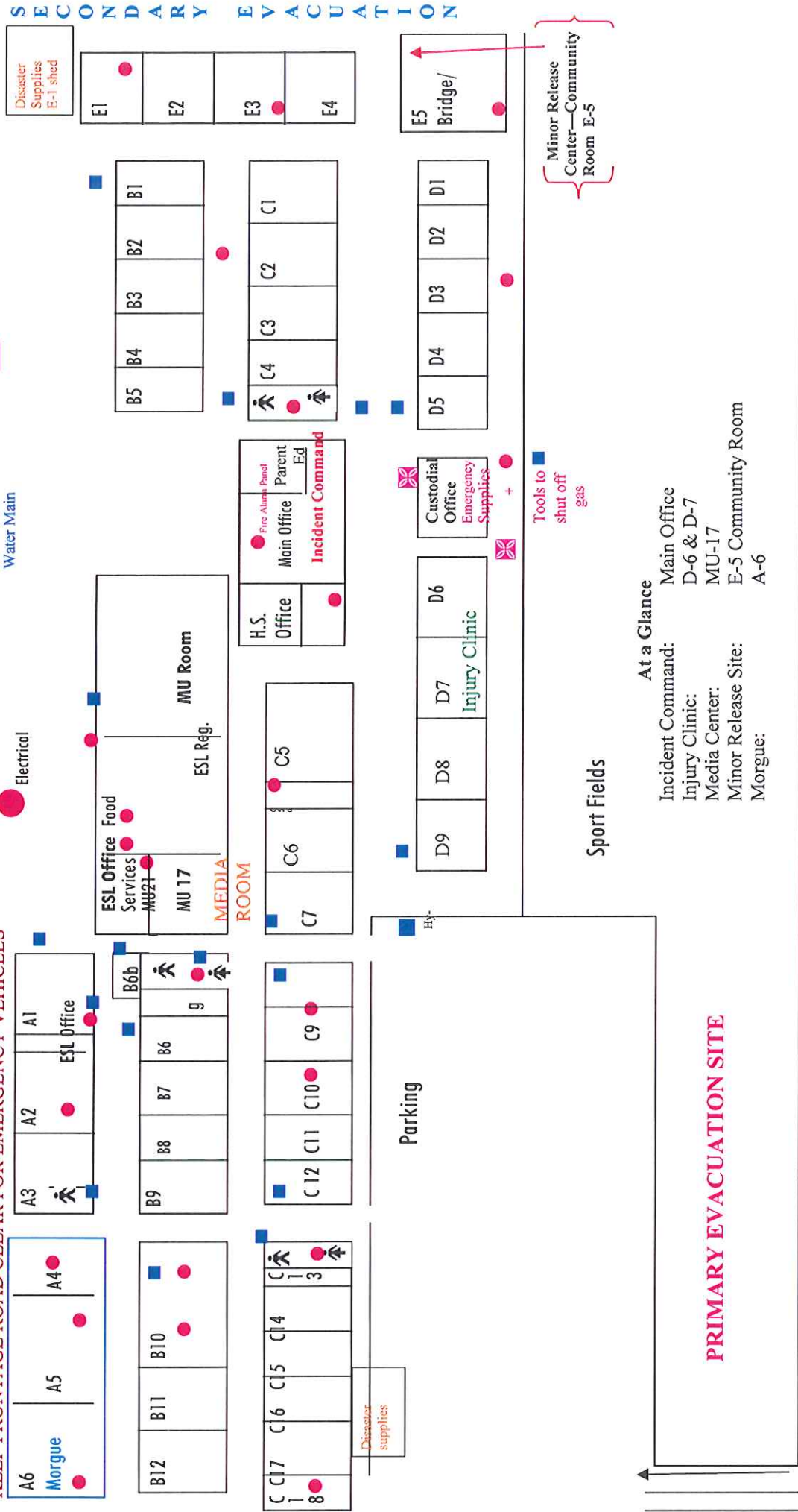
A-1 Sport Fields
 A-2
 A-3
 A-4
 A-5
 A-6
 B-6
 B-7
 B-8
 B-9
 B-10
 B-11
 B-12
 C-5
 C-6
 C-7
 C-8
 C-9
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 C-11
 C-13
 C-15
 C-16
 C-17
 C-18
 C-19
 C-20
 C-21
 C-22
 C-23
 C-24
 D-1
 D-2
 D-3
 D-4
 D-5
 D-6
 D-7
 D-8
 D-9
 E-1
 E-2
 E-3
 E-4
 E-5
 FENCE + GATE
 PRESENT AD POPULATION
 + BRIDGE

Updated 6/12

Mt. Diablo Adult Education Loma Vista Adult Center

To San Carlos Ave.

KEEP FRONTAGE ROAD CLEAR FOR EMERGENCY VEHICLES



- At a Glance**
- Incident Command: Main Office D-6 & D-7
 - Injury Clinic: MU-17
 - Media Center: E-5 Community Room
 - Minor Release Site: A-6
 - Morgue:

- Electrical Power Boxes
- Water shut-off valves
- ⊠ Gas Main & sub main

Emergency / Disaster supplies located: Custodian Room by D-5
Closet outside C-15
Shed outside E-1

**Disaster/Crisis Map
Loma Vista Center
Electrical, Gas & Water
& Disaster Supply Designations
Updated May 25, 2014**

Cowell Rd.

Emergency Shut-Off Information

From tour with M&O 10-2009

Should it become necessary to shut off resources, following a disaster, i.e. Earthquake, etc.

Custodial Room (CV master)

Red wrench	Gas Turn Off
Red hook.....	Lift water main
Red T-Bar wrench.....	Turn off water/gas

GAS shut off (front parking lot – right of San Carlos)

Red wrench – onto orange section
Turn ¼ turn – either way

WATER turn off (not likely to need) – (left side of San Carlos, before entrance)

Hook to open
Big T. Wrench to turn off

ELECTRICAL shut off – main circuit to campus. Do not shut off unless electrical lines are sparking electrical fire. Electrical is all underground – most lines we see to the school are telephone.

Need Police Key - 50K14
Big silver closet in front of fenced area to left of water main
Unlock left door
Red Crank – Push down or up

Loma Vista Adult Center

Emergency Supplies – Locations

Loma Vista Adult Center maintains a quantity of emergency supplies which will be utilized by trained personnel in the event of a school crisis or disaster. Materials are stored in central locations on campus providing ready access to assist any area in the school.

Classrooms: Supplies and information posted are checked twice a year by staff for replacing, updating, etc.

Red Emergency backpack containing flashlight, extra batteries, first aid kit, clipboard of instructions for emergencies and forms needed for teachers to support students during a crisis.

Evacuation maps and telephone instructions are posted on the walls.

Central School Emergency Supplies: Located at two locations at Loma Vista Center SEMS suggested/required supplies

Bins are located at both ends of campus to ensure supplies are accessible to campus personnel in case of structure failure on one end. The two locations are 1) Custodial Building/Room and 2) Outside closet in front of C-15/C-16.

Large bins with a list of contents attached contain first aid supplies, radios, batteries, household bleach for water purification, toilet paper blankets, tarps, spray paint, sheets and water containers, emergency tool kits with building supplies deemed necessary for providing shelter for at least a 72-hour stay.

Safety Plan Manual and Emergency list of personnel: are kept in the Main Office. The emergency lists school staff members with specialized emergency skills, including medical or first aid experience, search & rescue or fire-fighting experience and Vehicle type driven for possible use. Our medical classrooms and instructors would supply any needed medical expertise for emergency. A cart containing SEMS satchels for each of the chiefs descriptions and needed information, staff emergency information and a few supplies are in Sharon Brockman's office located at the front of the Main Office.

The MDUSD Central Kitchen: is located on the Loma Vista campus which would be a primary source of food and drink supplies for any crisis situation. A vending room would also supply snack and drink needs.

D. Access Control Personnel

Whenever an evacuation is called, the designated Access Control Personnel (designated prior to an emergency) will automatically assume duties as traffic controllers to prevent unauthorized public vehicles or persons access to the school campus and building(s). They will function according to the duties delineation shown in Part III, E of this Plan.

VIII. STUDENT EARLY DISMISSAL/SCHOOL CLOSURE

During school hours, all students are considered under the care and supervision of school staff. In all circumstances, and especially in the event of emergency incidents or circumstances, the safety of the students and the school staff is of paramount importance. All actions taken shall bear in mind the safety and well-being of both students and school employees.

Thus, in the event of a major emergency incident or disaster during school hours, **school will not be dismissed without the expressed and clear authorization of the District Superintendent or a designee**, and children will remain under the supervision of school authorities. Students will only be released from school and District responsibility in strict accordance with the policies and procedures of the District's Early Release Policy as described below. Parents/guardians or designated emergency contacts who come to the school to pick up students must properly identify themselves in order for their children to be released.

A. Release of Students From School Site(s)

It is the policy of the MDUSD and this school to reunite parents with their children at the earliest time possible after an emergency situation or major disaster event. However, if it is not possible for parents to pick up their children or make arrangements for others to do so, students will be held at the school or other area until such time as they can be safely released. Each year the school will notify all parents of the procedure for reuniting parents with children in the event of an emergency at school.

In the event students are held at a school, they may be released only to the student's own parent(s) or a person authorized beforehand in writing by the parent. Disaster Emergency Cards shall be completed by parents and used for this purpose. These cards shall be made available at the beginning of the school year and returned to the school.

Completed cards will be organized alphabetically and kept on file in the office. Duplicate cards will be maintained by the homeroom teacher and kept in the "Teacher Emergency Kit."

Following an emergency when parents are unable to come to school, staff should be prepared for parents to fax copies of a signed authorization to release their son/daughter to a friend who can come to the school. Parent signatures must be on the faxed authorizations and must be matched to the signature on the Disaster Emergency Cards prior to the student's release.

Disaster emergency cards shall be made available to parents at the beginning of the school year and kept on file throughout the year. They shall be organized by homeroom classes. When release of students is imminent, students shall be reorganized into homeroom classes.

Parents or others must check with this school's Liaison Officer at the emergency Command Post prior to entering the school to pick up their children. Teachers will release students according to the procedure outlined under the Emergency Student Release Procedures described below.

B. Emergency Release Plan Procedures

Teachers will utilize the following procedures to properly release students from their care to a parent, legal guardian or person authorized in writing to pick up the student:

1. At time of emergency, students remain in their current classes. Teacher takes roll on emergency roll sheet. Await directive from office.
2. The school administration will communicate with district office for dismissal directive. Students will report to (first period or other) classes, upon administrative directive via intercom or bullhorn.
3. All adults without classes shall report to the Command Post for assignment of other duties. These duties may include, but not be limited to:
 - ❖ Covering classes
 - ❖ Acting as first aid assistants
 - ❖ Meeting parents who are picking up students
 - ❖ Acting as runners
 - ❖ Sending runners to class for pickup
 - ❖ Assisting students without a disaster card
 - ❖ Checking for hand stamps at school gate (red – authorized to leave)
 - ❖ Assisting with phone calls home and talking to parents for permission
 - ❖ Directing parents to appropriate entrance and exit gates

4. Teachers will wait for directive from runner to take entire class to assigned phone to call for permission to leave. Teachers must talk to parent if walking home or going home with someone not on disaster card.
5. Teachers will make phone notes on *Student Accountability Form*.
6. Adults picking up students will identify self at gate; runner takes message to homeroom teacher with name of child and name of adult. Teacher double-checks sign-out sheet, stamps student in red and releases.
7. Students may go home with people listed on disaster card if parent can't be reached. As students clear out, remaining students will be consolidated in rooms with phones.
8. Teacher takes attendance after each consolidation.

IX. TRAINING

A. Requirements

The key to effective and coordinated emergency response efforts is the proper training of school response personnel to a level, and in areas, appropriate to their respective duties in an emergency or disaster. Moreover, proper training is mandated under the SEMS requirements for District staff and students and by Cal/OSHA for employees of the District. To this end, this school and the District are dedicated to providing appropriate instruction to all emergency response staff.

All District Response Staff & Students

All non-response District staff, as well as all students, will receive training in the following areas:

- Brief overview of the District EOC plan & its coordination with School Crisis Response plans.
- Brief overview of the School Crisis Response Plans & its coordination with the District EOC plan.
- Responder positions within each plan and the duty to follow instructions of the response team personnel.
- Use of drills & exercises to provide "hands-on" instruction to staff and students [see below].



MDUSD MINOR STUDENT RELEASE PROCEDURES

This guide will help parents understand the student release process and ensure families are safely and efficiently reunited after an emergency of disaster.

KEYS TOWARDS SUCCESS

- Keep your child's school emergency card information up-to-date
- Have current, valid identification of parent or designated adult who is picking up your child
- Ask school staff where the "Student Release Station" will be located
- Review the student release procedures with your student
- Require your child to stay at school until you or a designated adult can pick them up

Emergency Information

Your child's school needs parents

to:

- Update child's emergency information whenever changes occur
- Provide names and contact phone numbers of trusted adults who live closest to the school and can pick up your child
- Provide names and contact phone numbers of trusted adults **out of state**, who can be given information about your child in an emergency situation.

****Often in an emergency, local phone lines become unavailable, while long distance lines remain in service.**

- Encourage your child to carry an I.D. Card at all times

Current Identification

Current valid identification with a photograph is needed when a parent or trusted adult signs for your child. The identification can be either:

- A valid California driver's license or identification card
- An employee identification card
- Any current identification with a photograph and name on it

Student Release Form

When you arrive at the **Student Release Station**, you or your designated trusted adult will be asked to complete a Student Release form with the following information:

- ✍ Name of child or children being picked up
- ✍ Your name
- ✍ Relationship to child
- ✍ Your destination
- ✍ Phone number

Student Release Station School personnel have undergone training in proper Student Release Procedures. You will be asked for current identification and photo I.D. to complete the necessary student release log.

If you are designated as a contact person for your neighbor's children, please be prepared to give the above information as well.

Emergency Student Release Procedures



When picking up your child . . .

Our goal is to **responsibly** reunite you with your children.

PLEASE

- Bring your patience
- Do not block driveways
- Follow your school's procedures

School Emergency Pick Up Location

Children may be picked up in the Multi-Use Room and/or outside picnic tables.

1. The MDUSD will keep and care for all students in an emergency situation (such as loss of electrical power, wind/rain storms, earthquakes, etc.) until the end of the school day or longer if the emergency dictates.
2. Children will be kept at school until the parent, guardian or an authorized adult comes to check the student out of school. It is expected that parents/authorized adults will come as soon possible to pick up their children.

Please keep this brochure in your glove compartment in case of an emergency.



MDUSD ADULT STUDENT WITH DISABILITIES RELEASE PROCEDURES

This guide will help you understand the Adult Student Release process and ensure families are safely and efficiently reunited after an emergency of disaster. Adults with Disabilities may be upset and confused during an emergency. If there is concern that the student may not get home safely, an attempt will be made to keep the student at the school and contact the nearest friend or relative. However, only Adult Students with an appointed conservator may be compelled to stay at school.

KEYS TOWARDS SUCCESS

- ↳ Keep school emergency card information up-to-date
- ↳ Have current, valid identification of parent or designated adult who is the emergency contact.
- ↳ Ask school staff where the "Student Release Station" will be located
- ↳ Students will be released by E5
- ↳ An administrator or teacher will attempt to have the student to stay at school until you or a designated adult can pick them up if the student is upset or injured.

Emergency Information

- You need to:
- Update emergency information whenever changes occur
 - Provide names and contact phone numbers of trusted adults who live closest to the school and can pick up the student in an emergency
 - Encourage the student to carry an I.D. Card at all times

Current Identification

Current valid identification with a photograph is needed when a parent or trusted adult signs for release of the student. The identification can be either:

- ↳ A valid California driver's license or identification card
- ↳ An employee identification card
- ↳ Any current identification with a photograph and name on it

Student Release Form

When you arrive at the **Student Release Station**, you or your designated trusted adult will be asked to complete a Student Release form with the following information:

- ↳ Name of student being picked up
- ↳ Your name
- ↳ Relationship to student
- ↳ Your destination
- ↳ Phone number

Student Release Station school personnel have undergone training in proper Adult Student Release Procedures. You will be asked for current identification and photo I.D. to complete the necessary student release log.

If you are designated as a contact person for other students, please be prepared to give the above information as well.

When picking up the Adult Student . . .

Our goal is to **responsibly** reunite the student with a friend or relative.

- **PLEASE**
- Bring your patience
- Do not block driveways
- Follow your school's procedures

School Emergency Pick Up Location

Students can be picked up outside of Room E5 in the parking lot to your far left as you enter on San Carlos Ave.

Emergency Student Release Procedures

1. The MDUSD will keep and care for all students in an emergency situation (such as loss of electrical power, wind/rain storms, earthquakes, etc.) until the end of the school day or longer if the emergency dictates.
2. Students under conservatorship will be kept at school until the parent, guardian or an authorized adult comes to check the student out of school. It is expected that parents/authorized adults will come as soon possible.
3. If an Adult Student with Disabilities is hurt, upset or confused, a call will be made to the emergency number. An attempt will be made to keep the student at school until a relative or friend can pick them up.

Please keep this brochure in your glove compartment in case of an emergency.

EMERGENCY PREPAREDNESS STUDENT RELEASE

What Parents Need to Know

PERSONNEL DATA INFORMATION

All information is required.

School year:

† _____

Last name _____ First name _____ MI _____

Address _____ City _____ State _____ Zip _____

Home phone _____ Cell Phone _____

Sex: M F Birthdate _____ email _____

Employee position (Please circle): Clerical Custodian SIA Teacher Substitute Coordinator Administrator

Department (please mark with an X)

_____ Administration	_____ Main office	_____ Custodial
_____ AWD	_____ CBET	_____ CTE
_____ Community Ed.	_____ Data Mgmt.	_____ ESL & Citizenship
_____ Fiscal	_____ Frail Elder	_____ Health & Safety
_____ High School/ABE/ASE/GED	_____ Parent Education	_____ Home Economics
_____ Lifelong Learning		

EMERGENCY CONTACT :

Name _____ Phone _____ Relationship _____

Name _____ Phone _____ Relationship _____

Doctor's name: _____ Health Plan: _____ Phone number: _____

Health Information (Allergies, Diabetes, Medicine, Reactions, etc.) _____

Skills (SEMS required for safety plan) Please check all that apply, fill in blanks as they apply.

- Medical Training: First Aid CPR: Level of training _____ Cert. date: _____
- Search and Rescue Experience or Training: _____
- Firefighting: Military Experienced Fireman Volunteer Other
- Survival Training: Yes No Date course taken: _____
- Law Enforcement: Military Former Police Officer Security Guard Other
- Communications Ham Operator CB Telephone Operator/Repairman Other
- Foreign Languages: Language: _____ Fluency: _____
Language: _____ Fluency: _____
- Mechanical Ability: Auto Repair Other
- Construction Ability: Electrical Plumbing Carpentry Other
- Emergency vehicles (regularly at work that could be used in an emergency):
Motorcycle 4-WD vehicle RV or Van Truck Station wagon

Other training useful in an emergency: _____

2013-2014 Personnel Information

Mt. Diablo Adult Education, After School Program, Bridge Program, Central Kitchen

Last Name	First Name	Dept	Phone	Cell Phone	First Aid	CPR	Search/Rescue	Fire Fighting	Enforcement	Communication	Languages	Mechanical	Construction	Emerg Vehicle	Other
Abalos	Rhijan	Custodian	(925) 349-6483	(925) 206-0509											
Abbate-Maghsoudi	G. Vittoria	Admin	(415) 726-3456	(415) 726-3456					X						
Abraham	Kristine	PE		(925) 586-5038	X	X						X	X		
Aiello	Vince	LLL/HE	(925) 432-7451	(925) 451-9972										X	
Albert	Joel	LLL	(925) 330-2893		X	X									
Alday	Claire	ESL	(925) 427-7749	(925) 864-2422	X						X				
Aldrich	Suzanne	LLL	(925) 705-7227	(559) 307-0460					X	X					
Allan	Maureen	HS	(925) 947-6978	(925) 899-7589											
Anderson	Cynthia	Bridge	(925) 767-7155	(925) 352-5468	X										
Anello	Sam	Bridge	(925) 676-7155	(925) 525-3604	X										
Antaki	Jeanette	PE	(925) 960-1939	(925) 594-0846											
Antkowiak	Cassandra	LLL	(925) 947-2019												
Arambula	Jason	CTE	(925) 949-7797	(510) 776-3991		X									
Arevalo	Mayra	ESL		(415) 824-2824							X				
Argenal	Noreen	Bridge	(209) 366-0451	(925) 451-5399	X										
Arimitsu	Keiko	Bridge	(925) 286-2806		X										
Arness	Julie	HS	(925) 682-5885	(925) 212-1498						X					
Atwood	Jamie	CTE	(925) 937-8107	(925) 286-6935											
Avalos	Kelly	Bridge	(925) 689-2946	(925) 890-0179	X										
Baisman-Ferrer	Nira	AWD	(925) 939-0904	(925) 788-9376							X			X	
Baldwin	Kathryn	Bridge	(925) 680-1719	(925) 231-5272	X										
Balsdon	Ed	ESL-sub	(925) 631-0205	(925) 899-7595											

Last Name	First Name	Dept	Phone	Cell Phone	First Aid	CPR	Search/Rescue	Fire Fighting	Enforcement	Communication	Languages	Mechanical	Construction	Emerg Vehicle	Other
Barber	Galina	Kitchen	(925) 709-0995	(925) 207-7984						x					
Barrett	Cheryl	CTE	(925) 680-7234	(925) 408-6989											
Becker	Shari	CTE	(925) 673-3131	(925) 586-2081		X									
Bell	Sharon	CE	(925) 686-5509	(925) 787-6328											
Benitez	Yvonne	ASP	(925) 288-1878	(925) 639-0900											
Bergren	Gary	LLL		(925) 658-8476		X									
Bernstein	Jean	ESL	(925) 210-1132	(925) 876-9333											
Berrett	Geri	Bridge	(925) 825-4488	(925) 255-3505	X										
Beteta	Brenda	Admin		(925) 915-1102											
Blumer	Jan			(925) 631-0416											
Board	Carol	Kitchen	(925) 240-8644	(925) 768-5048											
Boulingui	Steeve	LLL	(925) 335-9460	(831) 392-7857						X					
Bourke	Judy	HS	(925)935-2296	(925) 997-0280											
Bracknell	Essie	ESL		(925) 640-3701											
Bradford	Margaret	LLL	(925)798-8748	(925) 451-8558	X	X				X			X		
Bramwell	Kathryn (Katie)	PE	(925) 937-8975	(925) 872-3009											
Brekle	Susan	Bridge	(925) 337-8975	(925) 351-6283											
Brockman	Sharon	Admin	(925) 687-1360	(925) 351-6283											
Brown	Denise	CTE	(916) 735-3235	(916) 214-3070											
Brown	Dorann (Dodie)	CTE	(510) 758-3659	(510) 375-2015	X										
Brown	Judith (Jude)	ESL		(253) 312-1698	X	X		MIL							
Brown	Sharon	Kitchen	(925) 689-8689	(707) 815-1550											
Brown	Heidi	PE	(925) 672-6608	(925) 325-0305									X		
Brudney	Susan	Bridge	(707) 207-0411	(925) 408-2135											
Buckhalt	Beverly	LLL		(925) 368-9087		X									

Last Name	First Name	Dept	Phone	Cell Phone	First Aid	CPR	Search/Rescue	Fire Fighting	Enforcement	Communication	Languages	Mechanical	Construction	Emerg Vehicle	Other
Budesilich	Robert	LLL	(925) 820-9488 (925) 820-4488		X	X						X	X		
Buechler	Yuri	HS		(910) 508-6098						X					
Bullock	Gloria	LLL	(925) 689-8950	(925) 639-8950											
Burik	Anthony	ESL		(415) 596-4743											
Burik	Anthony	H/ESL		(415) 596-4743							X				
Burkard	Linda			(925) 212-5366											
Byrne	Anne	CTE	(925) 270-3680	(925) 628-1518											
Calkins-Ingalls	Kymberlie	LLL	(925) 691-9440	(925) 324-5106											
Campbell	Marty	ESL	(925) 947-2982	(925) 330-7000											
Campbell	Barry	LLL	(925) 837-9139				X								
Carey	JeTon	PE	(925) 252-9416	(925) 435-3438	X				X						
Carpio	Vilma	SUB	(925) 819-6846	(925) 819-6845					X						
Caudill	William	CTE / LLL	(925) 682-8467	(925) 808-8803	X		X				X	X	X		
Chavez	Manuel	Adm		(925) 305-4233	X				X						
Chavez	Rafaela	ESL		(925) 207-2815							X				
Chillemi	Gitta	Kitchen	(510) 484-2256							X					
Clason	Ryan	HS	(925) 597-3086		X										
Clausen	Chris	HS		(925) 890-6664	X						X	X	X	X	
Clontz	Kristi	Bridge		(925) 980-9184	X										
Coffer	MeeYing	CTE		(925) 360-2781	X	X									
Coito	Joshua	HS	(925) 917-0332		X										
Colaizzo	Jorge	HS	(510) 223-3852	(925) 852-7897						X					
Condran	Brian	LLL	(925) 372-7110												
Cordice	James	TIS	(925) 292-0172	(925) 256-6594										X	
Crandall	Heather	AWD		(650) 862-5234	X					X					
Criste	Rosemary	ESL	(925) 689-7961	(925) 381-2323	X	X				X					

Last Name	First Name	Dept	Phone	Cell Phone	First Aid	CPR	Search/Rescue	Fire Fighting	Enforcement	Communication	Languages	Mechanical	Construction	Emerg Vehicle	Other
Cristea	G. Cristina	ESL	(925) 735-1795	(925) 360-0868	X	X					X				
Croft	Barbara	LLL	(925) 685-9329												
Crowe	Roberta	CTE	(925) 689-5085												
Cuff	Teniesha	PE	(925) 451-5067												
Dabbling	Jay	Bridge	(707) 455-1518	(707) 688-2900							X	X	X		
Dadasovich	Kathy	PE	(925) 934-5942	(925) 325-1794	X										
Dallas	Caletha	Bridge													
Davenport	Sandy	ESL		(925) 642-5553											
Davis	Adam	CTE		(25) 497-8635		X									
Davis	Julie	CTE		(925) 435-5896	X	X									
Davis	Lois	LLL	(925) 938-9382	(925) 212-5109											
DeGennaro	Daniel	LLL	(925) 685-6135	(925) 319-7422		X							X		
DeGraw	Mary Kate	ESL		(707) 419-9165											
DeLeon	Adriana	ESL		(925) 822-5307	X	X					X				
Del Rosario	Nelson	HS		(925) 826-7339							X				
DeMattei		Bridge													
Deosaransingh	Kamala	ESL	(925) 680-1964	(925) 768-2737											
DiMassio	Michele	H&S	(925) 387-0425	(925) 858-5435	X					X					
DiRuggiero	Fawn	PE		(925) 246-3595											
Dockter	Geoffrey	Kitchen		(530) 574-7159						x			x		
Dougherty	Jennifer	Main off	(925) 270-3256	(925) 202-4504											
Dubitsky	Mary	Volunteer	(925) 372-5748	(925) 876-8235	X	X					X				
Duenas	Luz	ESL	(925) 682-5931	(925) 348-1852							X				
Durkee	Jordan	CTE	(925) 798-6098	(925) 285-7504		X									
Edwards	D. Jacquelyn		(510) 764-1326	(510) 604-1204							X				
Eid	Magda	ESL	(925) 696-1219	(925) 915-0682											
Eklund	Jeremy	HS		(925) 787-6239											

Last Name	First Name	Dept	Phone	Cell Phone	First Aid	CPR	Search/Rescue	Fire Fighting	Enforcement	Communication	Languages	Mechanical	Construction	Emerg Vehicle	Other
Eiguezabal	Melba	ESL	(925) 939-4389	(925) 408-0873						X					
Ellis	Susan	PE	(925) 943-7535	(925) 998-0822	X										
Endo	C. Paige	ESL	(925) 288-1997	(925) 586-4666						X			X		
Espinosa	Samantha	Bridge	(925) 458-3053	(925) 765-2843	X					X					
Espinosa	Reynaldo	ESL		(925) 689-9424							X				
Fansher	Rena	Data Mgmt		(925) 787-3738					X			X	X		
Feaster	Cathy	Bridge		(817) 422-6246											
Ferdinandi	Susan	PE	(707) 746-6754	(707) 291-0801	X							X			
Feria	Noven	Custodian	(707) 647-3040	(707) 853-9138						X					
Fernandez	Irma	ESL	(925) 798-0122	(925) 207-3930						X					
Flanagan	Kelli	CTE		(925) 367-7582											
Floyd, SR.	Roger	HS	(925) 686-2070												
Ford	Margie	Bridge	(925) 228-7922	(925) 917-1458	X										
Foss	Steve	CTE	(925) 432-1320	(925) 698-0902	X							X			
Foster	Cathleen	HS		(925) 890-3516											
Foster	Lisa	LLL		(206) 949-7156											
Frank	Alejandra	ESL	(925) 822-3584	(925) 948-5099											
Frawley	Erin Kellie	CTE	(925) 387-0300	(925) 212-2177	X	X									Firsi
Fry	Gordon	LLL/HE	(925) 685-1676					X				X	X	X	
Fryer	Dalila	CTE	(925) 939-3263	(925) 330-9328											
Galvin	Yvonne	Bridge	(925) 381-0127												
Garitson	Gina	LLL		(510) 754-2473	X										
Gazdik-Engle	Patricia	CTE/Workabi	(925) 938-0445	(925) 381-3696											
Genden	Marcia	LLL	(925) 736-2580	(925) 577-8198											
Gessele	Cynthia	ESL	(510) 665-9349	(510) 520-7691	X						X				
Ghiozzi	John	HS	(925) 698-8447	(925) 598-8447	X										
Giordano	David	HS	(925) 270-6911												

Last Name	First Name	Dept	Phone	Cell Phone	First Aid	CPR	Search/Rescue	Fire Fighting	Enforcement	Communication	Languages	Mechanical	Construction	Emerg Vehicle	Other
Giordano-Runnels	Brooke	PE	(925) 672-6232	(925) 330-6171						X					
Giusti	Gary	CTE	(925) 827-1821	(925) 383-4571	X		X								
Gleeson	Timothy	AWD	(925) 935-6074	(925) 408-8421											
Gonzalez	Daniel	Bridge	(925) 439-8376	(925) 325-0211	X										
Gonzalez	Judith	ESL	(925) 609-7243	(925) 899-0795							X				
Goodenough	Mark	AWD		(415) 691-5637	X	X									
Goodman	Marie	ESL		(925) 270-5861											
Graham	Jennifer	CTE	(925) 513-2770	(925) 642-5795	X										
Gray	Lawrence	CTE	(925) 685-4600	(925) 595-0987	X										
Greenhill	David	LLL	(925) 686-6657	(925) 768-1600								X			
Grimstad	Christina (Chrissy)	Bridge	(925) 798-3361	(925) 360-4032	X									X	
Groves	Debora		(925) 825-4547												
Gruenholz	William (Bill)	ESL	(925) 685-6130	(925) 482-4296									X		
Guziak	Donna	ESL		(925) 808-1988										X	
Hackett	Cynthia	PE	(925) 957-1791	(925) 286-9701		X									
Haider	Laima	HS		(510) 917-4887											
Hamamoto	Linda	Bridge		(559) 960-6452											
Hamilton	Margaret	Volunteer	(925) 798-6235	(925) 798-6235											
Hanscom	Gary	Volunteer	(925) 676-2087	(925) 519-4038											
Harper	Rosalind	LLL		(510) 299-4023											
Harveyde-Cordova	Esperanza	LLL	(925) 686-5664								X				
Hasson	Mary	Bridge	(925) 686-4856	(925) 286-3010	X										
Heider	Dawn	Bridge	(925) 671-2035	(925) 323-6753	X										
Henderson	Victoria	PE	(925) 685-3026	(925) 899-6616	X										
Henning	Frank	LLL	(925) 849-5906		X	X									
Hill	Cyndi	Bridge		(925) 899-4145											
Holland	Kelly	HS	(925) 209-7587		X										

Last Name	First Name	Dept	Phone	Cell Phone	First Aid	CPR	Search/Rescue	Fire Fighting	Enforcement	Communication	Languages	Mechanical	Construction	Emerg Vehicle	Other
Holmes	Dinah	CE	(925)689-7253												
Haupt	Laura	HS	(925)228-6621	(925)876-6421	X									X	
Howlett	Daniel	LLL	(925)681-0526	(925)685-8994	X								x		
Huston	Terri	AWD	(925)288-0400	(925)748-1520											
Jacobs	Gretchen	ASP		(760) 490-7867											
James	Nicola	HS	(925)284-1236	(925)212-4770											
Jezierny	Mark	LLL	(925)686-2859								X			X	
Johnson	Andrew	CTE	(510) 436-7481	(510) 759-1152	X							x			
Johnson	Julie	CTE	(925) 685-0567	(925) 408-1231											
Johnson	Lorie	HS	(925) 681-2830	(925) 787-4450					X						
Johnson	Patricia	LLL	(925) 609-8497	(925) 768-1885	X		X				X				
Johnson	Eric	PE	(925)849-6558	(925)658-2389									X		
Kaur	Jatinder	ESL	(925) 937-3407	(925) 286-5164	X						X				
Kawamura	Sandy	Data Mgmt	(925)672-2908	(925)550-3037										X	
Kearney	Leighann	Work	(925) 825-3599	(925) 212-8036											
Kearns	Jennifer	ESL	(925) 939-1776	(925) 890-7461							X				
Keehn	Jocelyn	Volunteer	(925)673-7025	(925)639-5567							X				
Kelsey	Ryan	CTE	(925)849-5987	(925)250-5543											
Killen	Timothy	LLL	(925)254-8173	(925)262-3494					ham					X	
Kimmel	Violet	Kitchen	(925)687-7712	(925)383-4678	X								x		
King	Virgeen	AWD	(925)206-4240	(925)550-5398											
King	Kathleen	H&S	(925)609-9812	(925)366-8341						x					
Kirven	Lyndse	CTE	(925) 432-1752	(925) 2502812											
Koppenhaver-Klute	Kim	PE	(925)672-2698	(925)864-8290											
Kristel	Yasmin	ESL	(925) 676-3251	(925) 285-9598							X				
Kropf	John	HS	(925) 849-5433	(925) 915-1423						x					
Kruley	Rosena	LLL/CTE	(925)609-8517	(708) 359-1126											

Last Name	First Name	Dept	Phone	Cell Phone	First Aid	CPR	Search/Rescue	Fire Fighting	Enforcement	Communication	Languages	Mechanical	Construction	Emerg Vehicle	Other
LaFontaine	Jillian	AWD	(925) 387-0312	(925) 768-9099											
Landis	Adrienne	Bridge	(925) 387-0363	(925) 788-7026	X										
Landry	Denese	PH-Clerical	(925) 928-5590	(925) 890-2672									xxx		
Lara	Isabel	PE		(925)207-3949					x						
Lara	Rafaela			(925) 323-3202					X						
Lawrence	Robbie	CTE	(925) 943-5651	(925) 899-7697											
Leal	Barbara	CTE	(925)689-0807	(925)787-4440					X	X					
Lee	Aiko	LLL	(925)937-3245		X					x					
Legault	Andrea	CE/LLL	(925)685-3589	(925) 408-7786	X	X									
Lenahan	Beth	ESL	(925) 687-8267	(925) 639-2300											
Leung	Kacina	Substitute	(925) 939-8381												
Levin	Dan	LLL	(925)933-5400	(925)683-9751	X			X							
Lewis	Kimberly	Bridge	(925) 689-8568	(925) 639-7829											
Lewis	Lynn	LLL	(925)947-1738												
Lim	Patricia	Bridge		(925) 323-4296	X				x						
Lingenfelter	Karen	AWD/PE/HS/	(925)685-0874	(925)890-0882	X	X								X	
Lipscomb	David	LLL	(925) 283-8865	(925) 787-1008				X			X	X	X	X	
Liston	Michael	AWD	(925) 759-1686		X	X						X	X		
Longman	Elizabeth	ESL		(925) 360-1867		X					X				
Lopez	Wendy	ASP		(925) 451-4451	X										
Lopez	Alma	ESL	(925) 689-7232	(925) 858-0356						X					
Lopez	Angel	Kitchen	(925)932-0994	(925)890-8097											
Lopez	Cynthia	ESL	(925) 470-8443								X				
Lower	Mary	Kitchen	(925)676-7127	(925)360-6071						x					
Lugo	Tina	PE	(925)518-0758												
Lundbom	Jeanie	ESL	(925) 287-1112	(925) 708-9789							X				
Lynch	John	HS	510-482-9217	510-407-4234											

Last Name	First Name	Dept	Phone	Cell Phone	First Aid	CPR	Search/Rescue	Fire Fighting	Enforcement	Communication	Languages	Mechanical	Construction	Emerg Vehicle	Other
Maciel	Luz	ESL	(925) 458-1268	(925) 915-1304							X				
Madison-Bell	Donna	CTE	(415) 859-0314												
Madsen	Carol	HE	(925)280-1000		X										
Magid	Anna	LLL	(925) 787-7777												
Mahboob	Seema	LLL	(925) 969-0467	(925) 348-1951											
Managan	Tracy	PE	(925)943-7723	(925)381-9433											
Manshack	Christie Marie		(925) 876-9652	(925) 876-9652					X						
Mapes	Valeria	ESL	(925) 798-1537	(925) 726-7630											
Marks	Peter	LLL	(925) 944-1432	(925) 323-7722								X			
Martens	Thomas	CTE	(925) 957-6533	(925) 765-4848		X									
Martin	William	HE	(925)256-7843				X								
Martinez-Orlando	Petra	LLL	(925)293-4544	(925)998-5819						X					
Martyn	Julianne	PE	(925)682-2408	(925) 408-6420							X				
Mason	Michael	ESL	(925) 681-2688	(707) 246-3517		X	X				X				
Mata	Maria	ESL	(925) 685-2134	(925) 270-8143							X				
McClary	Deborah	Volunteer	(925) 825-9409	(925) 451-0420							X				
McCoy	Jean	HS	(707) 342-0351	(707) 342-0351		X	X								
McCoy	Ralph	HS		(707) 771-0429		X				xx	x	xxxxx			
McDaniel	Lisa	Bridge	(925) 680-8922	(925) 963-0666		X									
McDougald	Edith	LLL	(925) 934-5685												
McFalone	Raymond	LLL	(925)939-4234	(925)899-6573		X									
McGovern	Suanne	ESL	(925) 952-4420	(925) 457-7609		X					X				
McKee	Margery	AWD		(925)285-7519										X	
McNally	Gabriele	CTE	(925)672-8710	(925)360-8786							X				
Mejia- Pivaral	Mirna	ESL	(925) 686-1168			X									
Melone	Lucia	ESL	(925) 685-8324	(925) 207-4805							X				
Meme	Maggie	CTE	(925)957-9226	(925)408-2628											

Last Name	First Name	Dept	Phone	Cell Phone	First Aid	CPR	Search/Rescue	Fire Fighting	Enforcement	Communication	Languages	Mechanical	Construction	Emerg Vehicle	Other
Mercado	Sandra	Central Kit	(925)658-8079		X						X				
Mietzner	Kristine	LLL	(707) 319-4228	(707) 319-4228			vol								
Miller	Kathleen	AWD	(925)978-2587	(925)550-4765											
Mojica	Estela	ESL	(925) 709-0954	(925) 435-7943	X						X				
Molina	Jamie	Fiscal		(925)726-6568							X				
Montgomery	Katrecee	LLL		(415) 722-7333											
Morales	Leticia	ESL		(925) 639-6417							X				
Morales	Shirley	HS	(925)686-4152	(925)360-5138											
Moreno	Melinda	AWD	(925)934-3151												
Morris	William	LLL	(925)682-9264												
Murphy	Wendy	ESL	(925) 933-6594								X				
Myers	Rachel	LLL	(925)798-4026	(925)212-4837										X	
Nagano	Elaine	Bridge	(925)798-4565	(925)395-8859	X				xxxx				X		
Nagasawa	Tatsuo	HE	(510) 313-0469	(415) 309-8832							X				
Narvarez	Nora	ESL	(925) 825-5337	(925) 222-8553	X	X					X				
Navarro	Patricia	ASP	(925) 672-5772												
Navarro	Rosa	ESL	(925) 685-9355	(925) 300-5602							X				
Navarro	Katherine	PE	(925)681-1623	(925)247-4345					x						
Nicholes	Meg	ESL	(925) 253-9559	(925) 255-3389							X				
Nocet	George	LLL	(925) 283-6772	(415) 710-0879											
Nolan	Robert	LLL	(925) 687-9567										X	X	
Noriega-Carpenter	Michelle	Main off	(925)349-9823												
O'Connell	Carolyn	HS		(808) 346-3470											
Oliver	Carolyn	LLL	(925)930-8490												
Olsen	Monika	LLL/HE	(925)685-6750		X					xx					
Oswood	Carol	HS	(925)672-2728	(925)360-4347											
Ouellette	Tricia	HS	(707) 455-8001	(707) 330-5650	X										

Last Name	First Name	Dept	Phone	Cell Phone	First Aid	CPR	Search/Rescue	Fire Fighting	Enforcement	Communication	Languages	Mechanical	Construction	Emerg Vehicle	Other
Parizo	Todd	HS		(209) 663-1226							X				
Pascal	Josie	ESL	(415) 655-3554	(925) 984-9998							X				
Paynton	Christine	HS	(925)671-0977	(925)360-9847											
Percell	Paul	HE	(925)964-9296	(415) 816-3129			vol				X	X	X		
Perez	Shauna	ESL	(925) 691-5446	(925)300-6928						X					
Perez	Rosio		(925)270-3705												
Perkins-Jones	Dorothea	AWD/PE	(925)687-8655	(925)997-9297											
Peterson	Sandra	ESL	(925) 648-7877	(925) 984-5252							X				
Pfeiffer	Lynn	PE		(510) 685-3694		X									
Pontifice	Rosa	ESL		(925) 395-8446		X					X				
Porter	Terri	ASP	(925)736-4389	(925)351-7164											
Powell	Yasuko	Fiscal	(925)672-4148	(925)586-3272							X				
Price	Marilyn E.	LLL	(925) 933-4858	(925) 324-6792											
Randall	Kathy	workability	(925) 372-8315	(925) 348-5170									X		
Rapanan	Victoria	CE		(925) 216-5913							X				
Rausch	Susan	ESL	(925) 335-2441	(925) 586-6099	X	X					X		X		
Redding	Ron	CE	(925) 934-4571		X										
Reeder	Sandra	Kitchen	(925) 252-1339	(925) 437-7672											
Reinthalier	Maryellen	LLL	(925) 672-0102												
Reposa	Sharon	PE	(925) 387-0312	(925) 586-8519	X										
Reyder	Linda	ESL	(415) 474-8224	(631) 835-2943		X									
Reyes	Antonio	Data Mgmt		(925) 768-5624											
Reyna	Michelle	CTE	(925) 658-8111		X	X									
Reynolds	Kathaleen (Katy)	CTE		(925) 408-3791	X	X									
Ring	Robby	CE		(530) 263-6610	X	X									
Rios	Navidad	ESL	(925) 692-2173	(925) 768-0354											
Rivera	Dina	Custodian									X				

Last Name	First Name	Dept	Phone	Cell Phone	First Aid	CPR	Search/Rescue	Fire Fighting	Enforcement	Communication	Languages	Mechanical	Construction	Emerg Vehicle	Other
Rivera	Sylvia	Kitchen	(925)432-3312	(925)642-3100						x					
Rivera	Eneyda	PE	(925)682-3738	(925)986-5436	X					x					
Roccaforte	Francesca	LLL		(510) 417-1332	X							x			
Rodgers	James L.	LLL	(925)229-5773	(925) 980-0021	X						X				
Rodrigou-Kent	Anita	Bridge													
Rodrigues	Brian	CTE	(415) 239-5136	(415) 425-5681	X		mil			x		x			
Rodriguez	Vianey	ESL	(925) 439-7827	(925) 864-7865							X				
Rodriguez	Michelle	Main off	(925)261-1151							x					
Rogers	James W.	HS	(925)256-1881	(925)899-4786	X			X			X			X	
Romeo	Julie	Bridge		(925) 628-3519	X										
Rosenbaum	David	HS	(925) 969-7790	(415) 271-0461						X					
Roxas	Cora	Bridge													
Rubalcava	Stacey	PE	(925)849-6002	(925)639-8759	X										
Ruff	Sharon	Volunteer		(414) 469-1120	X						X				
Russell	Gail	ASP	(707) 759-3813	(916) 390-8567	X										
Ryan	Matthew	HS	(925) 303-1490		X										
Sabadlab	Jonathan	Bridge													
Sabia	Judy	HS	(925) 349-6340	(925) 286-7616											
Sanchez-Brewster	Gloria	Volunteer		(925) 254-7374							X				
Saxton	Beverly	CTE/PE	(925) 682-2473	(925) 768-1648											
Schieber	Judith	ESL	(925) 939-3021	(925) 639-6219		X					X				
Schliesman	Donna	CTE	(925)516-2882	(925)325-5495	X										
Schneider	Bill	ESL	(925) 685-3770	(925) 408-2958											
Schretenthaler	Tracy	AWD		(707)205-5534	X	X									
Schulz	Karen	PE	(925)743-8203	(925)487-5571											
Schwartz	Jeffery	HS	(925)335-9270	(925)408-0863	X	X				X			x		
Scott	Margaret	Admin/LLL	(925) 943-6482	(925) 367-7144											

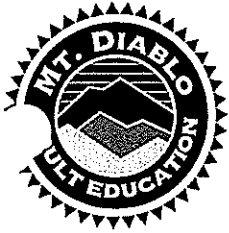
Last Name	First Name	Dept	Phone	Cell Phone	First Aid	CPR	Search/Rescue	Fire Fighting	Enforcement	Communication	Languages	Mechanical	Construction	Emerg Vehicle	Other
Scott	Suzanne	HS	(926) 691-9585	(925) 451-2732	X	X									
Scott	Stephanie	LLL	(925) 256-4093	(925) 352-4852											
Scrimshaw	Tracy	Health	(925) 254-4677	(925) 788-7470	X	x				x					
Seeburger	Eileen	HS	(925)831-1938	(925)915-5736											
Seghers	Carolyn	Bridge	(925) 687-1761	(925) 890-6714	X										
Seidenspinner	Robert	LLL	(925) 682-8968	(925) 808-8402											
Seikali	Nahla	HS		(925) 899-6599							X				
Shamai	Diane	HS	(925)691-1881	(925)270-9294											
Sharpe	Charlton	HS	(925) 318-4008		X	X									
Shaw	Lynn	Main off	(925)229-0176	(925)577-8835	X										
Shellhammer	Sandra	CTE	(925) 673-0320	(925) 285-0738											
Sherve	Patricia (Patty)	AWD	(925) 362-3114	(719) 306-5585	X	X					X				
Simons	Gail	ESL	(925) 938-4629	(925) 478-1720		X									
Slavin	Rosemary	ESL	(925) 672-1686	(925) 200-1843						x					
Sloan	Diana	MO		(925) 726-9597											
Stoneker	Cynthia	LLL	(925)820-2024	(925)389-6801											
Sosnowski	Judith	LLL	(925)934-7890	(925)899-9112											
Spark	Yondi/Grace	Bridge		(925) 963-4380											
Sprague	Claude	CE	(510) 280-0998	(510) 684-5157											
St. Clare	Simone	CE		(925)922-9262							X				
Staller	Glenn	LLL		(925) 457-3961											
Stanford	Sandra	Admin	(925)524-0456	(925)330-8893						x					
Starkman	Elaine	LLL	(925)932-1144	(925)330-2702						x					
Steele	Alan	ESL	(925) 676-9487								X				
Steele	Alan	HS	(925) 676-9487								X				
Steffinger	Edward	LLL	(925) 798-5245												
Storm	Lynne	HS	(925) 229-1848	(925) 963-7868											

Last Name	First Name	Dept	Phone	Cell Phone	First Aid	CPR	Search/Rescue	Fire Fighting	Enforcement	Communication	Languages	Mechanical	Construction	Emerg Vehicle	Other
Strout	Pat	LLL	(925)691-9758	(925) 381-5338											
Szakats	Amanda	ESL	(925) 686-5823	(925) 765-0483						X					
Taylor-Maurer	Alyce	LLL	(925)687-4087	(925) 518-4285											
Ten Eyck	Jean	HS		(510) 909-8266	X										
Thom	Eric	CTE		(925) 699-2615	X	X								X	
Thompson	Diane	HS/GED	(925) 685-8392	(925) 451-7024	X										
Thomson	Karen	CTE		(510) 506-0312	X	X	X	X						X	
Throckmorton	Charlynn	HS	(510) 275-9701												
Tobias-Espinosa	Samantha	Bridge	(925) 765-2843	(925) 765-2843					X						
Toman	Irma	PE	(925) 954-7119	(925) 325-7839	X	X				X					
Torres	Obdulia	ESL		(925) 339-1258	X	X				X					
Torske	Kristine	ESL	(925) 283-2428	(925) 980-8226											
Townsend	MaryAnn	AWD	(925)693-0002	(925)768-1036									X	X	X
Traeger	Jordan	Volunteer	(925)254-3810									X	X	X	
Trampenau	Melanie	PE		(253) 509-4063		X							X		
Tranter	Shirley	ESL	(925) 837-5753												
Triboletti	Eleanor	LLL		(510) 508-6014		X									
Trublood	Brent	HS		(925) 203-0938											
Tucker	Beverly	AWD	(925)825-7398	(925) 586-1676											
Tucker	Robert	Cust	(925)687-3948												
Turner	Gwen	workability		(925) 899-6911											
Valera	Maria	ESL	(925) 686-5755	(925) 325-5478											
Vasilev	Adrienne			(925) 683-4813		X					X				
Vasquez	Andrew	CE		(925) 260-2843					xx						
Vega	Vilma	Volunteer		(510) 512-6736					X		X				
Veletz	Diana	ESL	(925) 458-6648	(925) 301-0609							X				
Verdin	Lydia	ESL	(925) 676-3148	(925) 918-3976							X				

Last Name	First Name	Dept	Phone	Cell Phone	First Aid	CPR	Search/Rescue	Fire Fighting	Enforcement	Communication	Languages	Mechanical	Construction	Emerg Vehicle	Other
Villacorta	Elma	CE		(925)395-1202											
Wadsworth	Beverly	Volunteer	(925) 837-9736	(925) 683-0923	X										
Walcutt	Pamela	ESL	(925) 672-3335	(925) 437-5570											
Walden	Kathleen (KAT)	AWD	(925)228-4849	(925)586-8562									X		
Walker	Colette	ASP		(925)584-2681											
Washington	Brenda	CTE		(707) 319-5451											
Wathen	Joanne	HS	(925)930-7827	(408) 406-3972	X							X			
Webb	Tammy	CTE		(510) 830-5095		X						X			
Webb	Tom	LLL	(925) 372-8257	(925) 890-1572									X		
White	Jill	ESL		(707) 567-0345		X					X				
White	Charles		(510) 886-8659	(510) 909-4414											
Whitsett	Sally	Bridge	(925) 689-5493	(925) 586-9909	X								X		
Wildschutte	Shari	Volunteer	(925)685-5541	(925)852-1706											
Wright	Patricia	CTE	(707) 746-7433	(707) 333-5366											
Young	Christopher	CTE	(925) 283-1492	(415) 760-3117	X	X	X	X	X			X	X	X	
Young	Glenda (Bodhi)	HS		(925) 984-5971	X										
Youse	Beth	Kitchen	(925)672-5011	(925)367-8499											
Ziegler	Catherine	CTE	(925) 932-1733	(925) 787-2198	X	X	X								
Zilberman	Marina	ESL	(925) 689-2845								X				

SECTION 10

**PUBLIC NOTICE LAW
ENFORCEMENT
REVIEW**



MT. DIABLO ADULT EDUCATION

A DIVISION OF MT. DIABLO UNIFIED SCHOOL DISTRICT

LOMA VISTA ADULT CENTER
1266 San Carlos Ave.
Concord, California 94518-1199
(925) 685-7340
FAX (925) 687-8217

PLEASANT HILL ADULT CENTER
One Santa Barbara Rd.
Pleasant Hill, California 94523-4496
(925) 937-1530
FAX (925) 937-1533

April 24, 2014

Carole Board
MDUSD Central Kitchen
1266 San Carlos Ave.
Concord, CA 94518

Dear Ms. Board,

Each year California public schools are required to prepare and/or update a Comprehensive School Site Safety Plan per California Education Code Section 35294.1. The Comprehensive School safety Plan shall include, but is not limited to, the following:

- Assessment of school crimes committed on school campuses and school related activities;
- Identification of appropriate strategies and programs that will ensure a high level of school safety;
- Child Abuse reporting procedures;
- Disaster procedures;
- Policies that lead to student suspension and/or expulsion
- Procedures to notify teachers of dangerous students;
- Discrimination and Harassment policies;
- Provisions of a school-wide dress code that prohibits pupils from wearing "gang related" apparel;
- Procedures for safe ingress and egress of pupils
- Assurance of a safe and orderly school environment conducive to learning;
- Rules and procedures regarding school discipline; and
- Hate crime reporting procedures.

Before the Comprehensive School Safety Plan is adopted, the School Safety Planning Committee shall hold a public meeting at the school site in order to allow members of the community the opportunity to express an opinion about the school's safety plan.

The date of our school's public meeting at which the school safety plans will be adopted is:

Monday, May 19, 2014 at 1:00 p.m., Loma Vista Adult Center Room D-5

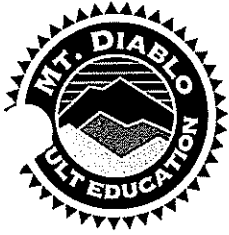
You are encouraged to attend this public meeting. The meeting will be an excellent opportunity for you to become familiar with the school's safety plans and to provide input.

Please contact me at (925) 685-7340, ext. 6706, if you are planning to attend the meeting, or if you have questions regarding this matter. I look forward to speaking with you.

Sincerely,

Sharon Brockman
Vice Principal, Mt. Diablo Adult Education

FILE COPY



MT. DIABLO ADULT EDUCATION
A DIVISION OF MT. DIABLO UNIFIED SCHOOL DISTRICT

LOMA VISTA ADULT CENTER
1266 San Carlos Ave.
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One Santa Barbara Rd.
Pleasant Hill, California 94523-4496
(925) 937-1530
FAX (925) 937-1533

April 24, 2014

Ivan Menchaca
Lieutenant Field Operations
City of Concord Police Department
1350 Galindo Street
Concord, CA 94520

Dear Lieutenant Menchaca,

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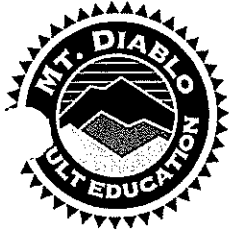
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Sincerely,

Sharon Brockman
Vice Principal, Mt. Diablo Adult Education

FILE COPY



MT. DIABLO ADULT EDUCATION
A DIVISION OF MT. DIABLO UNIFIED SCHOOL DISTRICT

LOMA VISTA ADULT CENTER
1266 San Carlos Ave.
Concord, California 94518-1199
(925) 685-7340
FAX (925) 687-8217

PLEASANT HILL ADULT CENTER
One Santa Barbara Rd.
Pleasant Hill, California 94523-4496
(925) 937-1530
FAX (925) 937-1533

April 24, 2014

John Williams
MDUSD Site Supervisor
1480 Gasoline Alley
Concord, CA 94520-4823

Dear Mr. Williams,

Each year California public schools are required to prepare and/or update a Comprehensive School Site Safety Plan per California Education Code Section 35294.1. The Comprehensive School safety Plan shall include, but is not limited to, the following:

- Assessment of school crimes committed on school campuses and school related activities;
- Identification of appropriate strategies and programs that will ensure a high level of school safety;
- Child Abuse reporting procedures;
- Disaster procedures;
- Policies that lead to student suspension and/or expulsion
- Procedures to notify teachers of dangerous students;
- Discrimination and Harassment policies;
- Provisions of a school-wide dress code that prohibits pupils from wearing "gang related" apparel;
- Procedures for safe ingress and egress of pupils
- Assurance of a safe and orderly school environment conducive to learning;
- Rules and procedures regarding school discipline; and
- Hate crime reporting procedures.

Before the Comprehensive School Safety Plan is adopted, the School Safety Planning Committee shall hold a public meeting at the school site in order to allow members of the community the opportunity to express an opinion about the school's safety plan.

The date of our school's public meeting at which the school safety plans will be adopted is:

Monday, May 19, 2014 at 1:00 p.m., Loma Vista Adult Center Room D-5

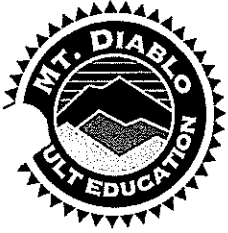
You are encouraged to attend this public meeting. The meeting will be an excellent opportunity for you to become familiar with the school's safety plans and to provide input.

Please contact me at (925) 685-7340, ext. 6706, if you are planning to attend the meeting, or if you have questions regarding this matter. I look forward to speaking with you.

Sincerely,

Sharon Brockman
Vice Principal, Mt. Diablo Adult Education

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April 24, 2014

Margaret Romiti
Volunteer Services & Emergency Services Coordinator
1350 Galindo Street
Concord, CA 94520

Dear Ms. Romiti,

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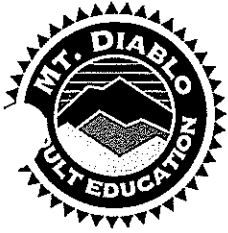
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April 24, 2014

Samantha Espinosa
MSUSD Bridge Program
1266 San Carlos Ave.
Concord, CA 94518

Dear Ms. Espinosa,

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Sharon Brockman
Vice Principal, Mt. Diablo Adult Education

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April 24, 2014

Teri Porter
Administrator, CARES After School Program
1266 San Carlos Ave.
Concord, CA 94518

Dear Ms. Porter,

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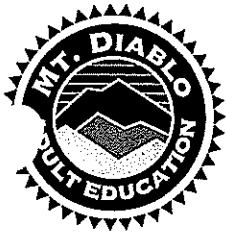
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Sharon Brockman
Vice Principal, Mt. Diablo Adult Education

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April 24, 2014

Mayor Tim Grayson
City of Concord
1950 Parkside Drive
Concord, CA 94519

Dear Mayor Grayson,

Each year California public schools are required to prepare and/or update a Comprehensive School Site Safety Plan per California Education Code Section 35294.1. The Comprehensive School safety Plan shall include, but is not limited to, the following:

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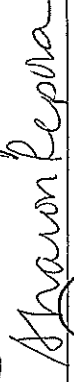







Sharon Brockman
Vice Principal, Mt. Diablo Adult Education

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Event: Safety Plan - Public Hearing for Loma Vista Adult Center

Date: Monday, May 19, 2014, 2013
Time: 1:30 p.m. - 2:00 p.m.

Facilitator: Sharon Brockman, Pd. D., Vice Principal, Adult Education

Print Name	Dept./Agency	Email Phone	Signature
1. TIM GRAYSON	Mayor Concord		
2. Sharon Repasa	Parent Ed		
3. PATRICK MURRAY	CONCORD P.D.		
4. KRISTIA OUELLETTE	HSD/GED		
5. Sandra Stanford	admin. office	ext. 6711	
6. Cheryl Howard	Admin		
7. Paige Endo	MDAE - ETEL	leah@mdusd.org	BARBARA UEL
8. Sharon Brockman	MDAE-ESL	endo@mdusd.org	Paige Endo
9. Lynn Shaco	MDAE	shawl@mdusd.org	
11. Karen Lingenfelter	AWD	lingenfelterk@mdusd.org	
12. Margaret Scott	VI		
13.			
14.			

Comprehensive School Site Safety Plan Hearing

Each year California public schools are required to prepare and/or update a Comprehensive School Site Safety Plan per California Education Code Section 35294.1. The Comprehensive School Safety Plan shall include, but is not limited to, the following:

- **Disaster procedures;**
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Sharon Brockman, Ph.D.
Vice Principal, Mt. Diablo Adult and Career Education
April 23, 2014